~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 21, 2014

**H. 4673**

Introduced by Reps. Simrill, Limehouse, Sottile and Gagnon

S. Printed 5/21/14--S.

Read the first time April 15, 2014.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4673) to amend Section 27‑3‑20, Code of Laws of South Carolina, 1976, relating to definitions regarding the limitation on liability of landowners, so as to include, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting therein the following:

/ SECTION 1. Section 27‑3‑20(b) and (c) of the 1976 Code is amended to read:

“(b) ‘Owner’ means the possessor of a fee interest, a tenant, lessee, occupant, easement holder, or person in control of the premises.

(c) ‘Recreational purpose’ includes, but is not limited to, any of the following, or any combination thereof: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, summer and winter sports, aviation activities, and viewing or enjoying historical, archaeological, scenic, or scientific sites.” /

Renumber sections to conform.

Amend title to conform.

Majority favorable. Minority unfavorable.

A. SHANE MASSEY MARLON KIMPSON

For Majority. For Minority.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

This bill has no impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 27‑3‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS REGARDING THE LIMITATION ON LIABILITY OF LANDOWNERS, SO AS TO INCLUDE RECREATIONAL NONCOMMERCIAL AIRSTRIPS AND ASSOCIATED AIRCRAFT OPERATIONS WITHIN THE DEFINITION OF “RECREATIONAL PURPOSE”.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27‑3‑20(c) of the 1976 Code is amended to read:

“(c) ‘Recreational purpose’ includes, but is not limited to, any of the following, or any combination thereof: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, summer and winter sports, aviation activities, and viewing or enjoying historical, archaeological, scenic, or scientific sites.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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