

FINAL BILL REPORT

SSB 5145

C 183 L 23
Synopsis as Enacted

Brief Description: Clarifying existing law regarding liability protections associated with public recreational use of lands or waters under a hydroelectric license issued by the federal energy regulatory commission.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Short, Salomon, McCune and Warnick).

Senate Committee on Law & Justice
House Committee on Civil Rights & Judiciary

Background: Public and private landowners and hydroelectric project owners in lawful control of lands or water areas are not liable for unintentional injuries sustained by members of the public who use them with the permission of the owner for outdoor recreation.

This exemption does not apply to injuries sustained by users by reason of a known dangerous artificial latent condition for which warnings signs have not been conspicuously posted. Known dangerous artificial latent conditions do not include releasing water or flows and making waterways or channels available for kayaking, canoeing, or rafting purposes pursuant to a hydroelectric license issued by the Federal Energy Regulatory Commission (FERC).

Summary: The landowner's exemption from liability for injuries sustained by the public from releasing water or flows and making waterways or channels available for recreation pursuant to a hydroelectric license issued by FERC is expanded to include boating, swimming, and fishing.

Votes on Final Passage:

Senate	48	0
House	97	0

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Effective: July 23, 2023