



207224

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
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The Committee on Judiciary (Grall) recommended the following:

Senate Amendment (with title amendment)

Delete lines 47 - 63
and insert:

(6) "Unborn child" means a member of the species Homo sapiens, at any stage of development, who is carried in the womb.

Section 2. Section 768.19, Florida Statutes, is amended to read:

768.19 Right of action.—

(1) When the death of a person is caused by the wrongful



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act, negligence, default, or breach of contract or warranty of any person, including those occurring on navigable waters, and the event would have entitled the person injured to maintain an action and recover damages if death had not ensued, the person or watercraft that would have been liable in damages if death had not ensued shall be liable for damages as specified in this act notwithstanding the death of the person injured, although death was caused under circumstances constituting a felony.

(2) This act does not authorize a wrongful death action against:

(a) The mother of an unborn child for the death of the unborn child.

(b) A health care provider for the death of an unborn child which results from lawful medical care provided in compliance with the applicable standard of care.

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

And the title is amended as follows:

Delete lines 7 - 9

and insert:

amending s. 768.19, F.S.; providing that the Wrongful Death Act does not authorize a wrongful death action against the mother of an unborn child for the death of the child; providing that the act does not authorize a wrongful death action against a health care provider for the death of an unborn child which results from medical care complying with the applicable standard of care; amending s. 768.21, F.S.; authorizing