



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBs0181/1
PJH;jld:rs

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 321**

November 7, 2013 – Offered by Senator LEIBHAM.

1 **AN ACT** *to amend* 895.52 (1) (g) and 895.525 (2); and *to create* 895.52 (1) (hm)
2 of the statutes; **relating to:** limitation of a property owner’s liability when
3 lands are used for noncommercial aviation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 895.52 (1) (g) of the statutes, as affected by 2013 Wisconsin Act 20,
5 is amended to read:

6 895.52 (1) (g) “Recreational activity” means any outdoor activity undertaken
7 for the purpose of exercise, relaxation or pleasure, including practice or instruction
8 in any such activity. “Recreational activity” includes hunting, fishing, trapping,
9 camping, picnicking, exploring caves, nature study, bicycling, horseback riding,
10 bird-watching, motorcycling, operating an all-terrain vehicle or utility terrain
11 vehicle, operating a vehicle, as defined in s. 340.01 (74), on a road designated under

1 s. 23.115, recreational aviation, ballooning, hang gliding, hiking, tobogganing,
2 sledding, sleigh riding, snowmobiling, skiing, skating, water sports, sight-seeing,
3 rock-climbing, cutting or removing wood, climbing observation towers, animal
4 training, harvesting the products of nature, sport shooting and any other outdoor
5 sport, game or educational activity. “Recreational activity” does not include any
6 organized team sport activity sponsored by the owner of the property on which the
7 activity takes place.

8 **SECTION 2.** 895.52 (1) (hm) of the statutes is created to read:

9 895.52 (1) (hm) “Recreational aviation” means the use of an aircraft, other than
10 to provide transportation to persons or property for compensation or hire, upon
11 privately owned land. For purposes of this definition, “privately owned land” does
12 not include a public-use airport, as defined in s. 114.002 (18m).

13 **SECTION 3.** 895.525 (2) of the statutes is amended to read:

14 895.525 (2) DEFINITION. In this section, “recreational activity” means any
15 activity undertaken for the purpose of exercise, relaxation or pleasure, including
16 practice or instruction in any such activity. “Recreational activity” does not include
17 participating in a snow sport at a ski area, as those terms are defined in s. 167.33,
18 but includes hunting, fishing, trapping, camping, bowling, billiards, picnicking,
19 exploring caves, nature study, dancing, bicycling, horseback riding,
20 horseshoe-pitching, bird-watching, motorcycling, operating an all-terrain vehicle
21 or utility terrain vehicle, recreational aviation, as defined in s. 895.52 (1) (hm),
22 ballooning, curling, throwing darts, hang gliding, hiking, sleigh riding,
23 snowmobiling, skating, participation in water sports, weight and fitness training,
24 sight-seeing, rock-climbing, cutting or removing wood, climbing observation
25 towers, animal training, harvesting the products of nature, sport shooting, and

1 participating in a snow sport outside a ski area, as those terms are defined in s.
2 167.33, and any other sport, game or educational activity.

3 (END)