



727652

CHAMBER ACTION

Senate

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House

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1 Senator Dockery moved the following **amendment**:

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3 **Senate Amendment (with title amendment)**

4 Delete line(s) 2254-2335

5 and insert:

6 (a) Assume the obligation by contract to forever protect,
7 defend, indemnify, and hold harmless the freight rail operator,
8 or its successors, from whom the department has acquired a real
9 property interest in the rail corridor, and the freight rail
10 operator's officers, agents, and employees, from and against any
11 liability, cost, or expense, including, but not limited to,
12 commuter rail passengers, rail corridor invitees, or trespassers
13 in the rail corridor, to the extent the loss, damage,
14 destruction, injury, or death giving rise to such liability,
15 cost, or expense is caused by the fault, failure, negligence,
16 misconduct, nonfeasance, or misfeasance of the department, its
17 successors, or its agents and employees, if such contractual duty



727652

18 to protect, defend, indemnify, and hold harmless such freight
19 rail operator shall expressly: include a specific cap on the
20 amount of the

21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 Delete lines 150 and 151

25 and insert:

26 a railroad company under certain conditions;