



931138

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/15/2009	.	
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The Committee on Judiciary (Gelber) recommended the following:

1           **Senate Substitute for Amendment (755274) (with title**  
2 **amendment)**

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4           Delete lines 36 - 39

5 and insert:

6           minor children, to waive any claims against the activity  
7 provider and its employees for the inherent risks involved in  
8 any activity; however, any waiver or release by a natural  
9 guardian on behalf of any of his or her minor children does not  
10 grant civil immunity to any person or entity whose negligence,  
11 gross negligence, or intentional conduct causes injury to a  
12 minor child sustained in the course of an activity. As used in



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13 this section, the term "negligence" means doing something that a  
14 reasonably careful person would not do under like circumstances  
15 or failing to do something that a reasonably careful person  
16 would do under like circumstances.

17 (c) Notwithstanding the authority granted in paragraph(b),  
18 natural guardians are authorized, on behalf of any of their  
19 minor children, to sign waivers or releases in accordance with  
20 chapter 773, regarding equine activities, and s. 549.09,  
21 regarding motor sport activities.

22  
23

24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 Delete lines 3 - 7

27 and insert:

28 744.301, F.S.; authorizing natural guardians to waive, in  
29 advance, the risks involved in any activity; providing  
30 exceptions; authorizing waivers and releases in accordance with  
31 ch. 773 and s. 549.09, F.S.; providing an effective date.