

26 landing.

27 (d)~~(e)~~ "Spaceflight entity" means a ~~any~~ public or private
 28 entity that holds ~~holding~~ a United States Federal Aviation
 29 Administration launch, reentry, operator, or launch site license
 30 for spaceflight activities or is otherwise authorized by the
 31 United States Government to conduct spaceflight activities. The
 32 term also includes a ~~any~~ manufacturer or supplier of spaceflight
 33 components, services, or vehicles ~~that have been reviewed by the~~
 34 ~~United States Federal Aviation Administration as part of issuing~~
 35 ~~such a license, permit, or authorization.~~

36 (2) (a) Except as provided in paragraph (b), a spaceflight
 37 entity is not liable for injury to or death of a participant or
 38 crew resulting from ~~the inherent risks of~~ spaceflight activities
 39 so long as the warning contained in subsection (3) is
 40 distributed and signed as required. Except as provided in
 41 paragraph (b), a participant, ~~or~~ participant's representative,
 42 crew, or crew's representative may not maintain an action
 43 against or recover from a spaceflight entity for the loss,
 44 damage, or death of the participant or crew resulting
 45 exclusively from ~~any of the inherent risks of~~ spaceflight
 46 activities.

47 (b) Paragraph (a) does not prevent or limit the liability
 48 of a spaceflight entity if the spaceflight entity does any ~~one~~
 49 ~~or more~~ of the following:

- 50 1. Commits an act or omission that constitutes gross

51 negligence or willful or wanton disregard for the safety of the
 52 participant or crew, which ~~and that~~ act or omission proximately
 53 causes injury, damage, or death to the participant or crew;

54 2. Has actual knowledge ~~or reasonably should have known~~ of
 55 an extraordinarily ~~a~~ dangerous condition that is not inherent ~~on~~
 56 ~~the land or in the facilities or equipment used in the~~
 57 spaceflight activities, which ~~and the~~ danger proximately causes
 58 injury, damage, or death to the participant or crew; or

59 3. Intentionally injures the participant or crew.

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

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

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

70
 71 "WARNING: Under Florida law, there is no liability for an injury
 72 to or death of a participant or crew in a spaceflight activity
 73 provided by a spaceflight entity if such injury or death results
 74 from ~~the inherent risks of~~ the spaceflight activity. Injuries
 75 caused by ~~the inherent risks of~~ spaceflight activities may

76 | include, among others, injury to land, equipment, persons, and
77 | animals, as well as the potential for you to act in a negligent
78 | manner that may contribute to your injury or death. You are
79 | assuming the risk of participating in this spaceflight
80 | activity."

81 |
82 | (c) Failure to comply with the warning statement
83 | requirements in this section shall prevent a spaceflight entity
84 | from invoking the privileges of immunity provided by this
85 | section.

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