

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 718

2026 Regular Session

Bourriaque

LIABILITY/CIVIL: Provides a limitation of liability to a landowner who authorizes the free use of his private property for aeronautical activities at nonpublic use airports

Synopsis of Senate Amendments

1. Defines "nonpublic use airport" as an airport primarily used by the owner with access by others without a charge as permitted by the owner.
2. Defines "owner" as the possessor of a fee interest, a tenant, lessee, occupant, or person in control of the premises.
3. Defines "person" as an individual regardless of age.
4. Modifies proposed law to generally provide that an owner of a nonpublic use airport is not liable for any loss or damage to any person on the owner's property when the loss or damage is related to an emergency landing of an aircraft.
5. Deletes proposed law regarding the limitation of liability for private landowners in certain circumstances.
6. Deletes application of the limitation of liability in proposed law to any lands or water bottoms owned, leased, or managed by the owner, regardless of purpose or use.
7. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Present law (R.S. 9:2791) 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 the premises owes no duty of care to keep such premises safe for entry or use by others for hunting, fishing, camping, hiking, sightseeing, or boating, or to warn persons entering for such purposes of any hazardous conditions, uses, structures, or activities on the premises.

Proposed law retains present law.

Proposed law defines "aeronautical activities", "charge", "land", "malicious", "nonpublic use airport", "owner", "person", and "recreational purpose".

Proposed law provides that except for willful or malicious failure to warn against a dangerous condition, use, structure, or activity, an owner of a nonpublic use airport is not liable for any loss or damage to any person on the owner's property when the loss or damage is related to an emergency landing of an aircraft, except an owner of commercial recreational developments or facilities who permits, with or without charge, any person to use his land for recreational purposes as defined in proposed law.

(Adds R.S. 9:2791.2)