

By Senator Collins

14-01059-24

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1 A bill to be entitled
2 An act relating to exemptions from products liability
3 actions; amending s. 487.081, F.S.; specifying
4 circumstances under which products liability actions
5 may not be brought against distributors, dealers, or
6 applicators of pesticides; providing an effective
7 date.

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

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11 Section 1. Subsection (7) is added to section 487.081,
12 Florida Statutes, to read:

13 487.081 Exemptions.—

14 (7) A products liability action, including a failure to
15 warn, may not be brought or maintained against any distributor,
16 dealer, or applicator unless:

17 (a) The distributor, dealer, or applicator exercised
18 substantial control over the aspect of the design, testing,
19 manufacture, or labeling of the product that caused the alleged
20 harm for which recovery of damages is sought;

21 (b) The distributor, dealer, or applicator altered or
22 modified the product, and the alteration or modification was a
23 substantial factor in causing the alleged harm for which
24 recovery of damages is sought;

25 (c) The distributor, dealer, or applicator handled, used,
26 or applied the product in a manner inconsistent with the product
27 label and that such action or failure to warn caused the alleged
28 harm for which recovery of damages is sought; or

29 (d) The manufacturer of the product that caused the alleged

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30 harm for which recovery of damages is sought is not subject to
31 the jurisdiction of this state.

32 Section 2. This act shall take effect July 1, 2024.