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## **State Affairs Committee**

**Wednesday, April 3, 2013**

**9:00 AM**

**Morris Hall (17 HOB)**

## **ACTION PACKET**

**Will Weatherford**  
**Speaker**

**Steve Crisafulli**  
**Chair**

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

**Location:** Morris Hall (17 HOB)

### Summary:

#### State Affairs Committee

Wednesday April 03, 2013 09:00 am

HB 7	Favorable	Yeas: 15	Nays: 0
CS/HB 183	Favorable	Yeas: 16	Nays: 0
CS/CS/HB 203	Favorable	Yeas: 17	Nays: 0
CS/HB 263	Favorable	Yeas: 17	Nays: 0
CS/CS/HB 375	Favorable With Committee Substitute Amendment 841551 Adopted	Yeas: 17	Nays: 0
CS/HB 745	Favorable	Yeas: 15	Nays: 0
CS/HB 927	Favorable With Committee Substitute Amendment 661401 Adopted Without Objection Amendment 769793 Withdrawn	Yeas: 17	Nays: 0
HB 979	Favorable	Yeas: 16	Nays: 0
CS/HB 981	Favorable	Yeas: 16	Nays: 0
CS/HB 1009	Favorable	Yeas: 16	Nays: 0
HB 1193	Favorable With Committee Substitute Amendment 682597 Adopted Without Objection	Yeas: 17	Nays: 0
CS/HB 1281	Favorable	Yeas: 16	Nays: 0
CS/HB 1321	Favorable	Yeas: 17	Nays: 0
CS/HB 1403	Favorable	Yeas: 15	Nays: 0
HB 7087	Favorable With Committee Substitute Amendment 160025 Adopted Without Objection Amendment 244283 Adopted Without Objection	Yeas: 17	Nays: 0
HB 7089	Favorable	Yeas: 17	Nays: 0

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Steve Crisafulli (Chair)	X		
Ben Albritton	X		
Jim Boyd	X		
Jason Brodeur	X		
Matthew Caldwell	X		
Neil Combee	X		
Dane Eagle	X		
Mike Fasano	X		
James Grant	X		
Mike La Rosa	X		
Jake Raburn	X		
Ricardo Rangel	X		
Darryl Rouson	X		
Linda Stewart	X		
Dwayne Taylor	X		
James Waldman	X		
Clovis Watson, Jr.	X		
Ritch Workman	X		
<b>Totals:</b>	<b>18</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

**Location:** Morris Hall (17 HOB)

**HB 7 : Water Management Districts**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant				X	
Mike La Rosa				X	
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson	X				
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman				X	
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 15</b>		<b>Total Nays: 0</b>			

**Appearances:**

Water Management Districts

Cullen, David (Lobbyist) - Waive In Support

Sierra Club

1674 University Pkwy #296

Sarasota FL 34243

Phone: (941)323-2404

Water Management Districts

Yon, Mary Jean, legislative Director (Lobbyist) - Waive In Support

Audubon of Florida

3324 Charleston Rd.

Tallahassee FL 32309

Phone: 850)519-7859

Water Management Districts

Mann, Doug (Lobbyist) - Waive In Support

AIF

310 West College Ave

Tallahassee FL 32301

Phone: (850) 222-7535

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

**Location:** Morris Hall (17 HOB)

**HB 7 : Water Management Districts (continued)**

**Appearances: (continued)**

Water Management Districts

Minnis, Steven, Governmental Affairs & Communications Director (Lobbyist) - Waive In Support

Suwannee River Water Management District

9225 CR 49

Live Oak FL 32060

Phone: (386)362-1001

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 183 : Stormwater Management Permits

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant	X				
Mike La Rosa				X	
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson	X				
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman				X	
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

