

By the Committee on Agriculture; and Senator Evers

575-02732-14

20141138c1

1 A bill to be entitled
2 An act relating to the civil liability of farmers;
3 amending s. 768.137, F.S.; expanding an existing
4 exemption from civil liability for farmers who
5 gratuitously allow a person to enter upon their land
6 for the purpose of removing farm produce or crops left
7 in the field after harvesting to include farmers who
8 gratuitously allow a person to enter upon their land
9 to remove any farm produce or crops; revising
10 exceptions to the exemption from civil liability;
11 providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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

17 768.137 Definition; limitation of civil liability for
18 certain farmers; exception.—

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

24 (a) Arising out of any injury or the death of such person
25 due to ~~resulting from~~ the nature or condition of the such land;
26 or

27 (b) Arising out of any injury or death due to the nature,
28 age, or condition of the any such farm produce or crops removed
29 by such person ~~crop~~.

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30 (3) The exemption from civil liability provided for in this
31 section does ~~shall~~ not apply if injury or death directly results
32 from the gross negligence or intentional act of, ~~or from known~~
33 ~~dangerous conditions not disclosed by~~ the farmer.

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