

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WITHDRAWN	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>	

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1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative Sirois offered the following:

**Amendment (with title amendment)**

Remove lines 19-66 and insert:

6 (a) "Crew" means a crew or government astronauts as those  
7 terms are 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.

13 (d)-(e) "Spaceflight entity" means a ~~any~~ public or private  
14 entity ~~that holds holding~~ a United States Federal Aviation  
15 Administration launch, reentry, operator, or launch site license  
16 for spaceflight activities ~~or that is otherwise authorized by~~

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17 the United States Government to conduct spaceflight activities.

18 The term also includes a ~~any~~ manufacturer or supplier of  
19 spaceflight components, services, or vehicles ~~that have been~~  
20 ~~reviewed by the United States Federal Aviation Administration as~~  
21 ~~part of issuing such a license, permit, or authorization.~~

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

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

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

40 2. Has actual knowledge or reasonably should have known of  
41 an extraordinarily ~~a~~ dangerous condition that is not inherent ~~on~~

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42 ~~the land or in the facilities or equipment used in the~~  
43 ~~spaceflight activities, which and the danger proximately causes~~  
44 ~~injury, damage, or death to the participant or crew; or~~

45 3. Intentionally injures the participant or crew.

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

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

54 (b) The warning statement described in paragraph (a) must  
55 ~~shall~~

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

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Remove line 3 and insert:

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amending s. 331.501, F.S.; providing and revising definitions;