

28 Subsection (3), who is claimed to be liable because of fault to any person seeking recovery.

29 (2) "Fault" means any actionable breach of legal duty, act, or omission proximately
30 causing or contributing to injury or damages sustained by a person seeking recovery, including
31 negligence in all its degrees, comparative negligence, assumption of risk, strict liability,
32 intentional torts, civil conspiracy, breach of express or implied warranty of a product, products
33 liability, and misuse, modification, or abuse of a product.

34 (3) "Person immune from suit" means:

35 (a) an employer immune from suit under Title 34A, Chapter 2, Workers' Compensation
36 Act, or Chapter 3, Utah Occupational Disease Act; and

37 (b) a governmental entity or governmental employee immune from suit pursuant to
38 Title 63, Chapter 30d, Governmental Immunity Act of Utah.

39 (4) "Person seeking recovery" means any person seeking damages or reimbursement on
40 its own behalf, or on behalf of another for whom it is authorized to act as legal representative.

Legislative Review Note
as of 1-31-06 3:25 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0413

Comparative Negligence Amendments

06-Feb-06

11:26 AM

State Impact

No fiscal impact.

Individual and Business Impact

May have a fiscal impact on individuals and businesses depending on circumstances.

Office of the Legislative Fiscal Analyst