

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; providing an effective date.

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

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

12 487.081 Exemptions.—

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

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

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

24 (c) The distributor, dealer, or applicator handled, used,
 25 or applied the product in a manner inconsistent with the product

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26 | label and that such action or failure to warn caused the alleged
27 | harm for which recovery of damages is sought; or

28 | (d) The manufacturer of the product that caused the
29 | alleged harm for which recovery of damages is sought is not
30 | subject to the jurisdiction of this state.

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