

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 4 - 0 - 1
Yeas: Atkinson, Ferrioli, Metsger, Devlin
Nays: -
Exc.: Burdick
Prepared By: Erin Seiler, Administrator
Meeting Dates: 6/8

WHAT THE MEASURE DOES: Extends immunity from suit to landowners who permit the public to use their property for gardening for a fee of no more than \$25 per year. Extends immunity from suit to landowners who allow the public to travel across their property to access adjacent areas for the purpose of recreation, gardening, woodcutting, or the harvest of special forest products.

ISSUES DISCUSSED:

- Extension of statutory immunity for landowners to encourage use of public lands for recreation
- Definition of recreational purposes
- Recourse for private property owners when people trespass across property
- Encouragement of community gardening on public property
- Public access to recreational land

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 105.682 provides immunity from suit for personal injury, death or property damage against both private and public landowners who allow others to use their property for recreational purposes, woodcutting, and the harvest of special forest products. House Bill 2003 adds gardening to this list, and extends the same immunity to adjacent landowners who allow the public to travel across their property in order to access such areas for those purposes.