

- I. AMEND SECTION 1 BY DELETING IT IN ITS ENTIRETY AND REPLACING IT AS FOLLOWS:

Section 1. NRS 41.510 is hereby amended to read as follows:

41.510. 1. This section may be known and cited as the Recreational Use of Land Statute. The Legislature hereby finds and declares that the purpose of this section is to encourage:

- (a) Owners of rural or semi-rural land to make their land available for free to members of the public to engage in recreational activity by limiting the liability of the owners of such land to members of the public who enter onto the land to engage in such recreational activity; and
- (b) The State of Nevada, or any political subdivision thereof, to develop and maintain land throughout the State to be used primarily for recreational activity.

2. Except as otherwise provided in subsection ~~{3,}~~ 4, an owner of any estate or interest in any premises, or a lessee or an occupant of any premises, owes no duty to keep the premises safe for entry or use by others for participating in any recreational activity, or to give warning of any hazardous condition, activity or use of any structure on the premises to persons entering for those purposes.

~~{2,}~~ 3. Except as otherwise provided in subsection ~~{3,}~~ 4, if an owner, lessee or occupant of premises gives permission to another person to participate in recreational activities upon those premises:

(a) The owner, lessee or occupant does not thereby extend any assurance that the premises are safe for that purpose or assume responsibility for or incur liability for any injury to person or property caused by any act of persons to whom the permission is granted.

(b) That person does not thereby acquire any property rights in or rights of easement to the premises.

~~{3,}~~ 4. This section does not:

- (a) Limit the liability which would otherwise exist for:

(1) Willful and ~~{or}~~ malicious, or grossly negligent, failure by the owner, lessee or occupant to guard, or to warn against, a dangerous condition, use, structure or activity.

(2) Injury suffered in any case where permission to participate in recreational activities was granted for a consideration other than the consideration, if any, paid to the landowner by the State or any subdivision thereof. For the purposes of this subparagraph, the price paid for a game tag sold pursuant to NRS 502.145 by an owner, lessee or manager of the premises shall not be deemed consideration given for permission to hunt on the premises.

(3) Injury caused by acts of persons to whom permission to participate in recreational activities was granted, to other persons as to whom the person granting permission, or the owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

*(4) Injury caused by acts or omissions of an occupant of the premises who receives compensation from the owner or lessee of the premises to maintain, develop or improve the premises or any portion thereof.*

(5) Injury caused by acts or omissions of a private entity or person occupying or leasing premises from the State of Nevada, or any political subdivision thereof.

(6) Injury caused by acts or omissions of a private owner, leasee, or occupant of a residential common area, urban premises, or public infrastructure.

(b) Create a duty of care or ground of liability for injury to person or property.

(c) Apply to:

(1) Residential common areas; ~~{or}~~

(2) ~~{Urban}~~~~{p}~~Public Infrastructure; or

(3) Apply to the State of Nevada, or any political subdivision thereof, for any premises it owns, leases, or occupies which are not intended to be used solely for the purposes of recreational activity.

5. As used in this section~~{t}~~ :

(a) "Recreational activity" includes, but is not limited to:

~~{a}~~ (1) Hunting, fishing or trapping;

~~{{b}}~~ (2) Camping, hiking or picnicking;

~~{{e}}~~ (3) Sightseeing or viewing or enjoying archaeological, scenic, natural or scientific sites;

~~{{d}}~~ (4) Hang gliding or paragliding;

~~{{e}}~~ (5) Spelunking;

~~{{f}}~~ (6) Collecting rocks;

~~{{g}}~~ (7) Participation in winter sports, including cross-country skiing, snowshoeing or riding a snowmobile, or water sports;

~~{{h}}~~ (8) Riding animals, riding in vehicles or riding a road, mountain or electric bicycle;

~~{{i}}~~ (9) Studying nature;

~~{{j}}~~ (10) Gleaning;

~~{{k}}~~ (11) Recreational gardening; and

~~{{l}}~~ (12) Crossing over to public land or land dedicated for public use.

≥ “Recreational activity” does not include utilitarian activities in which a person engages primarily for the purpose of transportation, such as walking, cycling or using other physical or mechanical means of transportation on public roads, highways, sidewalks, alleys, or shared paths for the purpose of daily living or for the purpose of employment or work-related activities, such as the delivery of food or other items.

(b) “Residential common areas” means premises which are located within an urban private community, such as a common-interest community or another private residential neighborhood, and which are primarily intended for the general use of residents of the urban private community. The term includes, without limitation, sidewalks, paths, crosswalks, walkways, parks, exercise areas, playgrounds and play areas.

(c) “[Urban] Public infrastructure” means [a premises which are located in an area that is primarily urban and not primarily rural, semi-rural or nonresidential, which are supported, in whole or part, by any public funds, and

~~which have been improved primarily for the purpose of;~~ a building or structure owned, leased, or occupied by the State of Nevada, or any political subdivision thereof, for the primary purpose of administration or providing administrative services to the public.

~~[(1) Allowing persons to participate in recreational activity on the premises;]~~

~~[(2) Allowing persons who are, were or will be participating in recreational activity on other premises to access such other premises to participate in recreational activity; or]~~

~~[(3) Transportation, daily living or employment or work-related activities.]~~

~~["Urban public infrastructure" includes, without limitation, improved urban playgrounds, play areas, parks, exercise areas, sidewalks, roads, paths, walkways, bike lanes, and other improved urban premises used primarily for recreational activity, for accessing premises used primarily for recreational activity or for transportation, daily living or employment or work-related activities.]~~