

FILED JAN 13 1993

SENATE FILE 2027  
BY REHBERG

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to hunting on land with written permission,  
2 limiting liability of the owner or lessee of land used for  
3 hunting, and providing a penalty.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2027

1 Section 1. NEW SECTION. 481A.88 HUNTING WITHOUT WRITTEN  
2 PERMISSION PROHIBITED -- LIABILITY LIMITED -- PENALTY.

3 1. A person shall not enter upon land for the purpose of  
4 hunting without obtaining written permission of the owner,  
5 lessee, or person in lawful possession of the land.

6 2. The liability of an owner, lessee, or other holder of  
7 land who grants written permission to another person to hunt  
8 on the land is limited as provided in chapter 461C.

9 3. A person who enters upon land for the purpose of  
10 hunting without obtaining written permission commits a simple  
11 misdemeanor.

12 EXPLANATION

13 This bill provides that it is unlawful for a person to hunt  
14 on another person's land without the written permission of the  
15 person who owns, leases, or otherwise possesses the land.

16 The bill also provides that the liability of an owner,  
17 lessee, or other holder of land who grants written permission  
18 to another person to hunt on the land is limited as provided  
19 in chapter 461C. The limitations are substantially as  
20 follows:

21 1. An owner of land giving written permission owes no duty  
22 of care to keep the premises safe for entry or use for  
23 hunting, or to give any warning of a dangerous condition, use,  
24 structure, or activity. However, an owner of land giving  
25 written permission may be liable if the failure to guard or  
26 warn against a dangerous condition, use, structure, or  
27 activity is willful or malicious, or for an injury suffered  
28 when a fee or charge is collected for entry on the land.

29 2. A holder of land who gives written permission to hunt  
30 on land without charge or fee does not extend any assurance  
31 that the premises are safe, confer upon the person the legal  
32 status of an invitee or licensee to whom care is owed, or  
33 assume responsibility for or incur liability for any injury to  
34 a person or property caused by an act or omission of the  
35 person. However, a holder of land may be liable if there is

1 willful or malicious failure to guard or warn against a  
2 dangerous condition, use, structure, or activity.

3 A person who violates the provisions of the bill commits a  
4 simple misdemeanor which is punishable by imprisonment for not  
5 more than 30 days or a fine of at least \$50 but not more than  
6 \$100.

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