### Appearances:

Water Management Districts

Matthews, Ryan, Legislative Advocate (Lobbyist) - Waive In Support

Florida League of Cities

PO Box 1757

Tallahassee FL 32302

Phone: (850)222-9684

Water Management Districts

Smith, John Wayne, Consultant (Lobbyist) - Waive In Support

City of Tampa

320 W. College Ave.

Tallahassee FL 32301

Phone: (850)681-7383

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/CS/HB 203 : Agricultural Lands

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant	X				
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson			X		
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### Appearances:

#### Agricultural Lands

Matthews, Ryan (Lobbyist) - Opponent  
Legislative Advocate, Florida League of Cities  
301 S. Bronough St. Suite 300  
Tallahassee FL 32301  
Phone: (850) 222-9684

#### Agricultural Lands

Basford, Adam, Legislative Affairs Director (Lobbyist) - Waive In Support  
Florida Farm Bureau Federation  
PO Box 147030  
Gainesville FL 32614  
Phone: (850)222-2557

#### Agricultural Lands

Spratt, Jim (Lobbyist) - Waive In Support  
Florida Nursery, Growers, and Landscape Association  
P. O. Box 10011  
Tallahassee FL 32302  
Phone: 850-228-1296

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

**Location:** Morris Hall (17 HOB)

**CS/CS/HB 203 : Agricultural Lands (continued)**

**Appearances: (continued)**

Agricultural Lands

Mann, Doug (Lobbyist) - Waive In Support

AIF

310 West College Ave

Tallahassee FL 32301

Phone: (850) 222-7535

Agricultural Lands

Littlejohn, Cindy (Lobbyist) - Waive In Support

Florida Land Council

310 W. College

Tallahassee FL 32301

Phone: 850-222-7535

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM



# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 263 : Disposition of Unclaimed Property

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant	X				
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson			X		
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### Appearances:

Disposition of Unclaimed Property

Mayer, Ashley, Director Legislative and Cabinet Affairs (Lobbyist) (State Employee) - Waive In Support

Department of Financial Services

PL-11 Capitol

Tallahassee Florida 32399

Phone: 413-4938

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/CS/HB 375 : Onsite Sewage Treatment and Disposal Systems

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant	X				
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson			X		
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### CS/CS/HB 375 Amendments

#### Amendment 841551

Adopted

#### Appearances:

Onsite Sewage Treatment and Disposal Systems  
Groover, Roxanne, Executive Director (General Public) - Waive In Support  
Florida Onsite Wastewater Association (FOWA)  
5115 SR 557  
Lake Alfred FL 33850  
Phone: (863) 956-5540

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

**Location:** Morris Hall (17 HOB)

**CS/HB 745 : Pub. Rec./Fracturing Chemical Usage Disclosure Act**

*Favorable*

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano			X		
James Grant	X				
Mike La Rosa				X	
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson			X		
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 15</b>		<b>Total Nays: 0</b>			

**Appearances:**

Pub. Rec./Fracturing chemical Usage Disclosure Act  
 Ross, Kim (General Public) - Opponent  
 Rethink Energy Florida  
 1603 Sauls St.  
 Tallahassee FL 32308  
 Phone: (850)766-1300

Pub. Rec./Fracturing chemical Usage Disclosure Act  
 Kunkel, Stephanie (Lobbyist) - Opponent  
 Clean Water Action  
 1143 Albritton Dr.  
 Tallahassee FL 32301  
 Phone: 850)320-4208

Pub. Rec./Fracturing chemical Usage Disclosure Act  
 Cullen, David (Lobbyist) - Opponent  
 Sierra Club  
 1674 University Pkwy #296  
 Sarasota FL 34243  
 Phone: (941)323-2404

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

**Location:** Morris Hall (17 HOB)

**CS/HB 745 : Pub. Rec./Fracturing Chemical Usage Disclosure Act (continued)**

**Appearances: (continued)**

Pub. Rec./Fracturing chemical Usage Disclosure Act

Mica, David, Executive Director (Lobbyist) - Proponent

Florida Petroleum Council

215 S Monroe St Ste 800

Tallahassee FL 32301

Phone: (850)561-6300

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 927 : Agritourism

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano			X		
James Grant	X				
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson	X				
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### CS/HB 927 Amendments

