

ASSEMBLY, No. 3707

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Provides limited liability protection to private campgrounds for certain risks of camping.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning liability for certain risks of camping and
2 supplementing Title 2A of the New Jersey Statutes.

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4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. For the purposes of this act:

8 “Natural risks or hazards that are inherent characteristics of
9 camping” shall include, but need not be limited to trees, tree roots,
10 tree stumps, brush, rocks, uneven terrain, natural bodies of water,
11 lack of lighting, fire, weather, wildlife, lack of food or water,
12 exposure, naturally occurring diseases or microbes, and animals
13 belonging to other campground occupants.

14 “Private campground” means a facility that provides sites on
15 which recreational vehicles, camping units, or tents may be placed
16 for transient occupancy, and which are owned and operated by a
17 private entity.

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19 2. Notwithstanding the provisions of any law, or any rule or
20 regulation adopted pursuant thereto, to the contrary, an owner or
21 operator of a private campground shall not have a legal duty to
22 protect a person who is invited onto the land for the purposes of
23 camping, regardless if that person provided consideration, from the
24 natural risks or hazards that are inherent characteristics of camping,
25 and shall not be liable if a person invited onto the land is injured
26 because of the natural risks or hazards that are inherent
27 characteristics of camping.

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29 3. Notwithstanding section 2 of this act to the contrary, the
30 owner or operator of a private campground may be held liable for a
31 willful, wanton, reckless, or malicious failure to protect guests from
32 the natural risks or hazards that are inherent characteristics of
33 camping.

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35 4. This act shall take effect immediately, and shall apply to any
36 cause of action that arises after the effective date of this act.

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STATEMENT

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41 This bill would provide limited liability protection for an owner
42 or operator of a private campground from suit for an injury
43 sustained from the natural risks or hazards that are inherent
44 characteristics of camping.

45 The bill provides that an owner or operator of a private
46 campground would not be wholly obligated to protect campers,
47 regardless if the campers provided consideration, from the natural
48 risks or hazards that are inherent characteristics of camping, and

1 would not be liable if a camper is injured because of the natural
2 risks or hazards that are inherent characteristics of camping.

3 The bill also provides that the owner or operator of a
4 campground may still be held liable for the willful, wanton,
5 reckless, or malicious failure to protect guests from the natural risks
6 or hazards that are inherent characteristics of camping.

7 The bill defines “natural risks or hazards that are inherent
8 characteristics of camping” as including, but not limited to, trees,
9 tree roots, tree stumps, brush, rocks, uneven terrain, natural bodies
10 of water, lack of lighting, fire, weather, wildlife, lack of food or
11 water, exposure, naturally occurring diseases or microbes, and
12 animals belonging to other campground occupants. The bill defines
13 “private campground” as a facility that provides sites on which
14 recreational vehicles, camping units, or tents may be placed for
15 transient occupancy, and which are owned and operated by a private
16 entity.