



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1788

Introduced 2/25/2005, by Sen. Kirk W. Dillard

SYNOPSIS AS INTRODUCED:

New Act

Creates the Product Seller Liability Act. Provides that no civil claim or action based on any legal theory for harm of any kind caused by a product may be maintained or commenced against a product seller unless the product seller: (1) manufactured, produced, or designed the product; or (2) altered, modified, assembled, or failed to maintain the product in a manner that caused the claimant's harm. Provides that the limitation on liability does not apply to a product seller if the product manufacturer is not subject to personal jurisdiction in Illinois.

LRB094 11324 LCB 42151 b

1 AN ACT concerning civil immunities.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Product Seller Liability Act.

6 Section 5. Definition. For purposes of this Act, "product
7 seller" means a person or entity who sells a product as a
8 retailer, distributor, or wholesaler, or who otherwise
9 transfers a product to another for compensation.

10 Section 10. Scope of liability. No civil claim or action
11 based on any legal theory for harm of any kind caused by a
12 product may be maintained or commenced against a product seller
13 unless the product seller:

14 (1) manufactured, produced, or designed the product;

15 or

16 (2) altered, modified, assembled, or failed to
17 maintain the product in a manner that caused the claimant's
18 harm.

19 Section 15. Exception. Notwithstanding the provisions of
20 Section 10 of this Act, a product seller may be sued in a
21 product liability action if the product manufacturer is not
22 subject to personal jurisdiction in Illinois.