#### Amendment 661401

Adopted Without Objection

#### Amendment 769793

Withdrawn

### Appearances:

#### Agritourism

James, Stephen (Lobbyist) - Proponent

Florida Association of Counties

100 South Monroe Street

Tallahassee FL 32302

Phone: (850)922-4300

#### Agritourism

Cruz, David, Legislative Advocate (Lobbyist) - Proponent

Florida League of Cities

PO Box 1757

Tallahassee FL 32302

Phone: 850-701-3676

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

**Location:** Morris Hall (17 HOB)

**CS/HB 927 : Agritourism (continued)**

**Appearances: (continued)**

Agritourism

Basford, Adam, Legislative Affairs Director (Lobbyist) - Proponent

Florida Farm Bureau Federation

315 S. Calhoun St., Suite 850

Tallahassee FL 32301

Phone: 850)222-2557

Agritourism

Spratt, Jim (Lobbyist) - Waive In Support

Florida Nursery, Growers, and Landscape Association

P. O. Box 10011

Tallahassee FL 32302

Phone: 850-228-1296

Agritourism

Littlejohn, Cindy, Consultant (Lobbyist) - Waive In Support

Florida Land Council

310 W. College Ave.

Tallahassee FL 32301

Phone: (850)222-7535

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	X	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: State Affairs Committee  
 2 Representative Raschein offered the following:

**Amendment (with title amendment)**

Remove lines 50-162 and insert:

6 (1) "Agritourism activity" means any agricultural related  
 7 activity consistent with a bona fide ~~carried out on a farm, or~~  
 8 ranch or in a working forest that allows members of the general  
 9 public, for recreational, entertainment, or educational  
 10 purposes, to view or enjoy ~~rural~~ activities, including farming,  
 11 ranching, historical, cultural, or ~~harvest-your-own, or nature-~~  
 12 ~~based~~ activities and attractions. An agritourism activity does  
 13 not include the construction of new or additional structures or  
 14 facilities intended primarily to house, shelter, transport, or  
 15 otherwise accommodate members of the general public. An  
 16 activity is an agritourism activity whether or not the  
 17 participant paid to participate in the activity.

18 (2) "Agritourism operator ~~professional~~" means any person  
 19 who is engaged in the business of providing one or more  
 20 agritourism activities, whether or not for compensation.



Amendment No.

21 (3) "Farm" means the land, buildings, support facilities,  
22 machinery, and other appurtenances used in the production of  
23 farm or aquaculture products, including land used to display  
24 plants, animals, farm products, or farm equipment to the public.

25 (4) "Farm operation" has the same meaning as defined in s.  
26 823.14.

27 (5) "Inherent risks of agritourism activity" means those  
28 dangers or conditions that are an integral part of an  
29 agritourism activity including certain hazards, such as surface  
30 and subsurface conditions, natural conditions of land,  
31 vegetation, and waters; the behavior of wild or domestic  
32 animals; and the ordinary dangers of structures or equipment  
33 ordinarily used in farming and ranching operations. The term  
34 also includes the potential of a participant to act in a  
35 negligent manner that may contribute to the injury of the  
36 participant or others, including failing to follow the  
37 instructions given by the agritourism operator or failing to  
38 exercise reasonable caution while engaging in the agritourism  
39 activity.

40 Section 3. Section 570.963, Florida Statutes, is created  
41 to read:

42 570.963 Liability.-

43 (1) Except as provided in subsection (2), an agritourism  
44 operator, his or her employer or employee, or the owner of the  
45 underlying land on which the agritourism occurs are not liable  
46 for injury or death of, or damage or loss to, a participant  
47 resulting from the inherent risks of agritourism activities if  
48 the notice of risk required under s. 570.964 is posted as





Amendment No.

49 required. Except as provided in subsection (2), a participant,  
50 or a participant's representative, may not maintain an action  
51 against or recover from an agritourism operator, his or her  
52 employer or employee, or the owner of the underlying land on  
53 which the agritourism occurs for the injury or death of, or  
54 damage or loss to, an agritourism participant resulting  
55 exclusively from any of the inherent risks of agritourism  
56 activities.

57 (2) In the event of the injury or death of, or damage or  
58 loss to, an agritourism participant, subsection (1) does not  
59 prevent or limit the liability of an agritourism operator or his  
60 or her employer or employee or the owner of the underlying land  
61 on which the agritourism occurs if he or she:

62 (a) Commits an act or omission that constitutes gross  
63 negligence or willful or wanton disregard for the safety of the  
64 participant, and that act or omission proximately causes injury,  
65 damage, or death to the participant; or

66 (b) Intentionally injures the participant.

67 (3) The limitation on legal liability afforded by this  
68 section to an agritourism operator or his or her employer or  
69 employee or the owner of the underlying land on which the  
70 agritourism occurs is in addition to any limitations of legal  
71 liability otherwise provided by law.

72 Section 4. Section 570.964, Florida Statutes, is created  
73 to read:

74 570.964 Posting and notification.—

75 (1) (a) Each agritourism operator shall post and maintain  
76 signs that contain the notice of inherent risk specified in



Amendment No.

77 subsection (2). A sign shall be placed in a clearly visible  
78 location at the entrance to the agritourism location and at the  
79 site of the agritourism activity. The notice of inherent risk  
80 must consist of a sign in black letters, with each letter a  
81 minimum of 1 inch in height, with sufficient color contrast to  
82 be clearly visible.

83 (b) Each written contract entered into by an agritourism  
84 operator for the providing of professional services,  
85 instruction, or the rental of equipment to a participant,  
86 regardless of whether the contract involves agritourism  
87 activities on or off the location or at the site of the  
88 agritourism activity, must contain in clearly readable print the  
89 notice of inherent risk specified in subsection (2).

90 (2) The sign and contract required under subsection (1)  
91 must contain the following notice of inherent risk:

92  
93 Warning

94  
95 Under Florida law, an agritourism operator is not liable  
96 for injury or death of, or damage or loss to, a participant in  
97 an agritourism activity conducted at this agritourism location  
98 if such injury, death, damage, or loss results from the inherent  
99 risks of the agritourism activity. Inherent risks of agritourism  
100 activities include, among others, risks of injury inherent to  
101 land, equipment, and animals, as well as the potential for you  
102 to act in a negligent manner that may contribute to your injury,  
103 death, damage, or loss. You are assuming the risk of  
104 participating in this agritourism activity.



Amendment No.

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(3) Failure to comply with the requirements of this subsection prevents an agritourism operator, his or her

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**T I T L E   A M E N D M E N T**

Remove lines 7-16 and insert:  
activity," changing the term "agritourism professional" to "agritourism operator," and adding a definition of the term "inherent risks of agritourism activity"; creating s. 570.963, F.S.; limiting the liability of an agritourism operator, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; creating s. 570.964, F.S.; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk; preventing an agritourism operator, his or her



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: State Affairs Committee  
 2 Representative Caldwell offered the following:

**Amendment (with title amendment)**

Remove lines 50-162 and insert:

6 (1) "Agritourism activity" means any agricultural related  
 7 activity consistent with a bona fide ~~carried out on a farm, or~~  
 8 ranch or in a working forest that allows members of the general  
 9 public, for recreational, entertainment, or educational  
 10 purposes, to view or enjoy ~~rural~~ activities, including farming,  
 11 ranching, historical, cultural, or ~~harvest-your-own, or nature-~~  
 12 ~~based~~ activities and attractions. An agritourism activity does  
 13 not include the construction of new or additional structures or  
 14 facilities intended primarily to house, shelter, transport, or  
 15 otherwise accommodate members of the general public. An  
 16 activity is an agritourism activity whether or not the  
 17 participant paid to participate in the activity.

