

By Senator Brandes

24-01024-20

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1 A bill to be entitled  
2 An act relating to product liability actions; creating  
3 s. 768.1258, F.S.; defining the term "product seller";  
4 providing that the doctrine of strict liability does  
5 not apply to a product seller in a product liability  
6 action; providing applicability; providing an  
7 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 768.1258, Florida Statutes, is created  
12 to read:

13 768.1258 Application of strict liability in product  
14 liability actions.-

15 (1) As used in this section, the term "product seller"  
16 means a person who, in the course of a business, leases or sells  
17 and distributes; installs; prepares; blends; packages; labels;  
18 markets; assembles pursuant to a manufacturer's plan, intention,  
19 design, specifications, or formulation; repairs; or maintains a  
20 product or is otherwise involved in placing a product in the  
21 stream of commerce. The term does not include a manufacturer of  
22 a product, even if any other action taken by the manufacturer  
23 related to the product is included in this definition.

24 (2) In a product liability action, the doctrine of strict  
25 liability does not apply to a person who is a product seller.

26 (3) This section does not grant a cause of action in strict  
27 liability in tort or any other legal theory or affect the right  
28 of any person to seek and obtain indemnity or contribution.

29 Section 2. This act applies to causes of action accruing on

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30 or after July 1, 2020.

31 Section 3. This act shall take effect July 1, 2020.