

1 IN THE SENATE

BY DUNCAN

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SENATE BILL NO. 449

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - SECOND SESSION

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A BILL

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For an Act entitled: "An Act limiting the liability of a landowner for

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death or injury to a person resulting from recre-

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ational use of land."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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* Section 1. The purpose of this Act is to encourage landowners to make

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their land available to the public for recreation by limiting the land-

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owners' liability to persons who use the land for recreation.

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* Sec. 2. AS 09.45.795 is amended to read:

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Sec. 09.45.795. CIVIL LIABILITY FOR PERSONAL INJURIES OR DEATH

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OCCURRING ON UNIMPROVED LAND. An owner of unimproved land is not

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liable in tort for damages for the injury to or death of a person who

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enters onto or remains on the unimproved portion of land if

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(1) the injury or death resulted from a natural condition

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of the unimproved portion of the land or the person entered onto the

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land for recreation [PROPERTY]; and

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(2) the person had no responsibility to compensate the

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owner for the person's use or occupancy of the land [PROPERTY].

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* Sec. 3. AS 09.45.795 is amended by adding a new subsection to read:

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(b) In this section, "unimproved land" includes land that con-

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tains

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(1) a trail; or

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(2) a road built to provide access to the land for the

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purpose of natural resources extraction, but which is no longer main-

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tained or used for that purpose.