18 (2) "Agritourism operator professional" means any person  
 19 who is engaged in the business of providing one or more  
 20 agritourism activities, whether or not for compensation.



Amendment No.

21 (3) "Farm" means the land, buildings, support facilities,  
22 machinery, and other appurtenances used in the production of  
23 farm or aquaculture products, including land used to display  
24 plants, animals, farm products, or farm equipment to the public.

25 (4) "Farm operation" has the same meaning as defined in s.  
26 823.14.

27 (5) "Inherent risks of agritourism activity" means those  
28 dangers or conditions that are an integral part of an  
29 agritourism activity including certain hazards, such as surface  
30 and subsurface conditions, natural conditions of land,  
31 vegetation, and waters; the behavior of wild or domestic  
32 animals; and the ordinary dangers of structures or equipment  
33 ordinarily used in farming and ranching operations. The term  
34 also includes the potential of a participant to act in a  
35 negligent manner that may contribute to the injury of the  
36 participant or others, including failing to follow the  
37 instructions given by the agritourism operator or failing to  
38 exercise reasonable caution while engaging in the agritourism  
39 activity.

40 Section 3. Section 570.963, Florida Statutes, is created  
41 to read:

42 (1) Except as provided in subsection (2), an agritourism  
43 operator, his or her employer or employee, or the owner of the  
44 underlying land on which the agritourism occurs are not liable  
45 for injury or death of, or damage or loss to, a participant  
46 resulting from the inherent risks of agritourism activities if  
47 the notice of risk required under s. 570.964 is posted as  
48 required. Except as provided in subsection (2), a participant,



Amendment No.

49 or a participant's representative, may not maintain an action  
50 against or recover from an agritourism operator, his or her  
51 employer or employee, and the owner of the underlying land on  
52 which the agritourism occurs for the injury or death of, or  
53 damage or loss to, an agritourism participant resulting  
54 exclusively from any of the inherent risks of agritourism  
55 activities. In any action for damages against an agritourism  
56 operator, his or her employer or employee, and the owner of the  
57 underlying land on which the agritourism occurs for agritourism  
58 activity, the agritourism operator, his or her employer or  
59 employee, and the owner of the underlying land on which the  
60 agritourism occurs must plead the affirmative defense of  
61 assumption of the risk of agritourism activity by the  
62 participant.

63 (2) In the event of the injury or death of, or damage or  
64 loss to, an agritourism participant, subsection (1) does not  
65 prevent or limit the liability of an agritourism operator or his  
66 or her employer or employee or the owner of the underlying land  
67 on which the agritourism occurs if he or she:

68 (a) Commits an act or omission that constitutes negligence  
69 or willful or wanton disregard for the safety of the  
70 participant, and that act or omission proximately causes injury,  
71 damage, or death to the participant;

72 (b) Has actual knowledge of, or reasonably should have  
73 known of, a dangerous condition on the land or in the facilities  
74 or with the equipment used in the activity or the dangerous  
75 propensity of a particular animal used in the activity, and does  
76 not make the danger known to the participant and the danger



Amendment No.

77 proximately causes injury, damage, or death to the participant;

78 or

79 (c) Intentionally injures the participant.

80 (3) The limitation on legal liability afforded by this  
81 section to an agritourism operator or his or her employer or  
82 employee or the owner of the underlying land on which the  
83 agritourism occurs is in addition to any limitations of legal  
84 liability otherwise provided by law.

85 Section 4. Section 570.964, Florida Statutes, is created  
86 to read:

87 570.964 Posting and notification.-

88 (1)(a) Each agritourism operator shall post and maintain  
89 signs that contain the notice of inherent risk specified in  
90 subsection (2). A sign shall be placed in a clearly visible  
91 location at the entrance to the agritourism location and at the  
92 site of the agritourism activity. The notice of inherent risk  
93 must consist of a sign in black letters, with each letter a  
94 minimum of 1 inch in height, with sufficient color contrast to  
95 be clearly visible.

