

Requested by Senator MEEK

**PROPOSED AMENDMENTS TO
SENATE BILL 1196**

1 In line 2 of the printed bill, before the period insert “; and declaring an
2 emergency”.

3 Delete lines 4 through 9 and insert:

4 **“SECTION 1. (1) As used in this section:**

5 **“(a) ‘Operator’ means a person that:**

6 **“(A) Offers a person the opportunity to participate in a sport, fit-
7 ness or recreational activity; or**

8 **“(B) Operates or provides a facility or place where a person can
9 participate in a sport, fitness or recreational activity.**

10 **“(b) ‘Sport, fitness or recreational activity’ means an indoor or
11 outdoor activity involving elements of inherent risk, including but not
12 limited to hunting, fishing, swimming, boating, rafting, biking, camp-
13 ing, skiing, snowboarding, winter sports, team and individual sports,
14 climbing, equestrian and rodeo activities, hiking, outfitter guiding,
15 ocean and water sports, motorized recreation, athletic or fitness com-
16 petitions or fitness and training activities.**

17 **“(2) Except as provided in subsection (3) of this section, an operator
18 may require a person 18 years of age or older who participates in a
19 sport, fitness or recreational activity, rents equipment for a sport,
20 fitness or recreational activity, uses a facility or place for a sport,
21 fitness or recreational activity or volunteers to maintain facilities or**

1 places used for sport, fitness or recreational activities to release the
2 operator from any claim for ordinary negligence arising out of or re-
3 lating to the sport, fitness or recreational activity before the person
4 participates in the sport, fitness or recreational activity, rents equip-
5 ment, uses a facility or place or volunteers. A release described in this
6 subsection is not unconscionable or void as contrary to public policy.

7 “(3) An operator may not require a person to release the operator
8 from claims that constitute greater than ordinary negligence. A re-
9 lease described in this subsection is severable from a release for ordi-
10 nary negligence required by the operator. A release that is broader
11 than the release described in subsection (2) of this section shall be
12 construed within the limits stated in subsection (2) of this section.

13 “SECTION 2. (1) Except as provided in subsection (2) of this section,
14 section 1 of this 2025 Act applies to releases executed before, on or
15 after the effective date of this 2025 Act.

16 “(2)(a) Section 1 of this 2025 Act does not apply to the release of any
17 claim for which a final judgment has been entered before the effective
18 date of this 2025 Act.

19 “(b) As used in this subsection, ‘final judgment’ means a judgment
20 for which the time to appeal has expired without any party filing an
21 appeal or that is not subject to further appeal or review.

22 “SECTION 3. This 2025 Act being necessary for the immediate
23 preservation of the public peace, health and safety, an emergency is
24 declared to exist, and this 2025 Act takes effect on its passage.”.

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