



532346

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/29/2023	.	
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	.	
	.	

The Committee on Military and Veterans Affairs, Space, and Domestic Security (Wright) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 331.501, Florida Statutes, is amended to
read:

331.501 Spaceflight; informed consent.—

(1) For purposes of this section, the term:

(a) “Crew” means a crew or government astronauts as those
terms are defined in 51 U.S.C. s. 50902.



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11 (b)~~(a)~~ "Participant" means a ~~any~~ spaceflight participant as
12 ~~that term is~~ defined in 51 U.S.C. s. 50902.

13 (c)~~(b)~~ "Spaceflight activities" means launch services or
14 reentry services as those terms are defined in 51 U.S.C. s.
15 50902 as well as activities occurring between launch and
16 landing.

17 (d)~~(e)~~ "Spaceflight entity" means a ~~any~~ public or private
18 entity holding a United States Federal Aviation Administration
19 launch, reentry, operator, or launch site license for
20 spaceflight activities or which is otherwise authorized by the
21 United States Government to conduct spaceflight activities. The
22 term also includes a ~~any~~ manufacturer or supplier of spaceflight
23 components, services, or vehicles ~~that have been reviewed by the~~
24 ~~United States Federal Aviation Administration as part of issuing~~
25 ~~such a license, permit, or authorization.~~

26 (2) (a) Except as provided in paragraph (b), a spaceflight
27 entity is not liable for injury to or death of a participant or
28 crew resulting from ~~the inherent risks of~~ spaceflight activities
29 so long as the warning contained in subsection (3) is
30 distributed and signed as required. Except as provided in
31 paragraph (b), a participant, ~~or~~ participant's representative,
32 crew, or crew's representative may not maintain an action
33 against or recover from a spaceflight entity for the loss,
34 damage, or death of the participant or crew resulting
35 exclusively from ~~any of the inherent risks of~~ spaceflight
36 activities.

37 (b) Paragraph (a) does not prevent or limit the liability
38 of a spaceflight entity if the spaceflight entity does any ~~one~~
39 ~~or more~~ of the following:



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40 1. Commits an act or omission that constitutes gross
41 negligence or willful or wanton disregard for the safety of the
42 participant or crew, which ~~and that~~ act or omission proximately
43 causes injury, damage, or death to the participant or crew;

44 2. Has actual knowledge ~~or reasonably should have known~~ of
45 an extraordinarily & dangerous condition that is not inherent in
46 ~~on the land or in the facilities or equipment used in the~~
47 spaceflight activities and the danger proximately causes injury,
48 damage, or death to the participant or crew; or

49 3. Intentionally injures the participant or crew.

50 (c) Any limitation on legal liability afforded by this
51 subsection to a spaceflight entity is in addition to any other
52 limitation of legal liability otherwise provided by law.

53 (3) (a) Every spaceflight entity providing spaceflight
54 activities ~~to a participant~~, whether such activities occur on or
55 off a launch ~~the site of a facility capable of launching a~~
56 ~~suborbital flight~~, shall have each participant or crew sign the
57 warning statement specified in paragraph (b).

58 (b) The warning statement described in paragraph (a) must
59 ~~shall~~ contain, at a minimum, the following statement:

60
61 ⚠WARNING: Under Florida law, there is no liability for
62 an injury to or death of a participant or crew in a
63 spaceflight activity provided by a spaceflight entity
64 if such injury or death results from ~~the inherent~~
65 ~~risks of~~ the spaceflight activity. Injuries caused by
66 ~~the inherent risks of~~ spaceflight activities may
67 include, among others, injury to land, equipment,
68 persons, and animals, as well as the potential for you



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69 to act in a negligent manner that may contribute to
70 your injury or death. You are assuming the risk of
71 participating in this spaceflight activity.”

72
73 (c) Failure to comply with the warning statement
74 requirements in this section shall prevent a spaceflight entity
75 from invoking the privileges of immunity provided by this
76 section.

77 Section 2. This act shall take effect July 1, 2023.

78
79 ===== T I T L E A M E N D M E N T =====

80 And the title is amended as follows:

81 Delete everything before the enacting clause
82 and insert:

83 A bill to be entitled
84 An act relating to spaceflight entity liability;
85 amending s. 331.501, F.S.; defining the term “crew”;
86 revising definitions; exempting a spaceflight entity
87 from liability for injury to or death of a crew
88 resulting from spaceflight activities under certain
89 circumstances; revising exceptions; requiring a
90 spaceflight entity to have a crew sign a specified
91 warning statement; revising the contents of the
92 warning statement; providing an effective date.