

HB 1133

2010

1 A bill to be entitled
2 An act relating to agreements for property repairs related
3 to reactive drywall; creating s. 553.875, F.S.;;
4 authorizing certain persons or entities to agree to
5 certain measures to effect repairs to improvements to real
6 property due to problems arising from the use of reactive
7 drywall; prohibiting a cause of action against certain
8 persons or entities for damage to property arising from
9 prior use of reactive drywall or from such repairs;
10 providing a definition; providing an effective date.

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

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14 Section 1. Section 553.875, Florida Statutes, is created
15 to read:

16 553.875 Agreements for property repairs related to
17 reactive drywall.—In the absence of government laws, rules, or
18 ordinances establishing standards in the applicable jurisdiction
19 for making repairs due to problems arising from the use of
20 reactive drywall in improvements to real property, a property
21 owner or a condominium association authorized under chapter 718
22 to enter into contracts on behalf of unit owners, and a
23 condominium developer or licensed contractor, or any combination
24 of such persons or entities, may agree to specific measures to
25 effect such repairs. If these measures are completed pursuant to
26 the agreement, the condominium association, property owner,
27 subsequent owners, and their successors in interest shall not
28 have a cause of action against the condominium developer or

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29 contractor for damage to the property arising from the prior use
30 of reactive drywall or from the repairs, regardless of the later
31 adoption of government laws, rules, or ordinances establishing
32 repair standards in the applicable jurisdiction that take effect
33 after the date of the agreement. As used in this section, the
34 term "reactive drywall" means drywall or similar materials that
35 are contaminated with substances that cause the corrosion of
36 metals or emit sulfurous compounds.

37 Section 2. This act shall take effect July 1, 2010.