

Senate Bill No. 415

CHAPTER 48

An act to amend Section 2211 of the Civil Code, relating to civil liability.

[Approved by Governor June 25, 2014. Filed with
Secretary of State June 25, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 415, Knight. Space flight liability.

The Space Flight Liability and Immunity Act requires a space flight entity, as defined, to collect a signed warning statement from each participant in space flight activities. The warning statement is required to inform the participant that there is limited civil liability for bodily injury sustained as a result of the inherent risks associated with space flight activities. The act limits the liability of a space flight entity that complies with these provisions.

This bill would include in the warning statement provisions a prohibition against construing those provisions to be contrary to the public policy of this state.

The people of the State of California do enact as follows:

SECTION 1. Section 2211 of the Civil Code is amended to read:

2211. (a) A space flight entity providing space flight activities to a participant shall have each participant sign a warning statement that shall contain, at a minimum, and in addition to any language required by federal law, the following notice:

“WARNING AND ACKNOWLEDGMENT: I understand and acknowledge that, under California law, there is limited civil liability for bodily injury, including death, emotional injury, or property damage, sustained by a participant as a result of the inherent risks associated with space flight activities provided by a space flight entity. I have given my informed consent to participate in space flight activities after receiving a description of the inherent risks associated with space flight activities, as required by federal law pursuant to Section 50905 of Title 51 of the United States Code and Section 460.45 of Title 14 of the Code of Federal Regulations. The consent that I have given acknowledges that the inherent risks associated with space flight activities include, but are not limited to, risk of bodily injury, including death, emotional injury, and property damage. I understand and acknowledge that I am participating in space flight activities at my own risk. I have been given the opportunity to consult with an attorney before signing this statement.”

(b) Failure to comply with the requirements provided in this section shall prevent a space flight entity from invoking the privileges of immunity provided by Section 2212.

(c) Nothing in this section shall be construed to be contrary to the public policy of this state.