

## CHAPTER 2015-38

### Senate Bill No. 158

An act relating to the civil liability of farmers; amending s. 768.137, F.S.; providing that an existing exemption from civil liability for farmers who gratuitously allow a person to enter upon their land for the purpose of removing farm produce or crops left in the field applies at any time, rather than only after harvesting; revising exceptions to the exemption; providing an effective date.

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

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

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

(2) ~~A Any~~ farmer who gratuitously allows a person ~~persons~~ to enter upon ~~the farmer's~~ ~~her or his own~~ land for the purpose of removing ~~any~~ farm produce or crops is remaining in the fields following the harvesting thereof, ~~shall be exempt from civil liability arising out of any injury to, or the death of, such person due to resulting from~~ the nature or condition of the such land or the nature, age, or condition of the any such farm produce or crops that are removed crop.

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

Section 2. This act shall take effect July 1, 2015.

Approved by the Governor May 21, 2015.

Filed in Office Secretary of State May 21, 2015.