

Bill No. SB 412

Amendment No. Barcode 111858

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| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Campbell moved the following amendment:

Senate Amendment (with title amendment)

On page 4, between lines 2 and 3,

insert:

(7)(a) In any product liability action for harm allegedly caused by a firearm which is brought against a firearm manufacturer or firearm dealer licensed by the appropriate federal and state authorities, it is presumed that the firearm itself is not unreasonably dangerous for its lawful use, if at the time the specific unit of the firearm was sold or delivered to the initial purchaser or user, the firearm had an integrated safety device, which is a device which precludes the discharging of the firearm by a person other than the owner of the firearm or any other person specifically authorized by the owner to use the firearm.

(b) This section does not prohibit an action against a firearm manufacturer or firearm dealer:

1. Which relates to a firearm that is manufactured, distributed, or sold in violation of applicable federal or

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1 state laws.

2 2. For breach of contract or warranty in connection
3 with the purchase of a firearm.

4 3. For injuries resulting from a firearm malfunction
5 due to defects in design or manufacture.

6 (c) This section does not:

7 1. Require a firearm manufacturer or firearm dealer to
8 manufacture, distribute, or sell only firearms that have an
9 integrated safety device.

10 2. Require a firearm purchaser to purchase only a
11 firearm that has an integrated safety device.

12 3. Mean that a firearm that has an integrated safety
13 device constitutes a firearm that is "not readily accessible
14 for immediate use" within the meaning of s. 790.25(5).

15 (d) Any firearm owner who voluntarily retrofits a
16 firearm with an integrated safety device is entitled to a
17 one-time waiver of the initial or renewal license fee under s.
18 790.06(5)(b).

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20 (Redesignate subsequent subsection.)

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

24 And the title is amended as follows:

25 On page 1, line 24, after the semicolon

26
27 insert

28 providing that in certain products liability
29 actions for harm allegedly caused by a firearm
30 there is a presumption that the firearm is not
31 unreasonably dangerous under specified

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1 conditions; providing that this section does
2 not prohibit actions against a firearm
3 manufacturer or firearm dealer under specified
4 conditions; providing that this section does
5 not require such manufacturer or dealer to
6 manufacture, distribute, or sell only firearms
7 that have an integrated safety device or a
8 purchaser to purchase only such firearms;
9 providing a one time waiver of license fee for
10 a firearm owner who retrofits a firearm with an
11 integrated safety device;

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