

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 6 - 2 - 0
Yeas: Edwards C., Gelser, Jenson, Nolan, Read, Roblan
Nays: Berger, Garrard
Exc.: 0
Prepared By: Patrick Brennan, Administrator
Meeting Dates: 6/1, 6/2, 6/8

WHAT THE MEASURE DOES: Increases the statute of ultimate repose for product liability actions, including wrongful death, to 10 years or the statute of ultimate repose of the state in which the product was manufactured or from which it was imported, whichever is later. Exempts manufactured homes. Applies to causes of action arising after the effective date. Exempts physicians unless involved in the manufacture or design of the product. Exempts product liability actions for damages from halide or mercury vapor light bulbs from being subject to any statute of repose. Applies retroactively to halide or mercury vapor light bulbs product liability suits.

ISSUES DISCUSSED:

- Examples of injuries related to particular products
- Similar laws in other states
- Scope of product liability actions
- Amendment language
- Hospital involvement in product liability cases

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The statute of ultimate repose is the time limit under which any product liability action for personal injury or property damage must be commenced. The time limit is currently eight years; by comparison, a majority of other states, including Washington, Idaho and California, have laws that ensure manufacturers are responsible for the safety of their products during the entire useful life of the product. Senate Bill 284-B increases the statute of ultimate repose by two years, and further stipulates that, in cases where the product is manufactured in a state with a longer statute of ultimate repose, that that state's time limit be considered.