

By Senator Bennett

21-01439A-10

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

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

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

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

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

38 Section 2. This act shall take effect upon becoming a law.