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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/27/2024	.	
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	.	

The Committee on Rules (Book) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

487.081 Exemptions.—

(7) (a) A products liability action, including a failure to
warn, may not be brought or maintained against an applicator of
pesticides unless:

1. The applicator exercised substantial control over an



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12 aspect of the design, testing, manufacture, or labeling of the
13 product alleged to have caused the harm for which recovery of
14 damages is sought;

15 2. The applicator altered or modified the product, and the
16 alteration or modification was a legal cause of the alleged harm
17 for which recovery of damages is sought;

18 3. The applicator handled, used, or applied the product in
19 a manner inconsistent with the product label, and such action or
20 failure to warn was a legal cause of the alleged harm for which
21 recovery of damages is sought;

22 4. The applicator engaged in some other negligent act
23 relating to the pesticide, and such negligence was a legal cause
24 of the alleged harm for which the recovery of damages is sought;
25 or

26 5. The manufacturer of a product alleged to have caused the
27 harm for which recovery of damages is sought is not subject to
28 personal jurisdiction in this state.

29 (b) This subsection applies only to pesticides as defined
30 in s. 487.021.

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

33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Delete everything before the enacting clause
36 and insert:

37 A bill to be entitled
38 An act relating to exemptions from products liability
39 actions; amending s. 487.081, F.S.; specifying
40 circumstances under which products liability actions



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41 may be brought or maintained against applicators of
42 pesticides; providing applicability; providing an
43 effective date.