

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 626

96TH GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, March 8, 2012, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 626, adopted March 21, 2012.

Taken up for Perfection March 21, 2012. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

5135S.04P

AN ACT

To amend chapter 537, RSMo, by adding thereto one new section relating to products liability.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 537, RSMo, is amended by adding thereto one new section, to be known as section 537.763, to read as follows:

537.763. 1. No manufacturer or seller of a product shall be held liable in any product liability action where a proximate cause of the personal injury, death, or damage to property was the material alteration of the product by the first or a subsequent purchaser or lessee who was not engaged in the business of either selling such products or using them as component parts of another product to be sold; or, in the case of a product which has been remanufactured by a manufacturer, the first or a subsequent purchaser or lessee who was not engaged in the business of either selling such products or using them as component parts of another product to be sold following such remanufacture.

2. As used in this section, "materially altered" shall mean any alteration which changes the product from the original designed state from the manufacturer or substitution of parts that do not reasonably conform to the manufacturer's specifications, to the extent such specifications have been made available.

3. This section does not apply to any action to recover damages for economic loss, personal injury, property damage, or wrongful death

19 arising out of a defective or unsafe condition of any improvement to
20 real property.

✓

Unofficial

Bill

Copy