

UTAH PRODUCT LIABILITY ACT

AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Karen W. Morgan

AN ACT RELATING TO THE JUDICIAL CODE; MAKING IT AGAINST PUBLIC POLICY FOR THE MANUFACTURER OF A PRODUCT TO REQUIRE THE PURCHASER OR END USER TO HOLD THE MANUFACTURER HARMLESS IN A PRODUCTS LIABILITY ACTION.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

78-15-7, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78-15-7** is enacted to read:

78-15-7. Indemnification provisions void and unenforceable.

Any clause in a sales contract or collateral document that requires a purchaser or end user of a product to indemnify, hold harmless, or defend a manufacturer of a product ~~in any action brought pursuant to this chapter is~~ SHALL BE ~~contrary to public policy and IS void and unenforceable~~ IF A DEFECT IN THE DESIGN OR MANUFACTURING OF THE PRODUCT CAUSES AN INJURY OR DEATH

Legislative Review Note

as of 2-8-00 6:16 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel