

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 987

Short Title: Product Liability/Workers' Comp.

(Public)

Sponsors: Representative Cooper.

Referred to: Judiciary.

April 3, 1989

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW AN EMPLOYEE OF A BUYER WHO IS COVERED BY
2 WORKERS' COMPENSATION INSURANCE TO BRING A PRODUCT
3 LIABILITY ACTION AGAINST THE MANUFACTURER OF THE PRODUCT.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 99B-2(b) reads as rewritten:

7 "(b) A claimant who is a buyer, as defined in the Uniform Commercial Code, of
8 the product involved, or who is a member or a guest of a member of the family of the
9 buyer, a guest of the buyer, or an employee of the buyer ~~not covered by workers'~~
10 ~~compensation insurance~~ may bring a product liability action directly against the
11 manufacturer of the product involved for breach of implied warranty; and the lack of
12 privity of contract shall not be grounds for the dismissal of such action."

13 Sec. 2. This act is effective upon ratification and applies to all product
14 liability actions where final judgment has not been rendered before that date.