

1 A bill to be entitled
 2 An act relating to civil liability of farmers;
 3 amending s. 768.137, F.S.; revising an exemption from
 4 civil liability for farmers who gratuitously allow a
 5 person to enter upon their land for the purpose of
 6 removing farm produce or crops; revising applicability
 7 of the exemption; providing an effective date.

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

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

13 768.137 Definition; limitation of civil liability for
 14 certain farmers; exception.—

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

20 (a) Arising out of any injury or the death of such person
 21 due to ~~resulting from~~ the nature or condition of the ~~such~~ land;
 22 or

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

26 (3) The exemption from civil liability provided for in

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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27 | this section does ~~shall~~ not apply if injury or death directly
28 | results from the gross negligence or ~~or~~ intentional act of the
29 | farmer ~~or the failure of the farmer to warn of a dangerous
30 | condition of which the farmer has actual knowledge unless the
31 | dangerous condition would be obvious to a person entering upon
32 | the farmer's land ~~from known dangerous conditions not disclosed~~
33 | ~~by the farmer.~~~~

34 | Section 2. This act shall take effect July 1, 2015.