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March 10, 2025

Chairman Robert Craven
House Committee on Judiciary
State House
Providence, RI 02903

Re: House Bill 5905- Relating to Parks & Recreation Areas – Public Use of Private Lands- Liability Limitations

Dear Chairman Craven and members of the Committee:

The Rhode Island Land Trust Council (the Council) is the coalition of the state's 50+ land trusts, which are community-based organizations that protect and steward Rhode Island's open spaces, farms, forestland, and historic sites for the public's benefit. Of Rhode Island's land trusts, nineteen are municipal land trusts and are affiliated with city and town governments. The land trusts of Rhode Island steward and manage hundreds of miles of trails and recreational areas across the state.

The Council strongly **OPPOSES H5905** because it threatens public access to hundreds of acres of state and municipal lands currently open for recreation.

House Bill 5905 would remove liability protections for municipalities and the state when they allow public access to recreational lands. If passed, this would **expose cities, towns, and the state to lawsuits for any accidents on public lands, even in the absence of negligence**. The result? Municipalities and state agencies may be forced to acquire additional insurance policies or even **close public access** to trails, parks, and conservation areas to avoid legal risk.

Lands that are owned and managed by municipalities and the state are the cornerstone of outdoor recreation and tourism in Rhode Island. According to Ocean State Outdoors, Rhode Island's Comprehensive Outdoor Recreation Plan (SCORP) released in 2019, "municipalities manage over 13,000 acres of recreational facilities, with nearly 2,000 acres of parks and beaches." One of the key findings of the SCORP is that Rhode Islanders love to spend time outdoors, using outdoor facilities more intensively than the national average. Throughout the COVID-19 pandemic, Rhode Island saw unprecedented use of recreation areas and trails across the state, with outdoor spaces being the only safe place to recreate.

For decades, Rhode Island law has successfully encouraged public access on private and public lands by limiting liability. This bill **undermines that progress and would have devastating consequences for outdoor recreation in our state**.

We respectfully urge you to **oppose H5905** to protect Rhode Island's public lands and recreational opportunities for all residents. I'd be happy to answer any questions that you have.

Sincerely,

Kate Sayles, Director