

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 103

BY RESOURCES AND CONSERVATION COMMITTEE

1 AN ACT  
2 RELATING TO RECREATION; AMENDING TITLE 6, IDAHO CODE, BY THE ADDITION OF  
3 A NEW CHAPTER 36, TITLE 6, IDAHO CODE, TO PROVIDE FOR THE ASSUMPTION  
4 OF RISK AND LEGAL RESPONSIBILITY BY RECREATIONAL PARTICIPANTS FOR IN-  
5 JURIES ASSOCIATED WITH RECREATIONAL ACTIVITIES IN STATE PARKS; AND  
6 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Title 6, Idaho Code, be, and the same is hereby amended  
9 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-  
10 ter 36, Title 6, Idaho Code, and to read as follows:

11 CHAPTER 36  
12 DUTIES OF RECREATIONAL PARTICIPANTS

13 6-3601. DUTIES OF RECREATIONAL PARTICIPANTS. It is recognized that  
14 recreational activities in state parks are hazardous regardless of all  
15 feasible safety measures that can be taken. Each recreational participant  
16 expressly assumes the risk of and legal responsibility for any injury to per-  
17 son or property that results from participation in recreational activities.  
18 Each recreational participant shall have the sole individual responsibility  
19 for knowing the range of the participant's own ability while participating  
20 in a recreational activity in a state park and to heed all posted notes, cau-  
21 tions, and warnings. Recreational participants shall refrain from acting in  
22 a manner that may cause or contribute to the injury of persons or property.  
23 The responsibility for injury to person or property shall be solely that of  
24 the individual or individuals involved in such recreational activity and not  
25 that of the Idaho department of parks and recreation.

26 SECTION 2. An emergency existing therefor, which emergency is hereby  
27 declared to exist, this act shall be in full force and effect on and after  
28 July 1, 2023.