



Substitute House Bill No. 5340

Public Act No. 14-18

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:

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 Section 52-557k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

(a) As used in this section: (1) "Owner" means the possessor of a fee interest, a tenant, occupant or person in control of the premises; (2) "harvesting" means the cutting and removal of designated standing trees, down trees, tree tops and other logging slash or debris suitable for use as firewood or the picking and removal of designated fruits or vegetables; (3) "charge" means the fee asked in return for a specified volume of firewood or a specified volume of fruits or vegetables and the right to harvest such firewood or such fruits or vegetables; and (4) "maple-sugaring" means the collection of sap from any species of tree in the genus Acer for the purpose of boiling to produce food.

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

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

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

Approved May 12, 2014