



- 1 a. "land" means real property, roads, water,  
2 watercourses, private ways, buildings, structures, and  
3 machinery or equipment when attached to realty. ~~The~~  
4 ~~term "land" shall not include any land that is used~~  
5 ~~primarily for farming or ranching activities or to any~~  
6 ~~roads, water, watercourses, private ways, buildings,~~  
7 ~~structures, and machinery or equipment when attached~~  
8 ~~to realty which is used primarily for farming or~~  
9 ~~ranching activities,~~
- 10 b. "outdoor recreational purposes" includes any of the  
11 following, or any combination thereof: hunting,  
12 fishing, swimming, boating, camping, picnicking,  
13 hiking, pleasure driving, jogging, cycling, other  
14 sporting events and activities, nature study, water  
15 skiing, jet skiing, winter sports, ~~and~~ viewing or  
16 enjoying historical, archaeological, scenic, or  
17 scientific sites, and aviation, including fly-ins at  
18 private airports,
- 19 c. "owner" means the possessor of a fee interest, a  
20 tenant, lessee, occupant, or person in control of the  
21 land, and
- 22 d. "charge" means the admission price or fee asked in  
23 return for invitation or permission to enter or go  
24 upon the land. The term "charge" shall not include a

1 license or permit fee imposed by a governmental entity  
2 for the purpose of regulating the use of land, a water  
3 or park area, or lake reservation ~~and~~; shall not  
4 include hunting, fishing, boating, and other license  
5 and permit fees; shall not include hunting or fishing  
6 leases; and shall not include donations made at fly-  
7 ins at private airports.

8 B. An owner who provides the public with land for outdoor  
9 recreational purposes owes no duty of care to keep the land safe for  
10 entry or use by others, or to give warning to persons entering or  
11 using the land of any hazardous conditions, structures, or  
12 activities.

13 C. 1. Except as otherwise provided by this section, an owner  
14 who provides the public with land for outdoor recreational purposes  
15 shall not:

- 16 a. be presumed to extend any assurance that the land is  
17 safe for any purpose,
- 18 b. incur any duty of care toward a person who enters or  
19 uses the land, or
- 20 c. assume any liability or responsibility for any injury  
21 to persons or property caused by the act or omission  
22 of a person who enters or uses the land.

23 2. This subsection applies whether the person entering or using  
24 the land is an invitee, licensee, trespasser, or otherwise.

1 D. This section shall not apply if:

2 1. Any charge is made or is usually made for entering or using  
3 any part of the land; or

4 2. Any commercial or other activity for profit directly related  
5 to the use is conducted on any part of the land.

6 E. 1. An owner of land leased to the state or to other public  
7 entity for outdoor recreational purposes owes no duty of care to  
8 keep the land safe for entry or use by others, or to give warning to  
9 persons entering or using the land of any hazardous conditions,  
10 structures, or activities. Any owner who leases or subleases land  
11 to the state or other public entity for outdoor recreational  
12 purposes shall not:

13 a. be presumed to extend any assurance that the land is  
14 safe for any purpose,

15 b. incur any duty of care toward a person who enters or  
16 uses the leased land, or

17 c. become liable or responsible for any injury to persons  
18 or property caused by the act or omission of a person  
19 who enters or uses the leased land.

20 2. This subsection applies whether the person entering or using  
21 the leased land is an invitee, licensee, trespasser, or otherwise,  
22 notwithstanding any other section of law.

23 F. 1. Except as provided in this section, no person is  
24 relieved of liability which would exist for want of ordinary care or

1 for deliberate, willful, or malicious injury to persons or property.  
2 The provisions shall not create or increase the liability of any  
3 person.

4 2. This section shall not relieve any owner of any liability  
5 for the operation and maintenance of structures affixed to real  
6 property by the owner for use by the general public.

7 G. By entering or using land, no person shall be deemed to be  
8 acting as an employee or agent of the owner whether the entry or use  
9 is with or without the knowledge or consent of the owner.

10 H. The provisions of this section shall not apply to any land  
11 that is used primarily for farming or ranching activities or to  
12 roads, water, watercourses, private ways, buildings, structures, and  
13 machinery or equipment when attached to realty which is used  
14 primarily for farming or ranching activities.

15 Sections ~~26~~ 16-71.1 through ~~32~~ 16-71.7 of ~~this act~~ Title 2 of  
16 the Oklahoma Statutes shall govern such land.

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

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19 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/13/2013 - DO  
20 PASS, As Coauthored.

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