



CHAPTER 38A

N.C.G.S. § 38A-4.

Limitation of liability.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2013-265, s. 3.5 — second act in the lineage	RETRIEVED 21 September 2026, 03:35 UTC	SOURCE FINGERPRINT e6b51bdaee3947f51aafb282 - 625a87bd85ec6b7f3373493e - 34458aba6f3a2ab3
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§ 38A-4(a) Except as specifically recognized by or provided for in this Chapter, an owner of land who either directly or indirectly invites or permits without charge any person to use such land for educational or recreational purposes owes the person the same duty of care that he owes a trespasser, except nothing in this Chapter shall be construed to limit or nullify the doctrine of attractive nuisance and the owner shall inform direct invitees of artificial or unusual hazards of which the owner has actual knowledge. This section does not apply to an owner who invites or permits any person to use land for a purpose for which the land is regularly used and for which a price or fee is usually charged even if it is not charged in that instance, or to an owner whose purpose in extending an invitation or granting permission is to promote a commercial enterprise.

§ 38A-4(b) Nothing in this section shall be construed to conflict with or render ineffectual a liability release, indemnification, assumption, or acknowledgment of risk agreement between the landowner and a person who uses the land for educational or recreational purposes.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1995	2004	2013
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT		

Nº	YEAR	ACT	CHARACTER
01	1995	c. 308, s. 1	ENACTED
02	2013	S.L. 2013-265, s. 3.5	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 38A-4 (2013).

PINPOINT

N.C. Gen. Stat. § 38A-4(a) (2013).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1995, c. 308, s. 1; 2013-265, s. 3.5.)

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