



Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	3

MR. SPEAKER:

*Your Committee on Natural Resources, to which was referred House Bill 1414, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 14-22-10-2, AS AMENDED BY P.L.113-2019,
- 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2026]: Sec. 2. (a) As used in this section and section 2.5 of
- 6 this chapter, "governmental entity" means any of the following:
- 7 (1) The government of the United States of America.
- 8 (2) The state.
- 9 (3) A county.
- 10 (4) A city.
- 11 (5) A town.
- 12 (6) A township.
- 13 (7) The following, if created by the Constitution of the United

1 States, the Constitution of the State of Indiana, a statute, an
2 ordinance, a rule, or an order:

- 3 (A) An agency.
- 4 (B) A board.
- 5 (C) A commission.
- 6 (D) A committee.
- 7 (E) A council.
- 8 (F) A department.
- 9 (G) A district.
- 10 (H) A public body corporate and politic.

11 (b) As used in this section and section 2.5 of this chapter, "monetary
12 consideration" means a fee or other charge for permission to go upon
13 a tract of land. The term does not include:

- 14 (1) the gratuitous sharing of game, fish, or other products of the
15 recreational use of the land;
- 16 (2) services rendered for the purpose of wildlife management; or
- 17 (3) contributions in kind made for the purpose of wildlife
18 management.

19 (c) As used in this section and section 2.5 of this chapter, "owner"
20 means a governmental entity or another person that:

- 21 (1) has a fee interest in;
- 22 (2) is a tenant, a lessee, or an occupant of; or
- 23 (3) is in control of;

24 a tract of land.

25 (d) A person who goes upon or through the premises, including
26 caves, of another:

- 27 (1) with or without permission; and
- 28 (2) either:
 - 29 (A) without the payment of monetary consideration; or
 - 30 (B) with the payment of monetary consideration directly or
 - 31 indirectly on the person's behalf by an agency of the state or
 - 32 federal government;

33 for the purpose of swimming, camping, hiking, sightseeing, **exercising**,
34 **cycling**, or accessing or departing from a trail, a greenway, or another
35 similar area, or for any other purpose (other than the purposes
36 described in section 2.5 of this chapter) ~~does not have an assurance that~~
37 ~~the premises are safe for the purpose: is subject to the limitations of~~
38 ~~liability granted to the owner of the premises described in~~

1 **subsection (e).**

2 (e) The owner of the premises does not
3 (1) assume responsibility; or
4 (2) incur liability;
5 for an injury to a person or property caused by an act or failure to act
6 of other persons using the premises. **assume responsibility or incur**
7 **liability for an injury or damage to a:**
8 **(1) person caused by:**
9 (A) an act; or
10 (B) the failure to act;
11 **of another person using the premises;**
12 **(2) person caused by a condition on the land; or**
13 **(3) person's property caused by:**
14 (A) the act of another person using the premises; or
15 (B) a condition on the land.
16 (f) This section does not affect the following:
17 (1) Existing Indiana case law on the liability of owners or
18 possessors of premises with respect to the following:
19 (A) Business invitees in commercial establishments.
20 (B) Invited guests.
21 **(1) Business invitees in for-profit establishments.**
22 (2) The attractive nuisance doctrine.
23 (g) This section does not excuse the owner or occupant of premises
24 from liability for injury to a person or property caused by a malicious
25 or an illegal act of the owner or occupant.".
26 Renumber all SECTIONS consecutively.
 (Reference is to HB 1414 as introduced.)

and when so amended that said bill do pass.

Representative Lindauer