

1                   A bill to be entitled  
 2           An act relating to parental authority; amending s. 549.09,  
 3           F.S.; providing that a motorsport liability release signed  
 4           by a minor is valid if the release is also signed by the  
 5           minor's parent or guardian; amending s. 744.301, F.S.;  
 6           authorizing natural guardians to waive and release, in  
 7           advance, any claim or cause of action that would accrue to  
 8           any of their minor children to the same extent that any  
 9           adult may do so on his or her own behalf; providing that  
 10          such waiver and release shall not relieve a party of  
 11          liability for any acts of sexual misconduct committed  
 12          against the minor child; providing an effective date.

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

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 16           Section 1. Paragraph (g) of subsection (1) and subsection  
 17           (3) of section 549.09, Florida Statutes, are amended to read:

18           549.09 Motorsport nonspectator liability release.--

19           (1) As used in this section:

20           (g) "Nonspectators" means event participants who have  
 21           signed a motorsport liability release, including a minor if the  
 22           minor's parent or guardian has also signed the release.

23           (3) (a) A motorsport liability release may be signed by  
 24           more than one person if ~~so long as~~ the release form appears on  
 25           each page, or side of a page, which is signed. A motorsport  
 26           liability release shall be printed in 8 point type or larger.

27           (b) A release signed by a minor is valid if the release is  
 28           also signed by the minor's parent or guardian.

29 Section 2. Subsection (2) of section 744.301, Florida  
 30 Statutes, is amended to read:

31 744.301 Natural guardians.--

32 (2) (a) Natural guardians are authorized, on behalf of any  
 33 of their minor children, to:

34 1.(a) Settle and consummate a settlement of any claim or  
 35 cause of action accruing to any of their minor children for  
 36 damages to the person or property of any of said minor children;

37 2.(b) Collect, receive, manage, and dispose of the  
 38 proceeds of any such settlement;

39 3.(e) Collect, receive, manage, and dispose of any real or  
 40 personal property distributed from an estate or trust;

41 4.(d) Collect, receive, manage, and dispose of and make  
 42 elections regarding the proceeds from a life insurance policy or  
 43 annuity contract payable to, or otherwise accruing to the  
 44 benefit of, the child; and

45 5.(e) Collect, receive, manage, dispose of, and make  
 46 elections regarding the proceeds of any benefit plan as defined  
 47 by s. 710.102, of which the minor is a beneficiary, participant,  
 48 or owner,

49  
 50 without appointment, authority, or bond, when the amounts  
 51 received, in the aggregate, do not exceed \$15,000.

52 (b) In addition to the authority granted in paragraph (a),  
 53 natural guardians are authorized, on behalf of any of their  
 54 minor children, to waive and release, in advance, any claim or  
 55 cause of action that would accrue to any of their minor children  
 56 to the same extent that any adult may do so on his or her own

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57 | behalf. No such waiver and release, however, shall relieve a  
58 | released party of liability for any acts of sexual misconduct  
59 | committed against the minor child.

60 |       Section 3. This act shall take effect July 1, 2010.