

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Eisnaugle offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 18-30 and insert:

5 768.0755 Premises liability for transitory foreign
6 substances in a business establishment.-

7 (1) If a person slips and falls on a transitory foreign
8 substance in a business establishment, the injured person must
9 prove that the business establishment had actual or constructive
10 knowledge of the dangerous condition and should have taken
11 action to remedy it. Constructive knowledge may be proven by
12 circumstantial evidence showing that:

13 (a) The dangerous condition existed for such a length of
14 time that, in the exercise of ordinary care, the business
15 establishment should have known of the condition; or

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Amendment No.

16 (b) The condition occurred with regularity and was
17 therefore foreseeable.

18 (2) This section does not affect any common-law duty of
19 care owed by a person or entity in possession or control of a
20 business premises.

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23 **T I T L E A M E N D M E N T**

24 Remove line 9 and insert:
25 evidence; providing that such provisions do not affect any
26 common-law duty of care owed by a person or entity in
27 possession or control of a business premises; repealing s.
28 768.0710, F.S., relating to the