HB 1070 -- LANDOWNER LIABILITY (Hudson)

COMMITTEE OF ORIGIN: Special Committee on Tourism

This bill prohibits an owner, employee, or officer of a private campground from being liable for acts related to camping at a private campground if the injury or damage occurred as a result of an inherent risk of camping, as described within the bill. This bill does not apply to actions arising under Missouri Workers' Compensation Law. Additionally, this bill does not prevent or limit liability of an owner, employee, or officer who intentionally causes injury, death, or damage, who acts with a willful or wanton disregard for the safety of the person or property damaged, who fails to use the degree of care that an ordinarily careful and prudent person would use under the circumstances, or who fails to conspicuously post warning signs of known dangerous conditions on the property. Warning signs are required to appear in black letters of at least one inch in height on a white background. Warning signs and written contracts entered into by an owner, employee, or officer shall contain a warning notice, as specified in the bill.

The bill also specifies that a landowner is not liable for injuries a trespasser receives while on the landowner's residential area, if such area is adjacent to a park or trail and that is how the trespasser entered the owner's property.

Currently, a landowner who invites or permits a person to enter his land for recreational use in compliance with a state-administerd recreational access program does not assume certain liabilities or responsibilities. The bill also extends the limited liability to landowners who invite or permit a person to enter his land for recreational use in compliance with a state-administerd wildlife management program.

The bill also repeals a certain paragraph of landowner liability law that states that nothing in its provisions creates or limits liability that otherwise would be incurred by owners of land for injuries occurring on or in any land within the corporate boundaries of any city, municipality, town, or village in this state.