

## CHAPTER 2011-231

### Committee Substitute for Senate Bill No. 926

An act relating to the limitation of liability for employers who employ persons with a developmental disability; creating s. 768.0985, F.S.; providing that an employer, under certain circumstances, is not liable for the acts or omissions of an employee who is a person with a developmental disability; providing that a supported employment service provider that provides or has provided supported employment services to a person with a developmental disability is not liable for the actions or conduct of the person occurring within the scope of the person's employment; defining the terms "developmental disability" and "supported employment service provider"; providing for application of the act; providing an effective date.

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

Section 1. Section 768.0895, Florida Statutes, is created to read:

768.0895 Limitation of liability for employers of persons with disabilities.

(1) An employer who employs a person with a developmental disability is not liable for the acts or omissions, negligent or intentional, of the employee if:

(a) The employee receives or has received supported employment services through a supported employment service provider; and

(b) The employer does not have actual notice of the actions of the employee which created unsafe conditions in the workplace.

(2) A supported employment service provider that provides or has provided supported employment services to a person with a developmental disability is not liable for the actions or conduct of the person which occur within the scope of the person's employment.

(3) As used in this section, the term:

(a) "Developmental disability" has the same meaning as provided in s. 393.063.

(b) "Supported employment service provider" means a not-for-profit public or private organization or agency that provides services for persons in supported employment, as defined in s. 393.063.

Section 2. This act shall take effect July 1, 2011, and applies to causes of action occurring on or after that date.

Approved by the Governor June 27, 2011.

Filed in Office Secretary of State June 27, 2011.