

# Legislative Analysis

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## LIMIT LIABILITY FOR PROPANE RETAILERS

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**House Bill 4859**

**Sponsor: Rep. David Agema**

**Committee: Judiciary**

**Complete to 1-25-12**

### A SUMMARY OF HOUSE BILL 4859 AS INTRODUCED 7-27-11

The bill would add a new section to the Revised Judicature Act (MCL 600.2977) to limit an action for damages for personal injury, death, or property damage against a person engaged in the liquefied petroleum gas (LPG or propane) business. The bill is a reintroduction of House Bill 5994 of the 2007-2008 legislative session.

Under the bill, an action for damages for personal injury, death, or property damage against a person engaged in the liquefied petroleum gas business could not be commenced if the injury, death, or property damage was caused by either of the following:

- An alteration, modification, or repair of a propane system or appliance made without the knowledge or consent of the propane retailer.
- The use of a propane system or appliance in a manner or for a purpose other than that for which it was intended. An action could go forward if the use could reasonably have been expected by the person engaged in the propane business.

### FISCAL IMPACT:

This bill would not have a significant fiscal impact on state and local governments. The number of actions for damages that could be pursued in court is decreased, potentially leading to savings for local courts due to a reduced caseload. The number of cases currently pursued for the reasons outlined in House Bill 4859 are not known, but are likely minimal.

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