

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Pilon offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsections (2) and (3) of section 768.137,
 7 Florida Statutes, are amended to read:

8 768.137 Definition; limitation of civil liability for
 9 certain farmers; exception.—

10 (2) A ~~Any~~ farmer who gratuitously allows a person ~~persons~~
 11 to enter upon the farmer's ~~her or his own~~ land for the purpose
 12 of removing ~~any~~ farm produce or crops is remaining in the fields
 13 ~~following the harvesting thereof,~~ shall be exempt from civil
 14 liability:

15 (a) Arising out of any injury or the death of such person
 16 due to ~~resulting from~~ the nature or condition of the ~~such~~ land;
 17 or

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18 (b) Arising out of any injury or death due to the nature,
19 age, or condition of the any such farm produce or crops removed
20 by such person crop.

21 (3) The exemption from civil liability provided for in
22 this section does shall not apply if injury or death directly
23 results from the gross negligence or, intentional act of the
24 farmer, or the failure of the farmer to warn of a dangerous
25 condition of which the farmer has actual knowledge unless the
26 dangerous condition would be obvious to a person entering upon
27 the farmer's land from known dangerous conditions not disclosed
28 by the farmer.

29 Section 2. This act shall take effect July 1, 2014.

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

34 Remove everything before the enacting clause and insert:
35 An act relating to the civil liability of farmers; amending s.
36 768.137, F.S.; expanding an existing exemption from civil
37 liability for farmers who gratuitously allow a person to enter
38 upon their land for the purpose of removing farm produce or
39 crops left in the field after harvesting to include farmers who
40 gratuitously allow a person to enter upon their land to remove
41 any farm produce or crops; revising exceptions to the exemption
42 from civil liability; providing an effective date.