

FIRST REGULAR SESSION

SENATE BILL NO. 356

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Read 1st time February 20, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

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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 conform to the manufacturer's specifications.

3. This section does not apply to any action to recover damages for economic loss, personal injury, property damage, or wrongful death arising out of a defective or unsafe condition of any improvement to real property.

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