

# PROPOSED AMENDMENT

## SB 224 # 1

### DIGEST

Liability. Establishes various restrictions on landowner liability to recreational users.

---

1       Page 24, between lines 16 and 17, begin a new paragraph and insert:  
2       "SECTION 54. IC 14-22-10-2, AS AMENDED BY P.L.113-2019,  
3       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4       JULY 1, 2026]: Sec. 2. (a) As used in this section and section 2.5 of  
5       this chapter, "governmental entity" means any of the following:  
6           (1) The government of the United States of America.  
7           (2) The state.  
8           (3) A county.  
9           (4) A city.  
10          (5) A town.  
11          (6) A township.  
12          (7) The following, if created by the Constitution of the United  
13           States, the Constitution of the State of Indiana, a statute, an  
14           ordinance, a rule, or an order:  
15           (A) An agency.  
16           (B) A board.  
17           (C) A commission.  
18           (D) A committee.  
19           (E) A council.  
20           (F) A department.  
21           (G) A district.  
22           (H) A public body corporate and politic.  
23       (b) As used in this section and section 2.5 of this chapter, "monetary  
24           consideration" means a fee or other charge for permission to go upon  
25           a tract of land. The term does not include:  
26           (1) the gratuitous sharing of game, fish, or other products of the  
27           recreational use of the land;  
28           (2) services rendered for the purpose of wildlife management; or

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

5 (1) has a fee interest in;

6 (2) is a tenant, a lessee, or an occupant of; or

7 (3) is in control of;

8 a tract of land.

11 (1) with or without permission; and

12 (2) either:

13 (A) without the payment of monetary consideration; or

14 (B) with the payment of monetary consideration directly or

15                   indirectly on the person's behalf by an agency of the state or  
16                   federal government;

17 for the purpose of swimming, camping, hiking, sightseeing, **exercising,**  
18 **cycling, performing recreational sports, or** accessing or departing  
19 from a trail, a greenway, or another similar area, or for any other  
20 purpose (other than the purposes described in section 2.5 of this  
21 chapter) does **not** have an assurance that the premises are safe for the  
22 purpose. **is subject to the limitations of liability granted to the**  
23 **owner of the premises described in subsection (e).**

24 (e) The owner of the premises does not

25 (1) assume responsibility; or

26 (2) incur liability;

27 for an injury to a person or property caused by an act or failure to act  
28 of other persons using the premises. **assume responsibility or incur**  
29 **liability for an injury to a:**

### 30 (1) person caused by:

31 (A) an act; or

32 (B) the failure to act;

33 of another person using the premises;

34 (2) person caused by a condition on the land; or

35 (3) person's property caused by:

36 (A) the act of another person using the premises; or

38 (f) This section does not affect the following:

39                             (1) Existing Indiana case law on the liability of owners or  
40                             possessors of premises with respect to the following:

