

1                                   A bill to be entitled  
 2           An act relating to the civil liability of farmers;  
 3           amending s. 768.137, F.S.; expanding an existing  
 4           exemption from civil liability for farmers who  
 5           gratuitously allow a person to enter upon their land  
 6           for the purpose of removing farm produce or crops left  
 7           in the field after harvesting to include farmers who  
 8           gratuitously allow a person to enter upon their land  
 9           to remove any farm produce or crops; revising  
 10          exceptions to the exemption from civil liability;  
 11          providing an effective date.

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 13 Be It Enacted by the Legislature of the State of Florida:

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 15           Section 1. Subsections (2) and (3) of section 768.137,  
 16 Florida Statutes, are amended to read:

17           768.137 Definition; limitation of civil liability for  
 18 certain farmers; exception.—

19           (2) A ~~Any~~ farmer who gratuitously allows a person ~~persons~~  
 20 to enter upon the farmer's ~~her or his own~~ land for the purpose  
 21 of removing ~~any~~ farm produce or crops is ~~remaining in the fields~~  
 22 ~~following the harvesting thereof,~~ shall be exempt from civil  
 23 liability:

24           (a) Arising out of any injury or the death of such person  
 25 due to ~~resulting from~~ the nature or condition of the ~~such~~ land;  
 26 or

27            (b) Arising out of any injury or death due to the nature,  
28            age, or condition of the any such farm produce or crops removed  
29            by such person ~~crop~~.

30            (3) The exemption from civil liability provided for in  
31            this section does ~~shall~~ not apply if injury or death directly  
32            results from the gross negligence or, intentional act of the  
33            farmer, or the failure of the farmer to warn of a dangerous  
34            condition of which the farmer has actual knowledge unless the  
35            dangerous condition would be obvious to a person entering upon  
36            the farmer's land ~~from known dangerous conditions not disclosed~~  
37            ~~by the farmer.~~

38            Section 2. This act shall take effect July 1, 2014.