

## CHAPTER 604A

CIVIL LIABILITY; GOOD SAMARITAN, CHARITY, OR  
OTHER ACTIVITY

604A.20 Policy.  
604A.21 Recreational land use; definitions.  
604A.24 Liability; leased land, water-filled  
mine pits; municipal power agency  
land.

604A.25 Owner's liability; not limited.  
604A.31 Miscellaneous public benefit or  
function.

**604A.20 POLICY.**

It is the policy of this state, in furtherance of the public health and welfare, to encourage and promote the use of land owned by a municipal power agency and privately owned lands and waters by the public for beneficial recreational purposes, and the provisions of sections 604A.20 to 604A.27 are enacted to that end.

**History:** 1999 c 183 s 1

**604A.21 RECREATIONAL LAND USE; DEFINITIONS.**

*[For text of subds 1 and 2, see M.S.1998]*

Subd. 2a. **Dedicated.** "Dedicated" means made available by easement, license, permit, or other authorization.

Subd. 3. **Land.** "Land" means any of the following which is privately owned or leased or in which a municipal power agency has rights: land, easements, rights-of-way, roads, water, watercourses, private ways and buildings, structures, and other improvements to land, and machinery or equipment when attached to land.

Subd. 4. **Owner.** "Owner" means the possessor of a fee interest or a life estate, tenant, lessee, occupant, holder of a utility easement, or person in control of the land.

*[For text of subds 5 and 6, see M.S.1998]*

**History:** 1999 c 183 s 2-4

**604A.24 LIABILITY; LEASED LAND, WATER-FILLED MINE PITS; MUNICIPAL POWER AGENCY LAND.**

Unless otherwise agreed in writing, sections 604A.22 and 604A.23 also apply to the duties and liability of an owner of the following land:

- (1) land leased to the state or any political subdivision for recreational purpose; or
- (2) idled or abandoned, water-filled mine pits whose pit walls may slump or cave, and to which water the public has access from a water access site operated by a public entity; or
- (3) land of which a municipal power agency is an owner and that is used for recreational trail purposes, and other land of a municipal power agency which is within 300 feet of such land if the entry onto such land was from land that is dedicated for recreational purposes or recreational trail use.

**History:** 1999 c 183 s 5

**604A.25 OWNER'S LIABILITY; NOT LIMITED.**

Except as set forth in this section, nothing in sections 604A.20 to 604A.27 limits liability that otherwise exists:

- (1) for conduct which, at law, entitles a trespasser to maintain an action and obtain relief for the conduct complained of; or
- (2) for injury suffered in any case where the owner charges the persons who enter or go on the land for the recreational purpose, except that in the case of land leased or dedicated to the state or a political subdivision, any consideration received from the state or political sub-

division by the owner for the lease or dedication is not considered a charge within the meaning of this section.

Except for conduct set forth in section 604A.22, clause (3), a person may not maintain an action and obtain relief at law for conduct referred to by clause (1) in this section if the entry upon the land is incidental to or arises from access granted for the recreational trail use of land dedicated, leased, or permitted by the owners for recreational trail use.

**History:** 1999 c 183 s 6

#### **604A.31 MISCELLANEOUS PUBLIC BENEFIT OR FUNCTION.**

*[For text of subds 1 to 3, see M.S.1998]*

Subd. 4. **Firefighter and peace officer investigations.** Employers who provide information in conjunction with employment investigations of applicants for fire protection service positions or peace officer positions are immune from civil liability as provided in section 299F.036, subdivision 4, or 626.87.

**History:** 1999 c 197 s 2