CS/HB 347 2024

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 agricultural employers, 6 distributors, dealers, or applicators; providing 7 applicability; providing an effective date. 8 9 Be It Enacted by the Legislature of the State of Florida: 10 Subsection (7) is added to section 487.081, 11 Section 1. 12 Florida Statutes, to read: 487.081 Exemptions.-13 (7) A products liability action, including a failure to 14 warn, may not be brought or maintained against any agricultural 15 16 employer as defined in s. 487.2031, or any distributor, dealer, 17 or applicator unless: 18 The agricultural employer, distributor, dealer, or 19 applicator exercised substantial control over the aspect of the design, testing, manufacture, or labeling of the product that 20 caused the alleged harm for which recovery of damages is sought; 21 (b) The agricultural employer, distributor, dealer, or 22 23 applicator altered or modified the product and such alteration 24 or modification was a substantial factor in causing the alleged harm for which recovery of damages is sought; 25

Page 1 of 2

CODING: Words stricken are deletions; words underlined are additions.

CS/HB 347 2024

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(c) The agricultural employer, distributor, dealer, or
applicator handled, used, or applied the product in a manner
inconsistent with the product label and such action or failure
to warn caused the alleged harm for which recovery of damages is
sought; or
(d) The manufacturer of the product that caused the
alleged harm for which recovery of damages is sought is not
subject to the jurisdiction of this state.
This subsection applies only to pesticides as defined in s.
487.021.
Section 2. This act shall take effect July 1, 2024.