

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Gaetz offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 33-74 and insert:

5 or property damage, injury, or death suffered by any other  
6 person resulting from the inherent risks of spaceflight  
7 activities, manufacturing activities, or supplying activities so  
8 long as the warning contained in subsection (3) is published in  
9 a newspaper of general circulation in the locality where the  
10 spaceflight entity has its principal place of business and is  
11 distributed to and signed by the spaceflight participants ~~as~~  
12 ~~required~~. Except as provided in paragraph (b), a participant, a  
13 ~~or~~ participant's representative, or any other person may not  
14 maintain an action against or recover from a spaceflight entity  
15 for the loss, damage, or death of the participant or other  
16 person resulting exclusively from any of the inherent risks of

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17 | spaceflight activities, manufacturing activities, or supplying  
18 | activities.

19 | (b) Paragraph (a) does not prevent or limit the liability  
20 | of a spaceflight entity if the spaceflight entity does any one  
21 | or more of the following:

22 | 1. Commits an act or omission that constitutes gross  
23 | negligence or willful or wanton disregard for the safety of the  
24 | participant or other person and that act or omission proximately  
25 | causes injury, damage, or death to the participant or other  
26 | person;

27 | 2. Has actual knowledge or reasonably should have known of  
28 | a dangerous condition on the land or in the facilities or  
29 | equipment used in the spaceflight activities and the danger  
30 | proximately causes injury, damage, or death to the participant  
31 | or other person; or

32 | 3. Intentionally injures the participant or other person.

33 | (c) Any limitation on legal liability afforded by this  
34 | subsection to a spaceflight entity is in addition to any other  
35 | limitation of legal liability otherwise provided by law.

36 | (3) (a) Every spaceflight entity providing spaceflight  
37 | activities to a participant, whether such activities occur on or  
38 | off the site of a facility capable of launching a suborbital  
39 | flight, shall have each participant sign the warning statement  
40 | specified in paragraph (b).

41 | (b) The warning statement described in paragraph (a) shall  
42 | contain, at a minimum, the following statement:  
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44 "WARNING: Under Florida law, there is no liability for  
 45 an injury to or death of a participant in a  
 46 spaceflight activity provided by a spaceflight entity  
 47 or for property damage, injury, or death suffered by  
 48 any other person arising out of the spaceflight  
 49 activity, manufacturing activity, or supplying  
 50 activity of a spaceflight entity as defined by law, if  
 51 such property damage, injury, or death results from  
 52 the inherent risks of the spaceflight activity,  
 53 manufacturing activity, or supplying activity.  
 54 Injuries caused by the inherent risks of spaceflight  
 55 activities, manufacturing activities, or supplying  
 56 activities may include, among others, injury to land,  
 57 equipment, persons, and animals, as well as the  
 58 potential for a participant in a spaceflight activity,  
 59 manufacturing activity, or supplying activity or other  
 60 person ~~you~~ to act in a negligent manner that may  
 61 contribute to the participant's or the other person's  
 62 own ~~your~~ injury or death. A participant in spaceflight  
 63 activity or other person assumes ~~You are assuming~~ the  
 64 risk of participating in or exposure to this  
 65 spaceflight activities, manufacturing activities, or  
 66 supplying activities activity."

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

Between lines 6 and 7, insert:

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72 providing immunity from liability for injury to or death  
73 of certain participants in manufacturing and supplying  
74 activities related to spaceflight if the spaceflight  
75 entity is in compliance with specified informed consent;  
76 providing exceptions;