

BILL SUMMARY
2nd Session of the 54th Legislature

Bill No.:	HB3365
Version:	Introduced
Request Number:	
Author:	Representative Echols
Date:	3/10/2014
Impact:	\$0

Research Analysis

Introduced HB3365 provides that there is a rebuttable presumption that a manufacturer or seller is not liable for any injury to a claimant caused by some aspect of the formulation, labeling or design of a product if the manufacturer or seller complied with mandatory safety standards in place at time of manufacturing or if the product received premarket licensing or approval by the federal government and was subsequently deemed appropriate for sale by the federal government. Furthermore, no product liability action may be asserted against a product seller unless:

- the seller exercised extensive control over the aspect of the design, testing, manufacture, packing or labeling process;
- the seller altered or modified the product and the modification contributed extensively in causing harm or damage;
- the seller made an express warranty independent of any warranty provided by the manufacturer;
- the claimant is unable to identify the manufacturer of the product;
- the manufacturer is not subject to service of process under the laws of the state; or
- the court determines that the claimant would be unable to enforce a judgment against the manufacturer.

Prepared By: Quyen Do

Fiscal Analysis

HB3365 has been reviewed by fiscal staff and determined to have no fiscal impact on state revenues.

Prepared By: Marilyn Anderson

Other Considerations

None.