

By Senator Truenow

13-00742-26

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A bill to be entitled

An act relating to Department of Transportation contractor liability; amending s. 337.195, F.S.; providing that a contractor is considered an agent of the state in certain circumstances; requiring contract documents to indemnify the department for liability caused by the negligence of the contractor or its employees; providing an effective date.

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

Section 1. Subsection (6) is added to section 337.195, Florida Statutes, to read:

337.195 Limits on liability.—

(6) For purposes of this section, a contractor is considered an agent of the state while acting within the scope of the contract documents. The contract documents must, to the extent permitted by law, provide for the indemnification of the department for any liability, including reasonable attorney fees, incurred up to the limits set forth in this chapter to the extent that such liability is caused by the negligence of the contractor or its employees.

Section 2. This act shall take effect July 1, 2026.