
DIGEST

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HB 718 Original

2026 Regular Session

Bourriaque

Abstract: Extends a limitation of liability to landowners permitting the recreational use of land for aeronautical activities at nonpublic use airports.

Present law provides for the limited liability of owners or occupants of property not used primarily for commercial recreational purposes. Further specifies that an owner, lessee, or occupant of premises owes not duty of care to keep such premises safe for entry or use by others for hunting, fishing, camping, hiking, sightseeing, or boating or to give warning of any hazardous conditions, use of, structure, or activities on such premises to persons entering for such purposes.

Proposed law defines "aeronautical activities" as the act or practice of the art and science of transportation by aircraft and operations, construction, repair, or maintenance of aircraft, airports, landing fields, landing strips, air navigation of, or flight in, or air instruction.

Proposed law defines "charge" as the admission price or fee required in return for permission to use lands, but does not include the following:

- (1) The sharing of game, fish, or other products of recreational use.
- (2) Contributions in kind, services, or cash paid to reduce or offset costs and eliminate losses from recreational use.
- (3) Donations made during aeronautical activities at nonpublic use airports.

Proposed law defines "land" as urban or rural land, roads, water, watercourses, airstrips, private ways and buildings, structures, including machinery or equipment when attached to the immovable property.

Proposed law defines "malicious" as an intentional act of misconduct that the actor knows or should have known is likely to result in harm. Specifies that the term does not include negligent or reckless conduct.

Proposed law defines "nonpublic use airport" as an airport that is primarily used by the owner with access by others as permitted by the owner.

Proposed law defines "owner" as the possessor of a fee interest or ownership rights in a property, including a tenant, lessee, or occupant.

Proposed law defines "recreational purpose" as aeronautical activities at nonpublic use airports.

Proposed law retains present law and extends the limitation of liability for private landowners permitting recreational use of private land for aeronautical activities at nonpublic use airports. Further provides for exceptions to the landowner's limited liability for the recreational use of private land, such as willful or malicious failures by the owner.

Proposed law specifies that the limitation of liability in proposed law applies to any lands or water bottoms owned, leased, or managed by the owner, regardless of purpose and whether it is used for recreational purposes.

(Adds R.S. 9:2791.2)