

Amendment No. 1 to HB2859

Farmer
Signature of Sponsor

AMEND Senate Bill No. 2827

House Bill No. 2859*

by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 11, Chapter 10, is amended by adding the following as a new section:

11-10-106.

(a) An owner of land who enters into a cooperative agreement with a public utility owned by the federal government for the use of the public utility's land in conjunction with the owner's land of at least one hundred (100) acres that is made available to the public as a park for outdoor recreational purposes without charge, except for a nominal parking fee or special event fee, owes no duty of care to persons entering or going upon such land and is not liable for any loss, damages, or injury to such persons.

(b) This section does not limit liability for any conduct that constitutes gross negligence or willful and wanton misconduct.

(c) As used in this section, "outdoor recreational purposes" means any activity within an outdoor environment, including, but not limited to, fishing, wildlife viewing, swimming, boating, camping, picnicking, hiking, biking trails and bike skills areas, greenway trails, nature study, non-motorized boat access, and playgrounds.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.