

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1596, Page 2, Section 516.099, Line 35, by deleting the word "or"; and

2
3 Further amend said bill, page, and section, Line 41, by inserting after the word "defective" the
4 following:

5
6 "; or

7 (8) Notwithstanding subdivision (4) of this subsection, to any action against a manufacturer
8 where the harm occurred during the useful safe life of the product. In determining whether a
9 product's useful safe life has expired, the trier of fact may consider:

10 (a) The amount of wear and tear to which the product had been subject;

11 (b) The effect of deterioration from natural causes, and from climate and other conditions
12 under which the product was used or stored;

13 (c) The normal practices of the user, similar users, and the product seller with respect to the
14 circumstances, frequency, and purposes of the product's use, and with respect to repairs, renewals,
15 and replacements;

16 (d) Any representations, instructions, or warnings made by the product manufacturer
17 concerning proper maintenance, storage, and use of the product or the expected useful safe life of
18 the product; and

19 (e) Any modification or alteration of the product by a user or third party"; and
20

21 Further amend said bill by amending the title, enacting clause, and intersectional references
22 accordingly.

Action Taken _____ Date _____