

ESTATES AND PROTECTED INDIVIDUALS CODE (EXCERPT)
Act 386 of 1998

***** 700.5109.amended THIS AMENDED SECTION IS EFFECTIVE SEPTEMBER 19, 2016 *****

700.5109.amended Release from liability for injury of minor during recreational activity.

Sec. 5109. (1) Before a minor participates in recreational activity, a parent or guardian of the minor may release a person from liability for economic or noneconomic damages for personal injury sustained by the minor during the specific recreational activity for which the release is provided.

(2) This section only applies to a recreational activity sponsored or organized by a nongovernmental, nonprofit organization.

(3) Either or both of the following may be released from liability under this section:

(a) The sponsor or organizer of the recreational activity.

(b) An individual who is paid or volunteers to coach or assists in conducting the recreational activity.

(4) A release under this section only releases the sponsor, organizer, owner, lessee, or other person released from liability for injury or death that results solely from the inherent risks of the recreational activity. A release under this section does not limit the liability of the sponsor, organizer, owner, lessee, or other person released for the sponsor's, organizer's, owner's, lessee's, or other person's own negligence or the negligence of its employees or agents that causes or contributes to the injury or death.

(5) A release under this section must be in writing.

(6) This section does not restrict the limitation of liability afforded by section 73301 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.73301, or 1964 PA 170, MCL 691.1401 to 691.1419.

(7) As used in this section:

(a) "Camping activity" means a recreation activity planned and carried out by the owner and operator of a camp.

(b) "Recreational activity" means active participation in an athletic or recreational sport or in a camping activity.

History: Add. 2011, Act 61, Imd. Eff. June 21, 2011;—Am. 2016, Act 187, Eff. Sept. 19, 2016.

Popular name: EPIC