



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2013 Wisconsin Act 318**  
[2013 Senate Bill 321]

**Immunity for Recreational Aviation**

2013 Wisconsin Act 318 limits a property owner's liability when lands are used for recreational aviation.

Under Wisconsin's recreational immunity law, a person who participates in certain recreational activities assumes the risks for those activities, and a property owner is immune from liability for the death or injury of a person engaged in those activities on the owner's property. Under the law, a property owner generally has no duty to warn of an unsafe condition on the property unless the property owner knew of the unsafe condition and the failure to give warning of that condition was malicious.

The specified recreational activities include hunting, camping, bicycling, horseback riding, motorcycling, operating an all-terrain vehicle, ballooning, hang gliding, snowmobiling, and participating in water sports, among other activities.

The Act adds recreational aviation to the types of recreational activities for which a person assumes the risks, and for which a property owner is immune from liability, for the death or injury of a person engaged in that activity on the owner's property.

The Act defines "recreational aviation" to mean the use of an aircraft on privately owned land when the use is not for the transportation of a person or property for compensation or hire. For purposes of the recreational immunity law, the definition explicitly excludes the use of an aircraft at a public-use airport, even if the property is privately owned.

**Effective date:** 2013 Wisconsin Act 318 is effective April 18, 2014.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.