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SENATE BILL NO. 242

Senate Amendments in [] — January 26, 2018

A *BILL to amend and reenact § 15.2-1809 of the Code of Virginia, relating to park authority liability; immunity.*

Patron Prior to Engrossment—Senator Marsden

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1809 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1809. Liability of localities in the operation of parks, recreational facilities and playgrounds.

A. No city or town ~~which~~ *that* operates any park, recreational facility or playground shall be liable in any civil action or proceeding for damages resulting from any injury to the person or from a loss of or damage to the property of any person caused by any act or omission constituting ordinary negligence on the part of any officer or agent of such city or town in the maintenance or operation of any such park, recreational facility or playground. Every such city or town shall, however, be liable in damages for the gross negligence of any of its officers or agents in the maintenance or operation of any such park, recreational facility or playground.

B. The immunity created by ~~this section~~ *subsection A* is hereby conferred upon counties *and park authorities created pursuant to the Park Authorities Act (§ 15.2-5700 et seq.)* [, *provided that such park authorities exercise only the powers granted by § 15.2-5704,*] in addition to, and not limiting ~~on~~, other immunity existing at common law or by statute.

ENGROSSED

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