

Act No. 19
Public Acts of 2013
Approved by the Governor
April 23, 2013
Filed with the Secretary of State
April 23, 2013
EFFECTIVE DATE: July 1, 2013

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Reps. Victory, Somerville, Bumstead, Graves, Johnson, Pagel, MacGregor, McBroom, Kelly, Haines, Goike, VerHeulen, Hooker, Genetski, Poleski, Zorn, Lyons, Nesbitt, Cotter, MacMaster, Heise, Daley, Lauwers, Price, Potvin, Schmidt, Foster, Franz, McMillin, Kivela and Pettalia

ENROLLED HOUSE BILL No. 4123

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," (MCL 600.101 to 600.9947) by adding section 2977.

The People of the State of Michigan enact:

Sec. 2977. (1) A liquefied petroleum gas business is not liable for damages for personal injury, death, or property damage arising from the sale, supplying, handling, transportation, or delivery of liquefied petroleum gas if both of the following apply:

(a) The sale, supplying, handling, transportation, or delivery of the liquefied petroleum gas was either of the following:

(i) In compliance with all of the following:

(A) Rules promulgated under section 3c of the fire prevention code, 1941 PA 207, MCL 29.3c.

(B) Section 2 of 1959 PA 241, MCL 429.112.

(C) Rules promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

(ii) Not in compliance with the statute and rules identified in subparagraph (i), but the failure to comply was not a proximate cause of the personal injury, death, or property damage.

(b) The personal injury, death, or property damage was caused by either of the following:

(i) The alteration, modification, or repair of liquefied petroleum gas equipment or a liquefied petroleum gas appliance, unless the alteration, modification, or repair was with the knowledge or consent of the liquefied petroleum gas business.

(ii) The use of liquefied petroleum gas equipment or a liquefied petroleum gas appliance in a manner or for a purpose other than the manner in which or purpose for which the equipment or appliance was intended to be used, unless the use could reasonably have been expected by the liquefied petroleum gas business.

(2) The protection from liability provided by subsection (1) does not apply to a manufacturer of liquefied petroleum gas equipment.

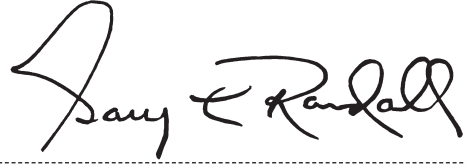
(3) As used in this section:

(a) "Liquefied petroleum gas business" means a person who is engaged primarily in the business of selling at retail, supplying, handling, or transporting liquefied petroleum gas.

(b) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.

Enacting section 1. This amendatory act takes effect on July 1, 2013.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved

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Governor