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HOUSE BILL NO. 2004

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on January 28, 2013)

(Patron Prior to Substitute—Delegate Cline)

A BILL to amend the Code of Virginia by adding a section numbered 8.01-219.1, relating to responsibility of possessor of real property for harm to trespasser.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.01-219.1 as follows:

§ 8.01-219.1. Responsibility of possessor of real property for harm to trespasser.

A. A possessor of real property, including an owner, lessee, or other lawful occupant, owes no duty of care to a trespasser except in those circumstances where a common law or statutory right of action existed as of the effective date of this section.

B. This section does not affect any immunities from or defenses to liability established by another section of the Code or available at common law to which a possessor of real property may be entitled.

HOUSE SUBSTITUTE

HB2004H1