



**PENNSYLVANIA
ASSOCIATION
OF
CONSERVATION
DISTRICTS, INC.**

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***Your Link
To Local
Conservation
Efforts***

PACD is a non-profit organization that supports, enhances, and promotes Pennsylvania's Conservation Districts and their programs.



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May 24, 2007

Dear Representative:

The Pennsylvania Association of Conservation Districts (PACD) strongly supports HB 13. This legislation is currently on the House calendar. The bill limits liability for landowners who allow recreational activities such as hunting and fishing on their land.

A recent Lehigh County civil court case (*Burns v. Wetzel*) involved a hunting accident in which a farmer was held partly liable for the acts of a hunter that was invited onto his property. Current law states that a landowner is required to use a high duty of care to keep invited individuals safe. But if the entrant is a trespasser, the landowner owes only a duty not to intentionally inflict harm, and owes no duty to keep the property safe or to warn of a dangerous condition. Although the Pennsylvania Recreation Use of Land and Water Act, 68 P.S. 447 et seq, was passed to resolve these types of liability issues, clearly the Lehigh County Court did not consider this law when reaching its verdict. Consequently, legislation is needed strengthen current landowner liability law to protect landowners who invite individuals onto their land for recreational purposes as long as there is no intent to inflict harm, or no warning of known dangerous conditions.

Current PACD policy on the issue is as follows:

That PACD supports legislation to exempt landowners from liability if they invite individuals onto their land for recreational purposes as long as there is no intent to inflict harm, or no warning of known dangerous conditions.

Again, PACD urges you to support HB 13 when it is considered by the full House. Thank you for your consideration in this matter.