

HB 0333

2004

1                                   A bill to be entitled  
 2           An act relating to immunity from civil liability; creating  
 3           s. 768.37, F.S.; providing to certain entities immunity  
 4           from civil liability for personal injury or wrongful death  
 5           based upon long-term consumption of certain foods or  
 6           nonalcoholic beverages under certain circumstances;  
 7           providing application; providing an effective date.

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

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 11           Section 1.   Section 768.37, Florida Statutes, is created to  
 12   read:

13           768.37 Limitation on civil liability arising from long-  
 14   term consumption of food and nonalcoholic beverages.--No  
 15   manufacturer, distributor, or seller of foods or nonalcoholic  
 16   beverages intended for human consumption shall be subject to  
 17   civil liability for personal injury or wrongful death to the  
 18   extent such liability is premised upon a person's weight gain or  
 19   obesity, or a health condition related to weight gain or  
 20   obesity, resulting from the person's long-term consumption of  
 21   such foods or nonalcoholic beverages. For purposes of this  
 22   section, the term "long-term" means the cumulative effect of  
 23   multiple instances over a period of time and not the effect of a  
 24   single or isolated instance.

25           Section 2.   This act shall take effect upon becoming a law  
 26   and shall apply to all claims filed on or after the effective  
 27   date.