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Raised Bill 5340
Public Hearing: 3-5-14

TO: MEMBERS OF THE JUDICIARY COMMITTEE
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION (CTLA)
DATE: MARCH 5, 2014

RE: **OPPOSITION TO HB5340, AAC THE LIABILITY OF A LANDOWNER WHO PERMITS MAPLE-SUGARING ACTIVITIES ON THE LAND**

The CTLA opposes the expansion of immunity found in this proposal.

CTLA feels that the immunity found in this proposal is unnecessary. This kind of additional and directed immunity is unwarranted, unneeded and against public policy.

“Maple-sugaring” does not fit into the other categories afforded the very limited immunity found in this section of the statute.

Harvesting wood is an important activity the state has decided to encourage through this statute.

The exemption for fruit harvesting is much more narrowly drafted than the all-encompassing exemption from liability offered in this bill. Any charge overcomes the exception for fruit harvesting, and even then the exemption only applies to non-profit organizations.

This is an attempt to place the burden of liability for the negligence of the landowner on the injured party.

The expanded immunity provisions found in this proposed legislation should be found to be against the public policy of this state to allow any grieved party to seek redress through the courts. This provision would close the court house doors to any party injured through the negligent actions of others, simply because the owner of the property is not charging the invitee for products derived from the activity.

WE URGE YOU OPPOSE HB5340. Thank you.