

2015158er

1
2 An act relating to the civil liability of farmers;
3 amending s. 768.137, F.S.; providing that 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 applies at any time, rather than only
8 after harvesting; revising exceptions to the
9 exemption; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

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

15 768.137 Definition; limitation of civil liability for
16 certain farmers; exception.—

17 (2) A ~~Any~~ farmer who gratuitously allows a person ~~persons~~
18 to enter upon the farmer's ~~her or his own~~ land for the purpose
19 of removing ~~any~~ farm produce or crops is ~~remaining in the fields~~
20 ~~following the harvesting thereof, shall be exempt from civil~~
21 ~~liability arising out of any injury to, or the death of, such~~
22 person due to ~~resulting from~~ the nature or condition of the ~~such~~
23 land or the nature, age, or condition of the ~~any such~~ farm
24 produce or crops that are removed ~~crop~~.

25 (3) The exemption from civil liability provided ~~for~~ in this
26 section does ~~shall~~ not apply if injury or death directly results
27 from the gross negligence or ~~intentional act of the farmer,~~ or
28 from the farmer's failure to warn of a dangerous condition of
29 which the farmer has actual knowledge unless that condition

2015158er

30 would be obvious to a person entering upon the farmer's land
31 ~~from known dangerous conditions not disclosed by the farmer.~~
32 Section 2. This act shall take effect July 1, 2015.