

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 931

By: Justice of the Senate

and

Biggs of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to agriculture; amending 2 O.S. 2011,  
11 Section 16-71.1, which relates to the Oklahoma  
12 Limitation of Liability for Farming and Ranching Land  
13 Act; modifying definitions; and providing an  
14 effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 2 O.S. 2011, Section 16-71.1, is  
17 amended to read as follows:

18 Section 16-71.1 A. Sections ~~26~~ 16-71.1 through ~~32~~ 16-71.7 of  
19 this ~~act~~ title shall be known and may be cited as the "Oklahoma  
20 Limitation of Liability for Farming and Ranching Land Act".

21 B. 1. The purpose of the Oklahoma Limitation of Liability for  
22 Farming and Ranching Land Act is to encourage owners of farming and  
23 ranching lands to make such land available for recreational purposes  
24 by limiting their liability to persons entering or using the farm

1 and ranch land and to third persons who may be damaged by the acts  
2 or omissions of persons entering upon or using these lands.

3 2. The Oklahoma Limitation of Liability for Farming and  
4 Ranching Land Act applies only to an owner of land who does not  
5 charge more than Ten Dollars (\$10.00) per acre per year for that  
6 land used for recreational purposes.

7 C. As used in the Oklahoma Limitation of Liability for Farming  
8 and Ranching Land Act:

9 1. "Land" means land which is used for farming, ranching  
10 activities and recreational purposes, as defined in this section,  
11 including, but not limited to, roads, water, watercourses, private  
12 ways, buildings, structures, and machinery or equipment when  
13 attached to realty which is used primarily for farming or ranching  
14 activities;

15 2. "Owner" means the possessor of a fee interest, a tenant,  
16 lessee, occupant or person in control of the premises but shall not  
17 include a tenant, lessee, occupant or person in control of the  
18 premises who is engaging in any recreational purpose described in  
19 paragraph 3 of this subsection;

20 3. "Recreational purpose" includes any of the following, or any  
21 combination thereof: hunting, fishing, wildlife and ecological  
22 viewing or photography, recreational farming and ranching  
23 activities, swimming, boating, camping, picnicking, hiking, pleasure  
24 driving, jogging, cycling, other similar events and activities,

1 nature study, water skiing, winter sports, jet skiing, ~~and~~ viewing  
2 or enjoying historical, archaeological, scenic, or scientific sites  
3 and aviation, including fly-ins at private airports; and

4 4. "Charge" means the admission price or fee asked in return  
5 for invitation or permission to enter or use the land. The term  
6 "charge" shall not include a license or permit fee imposed by a  
7 governmental entity for the purpose of regulating the use of land, a  
8 water or park area, or lake reservation; shall not include hunting,  
9 fishing, boating, and other license and permit fees; shall not  
10 include hunting or fishing leases; and shall not include donations  
11 made at fly-ins at private airports.

12 D. The Oklahoma Limitation of Liability for Farming and  
13 Ranching Land Act shall not apply to any land that is used for  
14 purposes other than farming and ranching. Such land shall be  
15 governed by Section ~~25~~ 10.1 of ~~this act~~ Title 76 of the Oklahoma  
16 Statutes.

17 SECTION 2. This act shall become effective November 1, 2013.

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