

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WITHDRAWN	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: Judiciary Committee
 2 Representative Sirois offered the following:

Amendment (with title amendment)

Remove lines 19-74 and insert:

6 (a) "Crew" means a crew or government astronauts as
 7 defined in 51 U.S.C. s. 50902.

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

10 (c)-(b) "Spaceflight activities" means launch services or
 11 reentry services as ~~those terms are~~ defined in 51 U.S.C. s.
 12 50902, as well as activities occurring between launch and
 13 landing.

14 (d)-(c) "Spaceflight entity" means a ~~any~~ public or private
 15 entity ~~that holds~~ ~~holding~~ a United States Federal Aviation
 16 Administration launch, reentry, operator, or launch site license

Amendment No. 1

17 for spaceflight activities or is otherwise authorized by the
18 United States Government to conduct spaceflight activities. The
19 term also includes a any manufacturer or supplier of spaceflight
20 components, services, or vehicles ~~that have been reviewed by the~~
21 ~~United States Federal Aviation Administration as part of issuing~~
22 ~~such a license, permit, or authorization~~.

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

34 (b) Paragraph (a) does not prevent or limit the liability
35 of a spaceflight entity if the spaceflight entity does any ~~one~~
36 ~~or more~~ of the following:

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

41 2. Has actual knowledge ~~or reasonably should have known~~ of

Amendment No. 1

42 ~~an extraordinarily a dangerous condition that is not inherent on~~
43 ~~the land or in the facilities or equipment used in the~~
44 ~~spaceflight activities, which and the danger proximately causes~~
45 ~~injury, damage, or death to the participant or crew; or~~

46 3. Intentionally injures the participant or crew.

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

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

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

57
58 "WARNING: Under Florida law, there is no liability for an injury
59 to or death of a participant or crew in a spaceflight activity
60 provided by a spaceflight entity if such injury or death results
61 from ~~the inherent risks of~~ the spaceflight activity. Injuries
62 caused by ~~the inherent risks of~~ spaceflight activities may

63
64 -----

65 **T I T L E A M E N D M E N T**

66 Remove lines 4-9 and insert:

482701 - h0839-line19.docx

Published On: 4/10/2023 12:01:49 PM

Amendment No. 1

67 definitions; revising provisions exempting a
68 spaceflight entity from liability for injury or death
69 resulting from spaceflight activities; providing
70 exceptions; providing construction; revising
71 provisions requiring the signing of a specified
72 warning statement;