A bill to be entitled

An act relating to products liability for firearms; creating s. 768.1258, F.S.; providing definitions; providing that a firearm manufacturer is not liable for certain torts based on the absence or presence of certain features, mechanisms, or standards not required under federal law; providing construction; providing an effective date.

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

Section 1. Section 768.1258, Florida Statutes, is created to read:

768.1258 Limitation of actions against firearm manufacturers.—

(1) As used in this section, the term:

(a) "Authorized user recognition technology" means a mechanism, device, or technology applied to a firearm which prevents a user not authorized by the firearm owner from firing the firearm.

(b) "External manual safety" means a manually operated mechanism that, when engaged, blocks the firearm trigger from functioning.

(c) "Firearm" has the same meaning as in s. 790.001.

(d) "Loaded chamber indicator" means a mechanism or

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

feature intended to indicate to the user that a cartridge is in the firing chamber of a firearm.

(e) "Magazine disconnect mechanism" means a mechanism that prevents a semiautomatic firearm from firing when the detachable magazine is not fully inserted in the firearm.

(2) In a products liability action involving a firearm, a firearm manufacturer is not liable under a theory of defective product design, failure to warn, negligence, strict liability, or other claims based on the absence or presence of any design feature, functionality, safety mechanism, or performance standard that is not required by federal law as a condition for the lawful manufacture, sale, import, or receipt of the firearm, including, but not limited to:

(a) A magazine disconnect mechanism;

(b) A loaded chamber indicator;

(c) Authorized user recognition technology; or

(d) An external manual safety, including, but not limited to, a hinged, pivoting, or tabbed trigger safety.

(3) This section does not limit liability for a firearm manufacturer in cases in which the claimant establishes that the firearm contained an actual manufacturing defect or failed to operate in a manner consistent with the manufacturer's express warranties or representations.

Section 2. This act shall take effect upon becoming a law.