

1 A bill to be entitled
 2 An act relating to written contracts for property repairs
 3 related to imported 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 imported
 7 drywall; prohibiting a cause of action against certain
 8 persons or entities for damage to property arising from
 9 prior use of imported drywall or from such repairs;
 10 providing definitions; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Section 553.875, Florida Statutes, is created
 15 to read:

16 553.875 Written contracts for property repairs related to
 17 imported drywall.-

18 (1) In the absence of government laws, rules, or
 19 ordinances establishing standards in the applicable jurisdiction
 20 for making repairs due to problems arising from the use of
 21 imported drywall in improvements to real property, a real
 22 property owner or a condominium association authorized under
 23 chapter 718 to enter into written contracts on behalf of unit
 24 owners, and a condominium developer or licensed contractor, or
 25 any combination of such persons or entities, may agree to
 26 specific measures to effect such repairs. If these measures are
 27 completed pursuant to the written contract, the condominium
 28 association or real property owner, and any subsequent owners

CS/HB 1133

2010

29 and their successors in interest, shall not have a cause of
30 action against the condominium developer or licensed contractor
31 who procured or performed the repair work for damage to the
32 property arising from the prior use of imported drywall or from
33 the repairs, regardless of the later adoption of government
34 laws, rules, or ordinances establishing repair standards in the
35 applicable jurisdiction that take effect after the date of the
36 written contract.

37 (2) As used in this section, the term:

38 (a) "Imported drywall" means drywall that contains
39 elevated levels of elemental sulfur that result in the corrosion
40 of certain metals.

41 (b) "Licensed contractor" means a contractor licensed
42 under chapter 489.

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