

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WITHDRAWN	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: Civil Justice Subcommittee  
 2 Representative Black offered the following:

**Amendment (with title amendment)**

Remove lines 36-130 and insert:

3 3. Natural bodies of water.

4 4. A person acting in a negligent manner if the private  
5 campground operator is not aware of or involved in such action.

6 5. A lack of lighting, including lighting at a campsite.  
7 The term does not include a lack of lighting at structures such  
8 as bathhouses, laundry facilities, visitor centers, game rooms,  
9 or other similar common area structures.

10 6. Campfires contained in or outside of a fire pit or  
11 enclosure provided by the private campground; bonfires; grass or  
12 brush fires; wildfires; and forest fires.

13 7. Weather.

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17 8. Insects, birds, and other wildlife.

18 9. Violations or disregard by a person of any posted or  
19 established safety rules or posted signs communicating warnings.

20 10. Actions by a person which exceed the physical  
21 limitations or abilities of such person.

22 11. Animals of other persons which cause injury, unless  
23 the private campground has accepted responsibility for care of  
24 the animal.

25 12. Any person coming onto a campsite who is not known to  
26 the private campground operator.

27 (c) "Private campground" means a facility that provides  
28 sites on which recreational vehicles, camping units, and tents  
29 may be placed for transient occupancy and that is owned and  
30 operated, directly or indirectly, by a private property owner.  
31 The term also includes a lodging park, recreational vehicle  
32 park, or recreational camp as those terms are defined in s.  
33 513.01.

34 (d) "Private campground operator" means the owner,  
35 operator, keeper, lessor, proprietor, manager, assistant  
36 manager, desk clerk, agent, or employee of a private campground,  
37 including a lodging park, recreational vehicle park, or  
38 recreational camp, who is designated as the individual solely  
39 responsible for the daily operation of the private campground  
40 pursuant to this chapter.

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41 (2) Except as provided in subsection (3), a private  
42 campground operator is immune from civil liability for acts or  
43 omissions related to camping at a private campground if, as a  
44 result of the inherent risk of camping, a person or animal is  
45 injured or killed or a person's property is damaged or lost at  
46 the private campground.

47 (3) Subsection (2) does not apply if the person seeking  
48 immunity does any of the following:

49 (a) Intentionally injures or kills another person or  
50 intentionally causes damage to or the loss of another person's  
51 property.

52 (b) Commits an act or omission that constitutes willful or  
53 wanton disregard for the safety of another person and such act  
54 or omission proximately causes the other person's injury or  
55 death or the damage to or loss of the other person's property.

56 (4) Each private campground operator shall provide notice  
57 of the inherent risk of camping.

58 (a) The private campground operator shall post a sign that  
59 includes a notice of the inherent risk of camping in a clearly  
60 visible location at the entrance to the private campground. The  
61 notice must be in black letters that are at least 1 inch in  
62 height each, with sufficient color contrast to be clearly  
63 visible.

64 (b) If a private campground operator enters into a written  
65 contract with a person to camp or otherwise utilize or visit the

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66 private campground, such contract must contain in clearly  
67 readable print the notice of the inherent risk of camping.

68 (c) The notice and written contract, if any, must contain  
69 the following:

70

71 WARNING

72

73 Under Florida law, a private campground owner,  
74 operator, or employee is not liable for a person's  
75 injury or death, or any damage to or loss of such  
76 person's property, who is camping at a private  
77 campground if such injury, death, damage, or loss  
78 results from the inherent risk of camping. The  
79 inherent risk of camping includes, but is not limited  
80 to, risk of injury, death, damage, or loss inherent to  
81 land, equipment, weather, animals, and actions by  
82 other persons, as well as the potential for you to act  
83 in a negligent manner that may contribute to your own  
84 injury or death or the damage to or loss of your own  
85 property. You are camping at your own risk.

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87 (d) A private campground operator may not invoke the  
88 privilege of immunity provided under subsection (2) if he or she  
89 fails to comply with this subsection.

90 (5) This section does not limit the immunity created by

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**T I T L E   A M E N D M E N T**

Remove lines 13-15 and insert:  
requirements to invoke immunity; providing construction;