

1 A bill to be entitled
 2 An act relating to products liability for firearms;
 3 creating s. 768.1258, F.S.; providing definitions;
 4 providing that a firearm manufacturer is not liable
 5 for certain torts based on the absence or presence of
 6 certain features, mechanisms, or standards not
 7 required under federal law; providing construction;
 8 providing an effective date.

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

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

14 768.1258 Limitation of actions against firearm
 15 manufacturers.—

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

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

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

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

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

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

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

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

- 39 (a) A magazine disconnect mechanism;
- 40 (b) A loaded chamber indicator;
- 41 (c) Authorized user recognition technology; or
- 42 (d) An external manual safety, including, but not limited
 43 to, a hinged, pivoting, or tabbed trigger safety.

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

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