96 (b) Each written contract entered into by an agritourism  
97 operator for the providing of professional services,  
98 instruction, or the rental of equipment to a participant,  
99 regardless of whether the contract involves agritourism  
100 activities on or off the location or at the site of the  
101 agritourism activity, must contain in clearly readable print the  
102 notice of inherent risk specified in subsection (2).

103 (2) The sign and contract required under subsection (1)  
104 must contain the following notice of inherent risk:



Amendment No.

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132Warning

Under Florida law, an agritourism operator is not liable for injury or death of, or damage or loss to, a participant in an agritourism activity conducted at this agritourism location if such injury, death, damage, or loss results from the inherent risks of the agritourism activity. Inherent risks of agritourism activities include, among others, risks of injury inherent to land, equipment, and animals, as well as the potential for you to act in a negligent manner that may contribute to your injury, death, damage, or loss. You are assuming the risk of participating in this agritourism activity.

(3) Failure to comply with the requirements of this subsection prevents an agritourism operator, his or her

-----  
**T I T L E   A M E N D M E N T**

Remove lines 7-16 and insert:

activity," changing the term "agritourism professional" to "agritourism operator," and adding a definition of the term "inherent risks of agritourism activity"; creating s. 570.963, F.S.; limiting the liability of an agritourism operator, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are





Amendment No.

133 met; creating s. 570.964, F.S.; requiring that signs and  
134 contracts notify participants of certain inherent risks and the  
135 assumption of that risk; preventing an agritourism operator, his  
136 or her  
137

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

HB 979 : Fort Pierce Farms Water Control District, St. Lucie County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant				X	
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson			X		
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

### Appearances:

Fort Pierce Farms Water Control District, St. Lucie County

Chris Lyon, Attorney (Lobbyist) - Waive In Support

Fort Pierce Farms Water Control District

315 S. Calhoun

Tallahassee FL 32301

Phone: 850-222-5702

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 981 : North St. Lucie River Water Control District, St. Lucie County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant				X	
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson			X		
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

### Appearances:

North St. Lucie River Water Control District, St. Lucie county

Chris Lyon, Attorney (Lobbyist) - Waive In Support

North St. Lucie Water Control District

315 S. Calhoun

Tallahassee FL 32301

Phone: 850-222-5702

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1009 : Fellsmere Water Control District, Indian River County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant				X	
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson	X				
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman				X	
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

### Appearances:

Fellsmere Water Control District, Indian River County

Lewis, Terry, Attorney (Lobbyist) - Waive In Support

Fellsmere Farms Water Control District

315 S. Calhoun

Tallahassee FL 32301

Phone: 850-222-5702

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

### HB 1193 : Taxation Of Property

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant	X				
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson			X		
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### HB 1193 Amendments

