

# HOUSE BILL No. 5371

November 13, 1997, Introduced by Reps. Baird, Wallace, Bogardus, Martinez, Prusi, DeHart, Brater, Freeman, Goschka, Callahan, Cherry, Anthony, Scott, Wetters, Schermesser, Hale, Curtis, Gubow, Vaughn, Schauer and Wojno and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 2949a (MCL 600.2949a), as added by 1995 PA  
249.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2949a. ~~In a product liability action, if the court~~  
2 ~~determines that at the time of manufacture or distribution the~~  
3 ~~defendant had actual knowledge that the product was defective and~~  
4 ~~that there was a substantial likelihood that the defect would~~  
5 ~~cause the injury that is the basis of the action, and the~~  
6 ~~defendant willfully disregarded that knowledge in the manufacture~~  
7 ~~or distribution of the product, then sections~~ SECTIONS 2946(4),  
8 2946a, 2947(1) to (4), and 2948(2) do not apply IN A PRODUCT  
9 LIABILITY ACTION IF THE DEFENDANT KNOWINGLY MANUFACTURED OR

1 DISTRIBUTED A DEFECTIVE PRODUCT OR KNOWINGLY CAUSED A DEFECTIVE  
2 PRODUCT TO BE MANUFACTURED OR DELIVERED.