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**States' Recreational Use Statutes**

**State of South Carolina**

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UNIVERSITY of ARKANSAS  
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## States' Recreational Use Statutes

# STATE OF SOUTH CAROLINA

### Code 1976 § 27-3-10 to § 27-3-70

*Current through End of 2009 Reg. Sess.*

#### § 27-3-10. Declaration of purpose.

The purpose of this chapter is to encourage owners of land to make land and water areas available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes.

#### § 27-3-20. Definitions.

As used in this chapter:

- (a) "*Land*" means land, roads, water, watercourses, private ways and buildings, structures, and machinery or equipment when attached to the realty.
- (b) "*Owner*" means the possessor of a fee interest, a tenant, lessee, occupant or person in control of the premises.
- (c) "*Recreational purpose*" includes, but is not limited to, any of the following, or any combination thereof: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, summer and winter sports and viewing or enjoying historical, archaeological, scenic, or scientific sites.
- (d) "*Charge*" means the admission price or fee asked in return for invitation or permission to enter or go upon the land.
- (e) "*Persons*" means individuals regardless of age.

#### § 27-3-30. Duty of care.

Except as specifically recognized by or provided in § 27-3-60, an owner of land owes no duty of care to keep the premises safe for entry or use by persons who have sought and obtained his permission to use it for recreational purposes or to give any warning of a dangerous condition, use,

structure, or activity on such premises to such persons entering for such purposes.

**§ 27-3-40. Effect of permission to use property for recreational purposes.**

Except as specifically recognized by or provided in § 27-3-60, an owner of land who permits without charge any person having sought such permission to use such property for recreational purposes does not thereby:

- (a) Extend any assurance that the premises are safe for any purpose.
- (b) Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed.
- (c) Assume responsibility for or incur liability for any injury to person or property caused by an act of omission of such persons.

**§ 27-3-50. Application of §§ 27-3-30 and 27-3-40 to land leased to State or political subdivisions.**

Unless otherwise agreed in writing, the provisions of §§ 27-3-30 and 27-3-40 shall be deemed applicable to the duties and liability of an owner of land leased to the State or any subdivision thereof for recreational purposes.

**§ 27-3-60. Certain liability not limited.**

Nothing in this chapter limits in any way any liability which otherwise exists:

- (a) For grossly negligent, willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity.
- (b) For injury suffered in any case where the owner of land charges persons who enter or go on the land for the recreational use thereof, except that in the case of land leased to the State or a subdivision thereof, any consideration received by the owner for such lease shall not be deemed a charge within the meaning of this section.

**§ 27-3-70. Construction.**

Nothing in this chapter shall be construed to:

- (a) Create a duty of care or ground of liability for injury to persons or property.
- (b) Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this chapter to exercise care in his use of such land and in his activities thereon, or from the legal consequences of failure to employ such care.