

LEGISLATURE OF NEBRASKA

NINETY-NINTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 3

FINAL READING

Introduced by Executive Board: Engel, 17, Chairperson

Read first time January 6, 2005

Committee: Placed on General File

A BILL

1 FOR AN ACT relating to recreational lands; to amend section 37-734,
2 Reissue Revised Statutes of Nebraska; to eliminate an
3 exception found unconstitutional and severable in Teters
4 v. Scottsbluff Public Schools, 256 Neb. 645, 592 N.W.2d
5 155 (1999); and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-734, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 37-734. Nothing in sections 37-729 to 37-736 limits in
4 any way any liability which otherwise exists (1) for willful or
5 malicious failure to guard or warn against a dangerous condition,
6 use, structure, or activity or (2) for injury suffered in any case
7 where the owner of land charges the person or persons who enter or
8 go on the land. ~~Rental paid by a group, organization, corporation,~~
9 ~~or the state or federal government shall not be deemed a charge~~
10 ~~made by the owner of the land.~~

11 Sec. 2. Original section 37-734, Reissue Revised Statutes
12 of Nebraska, is repealed.