



General Assembly

January Session, 2001

**Raised Bill No. 6983**

LCO No. 4705

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING THE LIABILITY OF LANDOWNERS WHO PERMIT THE HARVESTING OF FRUIT AND VEGETABLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 52-557k of the general statutes is repealed and the following  
2 is substituted in lieu thereof:

3 (a) As used in this section: (1) "Owner" means the possessor of a fee  
4 interest, a tenant, occupant or person in control of the premises; (2)  
5 "harvesting" means the cutting and removal of designated standing  
6 trees, down trees, tree tops and other logging slash or debris suitable  
7 for use as firewood or the picking and removal of designated fruits or  
8 vegetables; (3) "charge" means the fee asked in return for a specified  
9 volume of firewood and the right to harvest such firewood.

10 (b) Any owner of land who invites or permits any person (1) to  
11 enter the land or a part thereof to harvest firewood, with or without  
12 charge, or (2) to enter the land or a part thereof to harvest fruits or  
13 vegetables, without charge, on behalf of a nonprofit organization or  
14 nonprofit corporation for use by such nonprofit organization or  
15 nonprofit corporation or for distribution to other nonprofit

16 organizations or nonprofit corporations, shall not be liable for damages  
17 as a result of injury to such person when such injury arises out of the  
18 use of the land or out of the act of harvesting firewood or fruits or  
19 vegetables, unless such injury is caused by such owner's failure to  
20 warn of a dangerous hidden hazard actually known to such owner.

21 (c) This section shall not apply to owners who sell more than one  
22 hundred cords of firewood each calendar year.

***Statement of Purpose:***

To provide immunity to a landowner who permits persons to pick fruits and vegetables without charge for use by or distribution to nonprofit organizations or corporations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*