



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

FACT SHEET FOR H.B. 2130

recreational users; property

Purpose

Limits a landowner's liability for injuries to recreational users and educational users (users) that occur while on the owner's land.

Background

The owner or occupant of specified land premises is not liable for any injury to a user of the land, unless the injury was directly caused by the owner's or occupant's willful, malicious or grossly negligent conduct. The liability of an owner or occupant is not limited in instances involving an attractive nuisance, with certain exceptions.

*Educational user* means a person to whom permission has been granted or implied without the payment of an admission fee or any other consideration to enter premises to participate in an educational program. *Recreational user* means a person to whom permission has been granted or implied without the payment of an admission fee or any other consideration to travel across or to enter premises to hunt, camp, engage in off-highway vehicle activity or engage in other specified outdoor recreational pursuits ([A.R.S. § 33-1551](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. States that a user of a premises accepts the risks created by the user's activities and must exercise reasonable care in those activities.
2. Exempts a landowner, easement holder, lessee, tenant, manager or occupant of private or public land from liability for damages in any civil action for unknown conditions on the land.
3. States that installing a sign or other form of warning of a dangerous condition, use, structure or activity, or any modification made for the purpose of improving the safety of others, or otherwise failing to maintain or keep in place such a warning, does not create liability on the part of the owner if there is no other basis for that liability.
4. States that statute governing landowner duties applies to the duties and liability of any governmental entity, nongovernmental organization or person that performs certain actions regarding land made available to the public for recreational or educational purposes.
5. States that statute governing landowner duties does not create a duty of care or basis of liability for injury to persons or property.

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6. States that statute governing landowner duties does not relieve any user from any obligation that the user may have to exercise reasonable care in the user's activities on the land or from legal consequences for failing to employ such care.
7. States that a user is liable to an owner for any damage to the land, property, livestock or crops that the user may cause while on that land.
8. Makes technical changes.
9. Becomes effective on the general effective date.

House Action

LARA	1/19/22	DP	6-5-0-0
3 <sup>rd</sup> Read	2/17/22		31-28-1

Prepared by Senate Research

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ZD/sr