

SECOND REGULAR SESSION

HOUSE BILL NO. 1937

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGAUGH.

6129H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 537.345, RSMo, and to enact in lieu thereof one new section relating to landowner liability.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 537.345, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 537.345, to read as follows:

537.345. As used in sections 537.345 to 537.347, and section 537.351, the following terms mean:

(1) "Charge", the admission price or fee asked by an owner of land or an invitation or permission without price or fee to use land for recreational purposes when such invitation or permission is given for the purpose of sales promotion, advertising or public goodwill in fostering business purposes;

(2) "Land", all real property, land and water, and all structures, fixtures, equipment and machinery thereon;

(3) "Owner", any individual, legal entity or governmental agency that has any ownership or security interest whatever or lease or right of possession in land;

(4) "Recreational use", hunting, fishing, camping, picnicking, biking, nature study, winter sports, viewing or enjoying archaeological or scenic sites, **trapping, boating, swimming**, or other similar activities undertaken for recreation, exercise, education, relaxation, or pleasure on land owned by another;

(5) "Trespasser", any person who enters on the property of another without permission and without an invitation, express or implied regardless of whether actual notice of trespass was given or the land was posted in accordance with the provisions of sections 569.140 and 569.145.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.