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2 An act relating to spaceflight entity liability;  
3 amending s. 331.501, F.S.; defining the term "crew";  
4 revising definitions; exempting a spaceflight entity  
5 from liability for injury to or death of a crew  
6 resulting from spaceflight activities under certain  
7 circumstances; revising exceptions; requiring a  
8 spaceflight entity to have a crew sign a specified  
9 warning statement; revising the contents of the  
10 warning statement; providing an effective date.  
11

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

14 Section 1. Section 331.501, Florida Statutes, is amended to  
15 read:

16 331.501 Spaceflight; informed consent.—

17 (1) For purposes of this section, the term:

18 (a) "Crew" has the same meaning as defined in 51 U.S.C. s.  
19 50902.

20 (b) (a) "Participant" means a any spaceflight participant as  
21 that term is defined in 51 U.S.C. s. 50902.

22 (c) (b) "Spaceflight activities" means launch services or  
23 reentry services as those terms are defined in 51 U.S.C. s.  
24 50902 as well as activities occurring between launch and  
25 landing.

26 (d) (e) "Spaceflight entity" means a any public or private  
27 entity holding a United States Federal Aviation Administration  
28 launch, reentry, operator, or launch site license for  
29 spaceflight activities or which is otherwise authorized by the

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30 United States Government to conduct spaceflight activities. The  
31 term also includes a ~~any~~ manufacturer or supplier of spaceflight  
32 components, services, or vehicles ~~that have been reviewed by the~~  
33 ~~United States Federal Aviation Administration as part of issuing~~  
34 ~~such a license, permit, or authorization.~~

35 (2) (a) Except as provided in paragraph (b), a spaceflight  
36 entity is not liable for injury to or death of a participant or  
37 crew resulting from ~~the inherent risks of~~ spaceflight activities  
38 so long as the warning contained in subsection (3) is  
39 distributed and signed as required. Except as provided in  
40 paragraph (b), a participant, ~~or~~ participant's representative,  
41 crew, or crew's representative may not maintain an action  
42 against or recover from a spaceflight entity for the loss,  
43 damage, or death of the participant or crew resulting  
44 exclusively from ~~any of the inherent risks of~~ spaceflight  
45 activities.

46 (b) Paragraph (a) does not prevent or limit the liability  
47 of a spaceflight entity if the spaceflight entity does any ~~one~~  
48 ~~or more~~ of the following:

49 1. Commits an act or omission that constitutes gross  
50 negligence or willful or wanton disregard for the safety of the  
51 participant or crew, which ~~and that~~ act or omission proximately  
52 causes injury, damage, or death to the participant or crew;

53 2. Has actual knowledge ~~or reasonably should have known~~ of  
54 an extraordinarily a dangerous condition that is not inherent in  
55 ~~on the land or in the facilities or equipment used in the~~  
56 spaceflight activities and the danger proximately causes injury,  
57 damage, or death to the participant or crew; or

58 3. Intentionally injures the participant or crew.

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59 (c) Any limitation on legal liability afforded by this  
60 subsection to a spaceflight entity is in addition to any other  
61 limitation of legal liability otherwise provided by law.

62 (3) (a) Every spaceflight entity providing spaceflight  
63 activities ~~to a participant~~, whether such activities occur on or  
64 off a launch ~~the site of a facility capable of launching a~~  
65 ~~suborbital flight~~, shall have each participant or crew sign the  
66 warning statement specified in paragraph (b).

67 (b) The warning statement described in paragraph (a) must  
68 ~~shall~~ contain, at a minimum, the following statement:

69  
70 "WARNING: Under Florida law, there is no liability for  
71 an injury to or death of a participant or crew in a  
72 spaceflight activity provided by a spaceflight entity  
73 if such injury or death results from ~~the inherent~~  
74 ~~risks of~~ the spaceflight activity. Injuries caused by  
75 ~~the inherent risks of~~ spaceflight activities may  
76 include, among others, injury to land, equipment,  
77 persons, and animals, as well as the potential for you  
78 to act in a negligent manner that may contribute to  
79 your injury or death. You are assuming the risk of  
80 participating in this spaceflight activity."

81  
82 (c) Failure to comply with the warning statement  
83 requirements in this section shall prevent a spaceflight entity  
84 from invoking the privileges of immunity provided by this  
85 section.

86 Section 2. This act shall take effect July 1, 2023.