

LIMITS ON GUN MANUFACTURER'S LIABILITY

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Matt Throckmorton

AN ACT RELATING TO THE JUDICIAL CODE; PROHIBITING THE STATE AND ITS POLITICAL SUBDIVISIONS FROM SUING FIREARM MANUFACTURERS.

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

ENACTS:

78-27-64, Utah Code Annotated 1953

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

Section 1. Section **78-27-64** is enacted to read:

78-27-64. Regulation of firearms reserved to state -- Lawsuits prohibited.

(1) As prescribed by Section 76-10-500, all authority to regulate firearms is reserved to the state through the Legislature.

(2) A person who lawfully designs, manufactures, markets, advertises, transports, or sells firearms or ammunition to the public may not be sued by the state or any of its political subdivisions for the subsequent use, whether lawfully or unlawfully, of the firearm or ammunition, unless the suit is based on the breach of a contract or warranty for a firearm or ammunition purchased by the state or political subdivision.