

A bill to be entitled

An act relating to the City of Jacksonville, Duval County; amending chapter 92-341, Laws of Florida, as amended; prohibiting the city and independent agencies from waiving sovereign immunity beyond the limitations of the legislative waiver of sovereign immunity established in Florida Statutes; prohibiting the city and independent agencies from indemnifying, defending, or holding harmless contracting parties for the tortious actions of any party other than the city or the independent agency; declaring contractual provisions in violation to be void; providing severability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 18.12 is added to article 18 of chapter 92-341, Laws of Florida, as amended, to read:

ARTICLE 18. MISCELLANEOUS PROVISIONS

Section 18.12. Waiver of sovereign immunity; indemnification.--

(a) No contract of the city or any independent agency may agree to waive sovereign immunity for tortious conduct of the city or of any such independent agency beyond the limitations of the legislative waiver of sovereign immunity established in section 768.28, Florida Statutes.

(b) No contract of the city or any independent agency may agree to indemnify, defend, or hold harmless another party for

HB 1057

2006

28 the tortious conduct of any party other than the city or the
29 independent agency, respectively.

30 (c) Any contractual provision for an indebtedness or
31 liability contracted for in violation of this section shall be
32 void and shall be severed from the contract.

33 Section 2. This act shall take effect upon becoming a law.