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LEGISLATIVE ACTION

Senate

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House

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Senator Pizzo moved 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



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

28 6. The manufacturer of the product alleged to have caused
29 the harm for which recovery of damages is sought is located in
30 or is incorporated in, or the product is manufactured in, a
31 foreign country of concern as defined in s. 288.860, including
32 the People's Republic of China, the Russian Federation, the
33 Islamic Republic of Iran, the Democratic People's Republic of
34 Korea, the Republic of Cuba, the Venezuelan regime of Nicolás
35 Maduro, or the Syrian Arab Republic, including any agency of or
36 any other entity under significant control of such foreign
37 country of concern.

38 (b) This subsection applies only to pesticides as defined
39 in s. 487.021.

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



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

43 And the title is amended as follows:

44 Delete everything before the enacting clause
45 and insert:

46 A bill to be entitled
47 An act relating to exemptions from products liability
48 actions; amending s. 487.081, F.S.; specifying
49 circumstances under which products liability actions
50 may not be brought against applicators of pesticides;
51 providing applicability; providing an effective date.