



The Legislature
of the
State of New Mexico

50th Legislature, 1st Session

LAWS 2011

CHAPTER 63

HOUSE JUDICIARY COMMITTEE SUBSTITUTE

FOR HOUSE BILL 12

Introduced by



Chapter 63

AN ACT

1
2 RELATING TO GAME AND FISH; ADDING OPERATION OF AIRCRAFT TO
3 THOSE USES OF LAND WHERE LIABILITY OF THE LAND OWNER IS
4 LIMITED.

5
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. Section 17-4-7 NMSA 1978 (being Laws 1967,
8 Chapter 6, Section 1) is amended to read:

9 "17-4-7. LIABILITY OF LANDOWNER PERMITTING PERSONS TO
10 HUNT, FISH OR USE LANDS FOR RECREATION--DUTY OF CARE--
11 EXCEPTIONS.--

12 A. Any owner, lessee or person in control of lands
13 who, without charge or other consideration, other than a
14 consideration paid to the landowner by the state, the federal
15 government or any other governmental agency, grants permission
16 to any person or group to use the owner's, lessee's or land
17 controller's lands for the purpose of hunting, fishing,
18 trapping, camping, hiking, sightseeing, the operation of
19 aircraft or any other recreational use does not thereby:

20 (1) extend any assurance that the premises
21 are safe for such purpose;

22 (2) assume any duty of care to keep such
23 lands safe for entry or use;

24 (3) assume responsibility or liability for
25 any injury or damage to or caused by such person or group; or

1 (4) assume any greater responsibility, duty
2 of care or liability to such person or group than if
3 permission had not been granted and the person or group were
4 trespassers.

5 B. This section shall not limit the liability of
6 any landowner, lessee or person in control of lands that may
7 otherwise exist by law for injuries to any person granted
8 permission to hunt, fish, trap, camp, hike, sightsee, operate
9 aircraft or use the land for recreation in exchange for a
10 consideration, other than a consideration paid to the
11 landowner by the state, the federal government or any other
12 governmental agency."

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BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES



STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES



JOHN A. SANCHEZ, PRESIDENT
SENATE



LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 5th day of April, 2011



SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO

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SECRETARIA DE ESTADO

SECRETARIA DE ECONOMIA

SECRETARIA DE EDUCACION