

87 (c) an organization, two or more members of which are manufacturers or sellers of a  
88 qualified product.

89 (9) "Unlawful misuse" means conduct that violates a statute, ordinance, or regulation  
90 as it relates to the use of a qualified product.

91 Section 3. Section **53-5d-103** is enacted to read:

92 **53-5d-103. Limitations on liability.**

93 (1) A manufacturer or seller of a qualified product, or trade association, is not subject  
94 to ~~§~~→ a qualified ~~←~~§ civil liability ~~§~~→ action ~~←~~§ regarding the unlawful misuse of a qualified  
94a product unless an injury or death  
95 results from an act or omission of the manufacturer, seller, or trade association that constitutes  
96 gross negligence, recklessness, or intentional misconduct.

97 (2) A ~~§~~→ [qualified] ~~←~~§ civil liability action against a manufacturer, seller, or trade  
97a association  
98 that does not allege any of the provisions of Subsection ~~§~~→ [~~53-5d-103(5)(b)] 53-5d-102(5)(b) ~~←~~§~~  
98a shall be dismissed.