#### Amendment 682597

Adopted Without Objection

### Appearances:

Taxation of Property

Basford, Adam, Legislative Affairs Director (Lobbyist) - Waive In Support

Florida Farm Bureau Federation

PO Box 147030

Gainesville FL 32614

Phone: 850)222-2557

Taxation of Property

Spratt, Jim (Lobbyist) - Waive In Support

Florida Nursery, Growers, and Landscape Association

P. O. Box 10011

Tallahassee FL 32302

Phone: 850-228-1296

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

**Location:** Morris Hall (17 HOB)

**HB 1193 : Taxation Of Property (continued)**

**Appearances: (continued)**

Taxation of Property

Mann, Doug (Lobbyist) - Waive In Support

AIF

310 West College Ave

Tallahassee FL 32302

Phone: (850) 222-7535

Taxation of Property

Littlejohn, Cindy, Consultant (Lobbyist) - Waive In Support

Plum Creek Timber Company

310 W. College

Tallahassee FL 32301

Phone: (850)222-7535

Taxation of Property

Littlejohn, Charles (Chuck) (Lobbyist) - Waive In Support

Florida Land Council

310 W. College Ave.

Tallahassee FL 32301

Phone: (850)228-7203

Taxation of Property

Cleaver, Martha, Executive Director (Lobbyist) - Waive In Support

Florida Association of Property Appraisers, Inc

PO Box 11275 403 E. Park Avenue

Tallahassee FL 32301

Phone: (850)681-2770

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1281 : East County Water Control District, Hendry & Lee Counties

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano			X		
James Grant	X				
Mike La Rosa	X				
Jake Raburn				X	
Ricardo Rangel	X				
Darryl Rouson	X				
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1321 : Florida Keys Aqueduct Authority, Monroe County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano			X		
James Grant	X				
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson	X				
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM



# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1403 : Key Largo Wastewater Treatment District, Monroe County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano			X		
James Grant	X				
Mike La Rosa	X				
Jake Raburn				X	
Ricardo Rangel				X	
Darryl Rouson	X				
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 15</b>		<b>Total Nays: 0</b>			

### Appearances:

Key Largo Wastewater Treatment District, Monroe County

Henderson, Cynthia (Lobbyist) - Waive In Support

Key Largo Wastewater Treatment District

108 E. Jefferson

Tallahassee FL 32301

Phone: (850)210-5385

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

HB 7087 : Department of Agriculture and Consumer Services

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant	X				
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson			X		
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### HB 7087 Amendments

#### Amendment 160025

Adopted Without Objection

#### Amendment 244283

Adopted Without Objection

### Appearances:

Department of Agriculture and Consumer Services  
Hollis, Justin, Legislative Affairs (Lobbyist) (State Employee) - Waive In Support  
Department of Agriculture & Consumer Services  
402 S Monroe St PL-10  
Tallahassee FL 32399  
Phone: 850)617-7722

Department of Agriculture and Consumer Services  
Littlejohn, Charles (Lobbyist) - Waive In Support  
Florida Land Council  
310 W. College Ave.  
Tallahassee FL 32301  
Phone: (850)228-7203

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

**Location:** Morris Hall (17 HOB)

**HB 7087 : Department of Agriculture and Consumer Services (continued)**

**Appearances: (continued)**

Department of Agriculture and Consumer Services

Holder, Greg, Assistant Executive Director (Lobbyist) (State Employee) - Waive In Support

Florida Fish and Wildlife Conservation Commission

620 S Meridian St

Tallahassee FL 32399

Phone: (850)487-3796

Department of Agriculture and Consumer Services

Draper, Eric, Executive Director (Lobbyist) - Waive In Support

Audubon of Florida

308 Monroe St.

Tallahassee FL 32301

Phone: 850-222-2473

Department of Agriculture and Consumer Services

Littlejohn, Cindy (Lobbyist) - Waive In Support

Plum Creek Timber Company

310 W. College

Tallahassee FL 32301

Phone: (850)222-7535

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM

# COMMITTEE MEETING REPORT

## State Affairs Committee

4/3/2013 9:00:00AM

Location: Morris Hall (17 HOB)

HB 7089 : Public Records Exemption/School Food and Nutrition Service Program Participants

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Ben Albritton	X				
Jim Boyd	X				
Jason Brodeur	X				
Matthew Caldwell	X				
Neil Combee	X				
Dane Eagle	X				
Mike Fasano	X				
James Grant	X				
Mike La Rosa	X				
Jake Raburn	X				
Ricardo Rangel	X				
Darryl Rouson			X		
Linda Stewart	X				
Dwayne Taylor	X				
James Waldman	X				
Clovis Watson, Jr.	X				
Ritch Workman	X				
Steve Crisafulli (Chair)	X				
	<b>Total Yeas: 17</b>	<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, April 03, 2013 12:37:09PM