

CHAPTER 107

COURTS

HOUSE BILL 06-1237

BY REPRESENTATIVE(S) Carroll T., and Soper;
also SENATOR(S) Dyer, and Brophy.

AN ACT

CONCERNING DEFENSES FOR LANDOWNERS IN PREMISES LIABILITY ACTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 13-21-115 (2), Colorado Revised Statutes, is amended to read:

13-21-115. Actions against landowners. (2) In any civil action brought against a landowner by a person who alleges injury occurring while on the real property of another and by reason of the condition of such property, or activities conducted or circumstances existing on such property, the landowner shall be liable only as provided in subsection (3) of this section. SECTIONS 13-21-111, 13-21-111.5, AND 13-21-111.7 SHALL APPLY TO AN ACTION TO WHICH THIS SECTION APPLIES. This subsection (2) shall not be construed to abrogate the doctrine of attractive nuisance as applied to persons under fourteen years of age. A person who is at least fourteen years of age but is less than eighteen years of age shall be presumed competent for purposes of the application of this section.

SECTION 2. Effective date - applicability. This act shall take effect upon passage and shall apply to causes of action accruing on or after the effective date of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 5, 2006

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.