

Bill No. SB 1138

Amendment No. 1 Barcode 114400

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

.
. .
. .
. .
. .
. .

The Committee on Regulated Industries recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Paragraphs (e) and (f) are added to subsection (10) of section 768.28, Florida Statutes, to read:

768.28 Waiver of sovereign immunity in tort actions; recovery limits; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.--

(10)

(e) Professional firms or their employees hired by the state Department Transportation to perform monitoring and inspection of the work required for the construction of roadways, bridges and other transportation facilities to ensure the project is constructed in conformity with the plans, specifications and contract provisions. Any contract by the agent with the state must provide for the

Bill No. SB 1138

Amendment No. 1 Barcode 114400

1 indemnification of the state.

2 (f) Except for s. 440.09, this subsection shall not be
3 construed as designating persons providing construction
4 engineering and inspection services as employees or agents of
5 the state for the purposes of chapter 440.

6 Section 2. This act shall take effect upon becoming a
7 law.

8
9

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

11 And the title is amended as follows:

12 Delete everything before the enacting clause

13

14 and insert:

15 A bill to be entitled
16 An act relating to construction engineering and
17 inspection services; amending s. 768.28, F.S.;
18 providing that professional firms that have
19 been hired by the Department of Transportation
20 to perform monitoring and inspection services
21 are agents of the state with respect to
22 sovereign immunity; providing for
23 indemnification; providing that such agents are
24 not agents of the state for purposes of chapter
25 440; providing an effective date.

26
27
28
29
30
31