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CHAMBER ACTION

Senate

House

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Floor: WD/2R
4/30/2008 4:02 PM

1 Senator Alexander moved the following amendment:

3 Senate Amendment (with title amendment)

4 Delete line(s) 3341-3372

5 and insert:

6 Section 68. Paragraph (d) of subsection (10) of section
7 768.28, Florida Statutes, is amended to read:

8 768.28 Waiver of sovereign immunity in tort actions;
9 recovery limits; limitation on attorney fees; statute of
10 limitations; exclusions; indemnification; risk management
11 programs.--

12 (10)

13 ~~(d) For the purposes of this section, operators,~~
14 ~~dispatchers, and providers of security for rail services and rail~~
15 ~~facility maintenance providers in the South Florida Rail~~
16 ~~Corridor, or any of their employees or agents, performing such~~
17 ~~services under contract with and on behalf of the South Florida~~



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18 ~~Regional Transportation Authority or the Department of~~
 19 ~~Transportation shall be considered agents of the state while~~
 20 ~~acting within the scope of and pursuant to guidelines established~~
 21 ~~in said contract or by rule.~~

22 Section 69. Beginning July 1, 2008, notwithstanding any
 23 other provisions of law, the state, its agencies, and its
 24 subdivisions waive sovereign immunity for all commuter rail
 25 systems throughout the state.

26
 27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Delete line(s) 296-298

30 and insert:

31 deleting a provision that considers certain persons in the
 32 South Florida Rail Corridor, or any of the employees or
 33 agents that perform services under contract with the South
 34 Florida Regional Transportation Authority or the
 35 Department of Transportation, to be agents of the state;
 36 providing that the state waives sovereign immunity for all
 37 commuter rail systems in the state;