



General Assembly

Substitute Bill No. 5340

February Session, 2014



AN ACT CONCERNING THE LIABILITY OF A LANDOWNER WHO PERMITS MAPLE-SUGARING ACTIVITIES ON THE LAND.

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

1 Section 1. Section 52-557k of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

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 or a specified volume of fruits or vegetables and
10 the right to harvest such firewood or such fruits or vegetables; and (4)
11 "maple-sugaring" means the collection of sap from any species of tree
12 in the genus *Acer* for the purpose of boiling to produce food.

13 (b) Any owner of land who invites or permits any person (1) to
14 enter the land or a part thereof to harvest firewood, with or without
15 charge, or (2) to enter the land or a part thereof to harvest fruits or
16 vegetables or engage in maple-sugaring activities, without charge, on
17 behalf of a nonprofit organization or nonprofit corporation for use by
18 such nonprofit organization or nonprofit corporation or for

19 distribution to other nonprofit organizations or nonprofit corporations,
20 shall not be liable for damages as a result of injury to such person
21 when such injury arises out of the use of the land or out of the act of
22 harvesting firewood, [or] harvesting fruits or vegetables, or engaging
23 in maple-sugaring activities, unless such injury is caused by such
24 owner's failure to warn of a dangerous hidden hazard actually known
25 to such owner.

26 (c) This section shall not apply to (1) an owner who sells more than
27 one hundred cords of firewood each calendar year, (2) an owner who
28 operates a "pick or cut your own agricultural operation" as defined in
29 section 52-568a, [or] (3) an owner who operates an agricultural
30 operation to which the public is invited and charged for produce
31 harvested and removed from the land, or (4) an owner who operates a
32 maple-sugaring operation to which the public is invited and charged
33 for products derived from the maple-sugaring operation or collects a
34 fee from other persons for maple-sugaring on the owner's property.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	52-557k

JUD *Joint Favorable Subst.*