

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 918**  
**103RD GENERAL ASSEMBLY**

2242H.02C

JOSEPH ENGLER, Chief Clerk

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**AN ACT**

To amend chapter 537, RSMo, by adding thereto one new section relating to civil actions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 537, RSMo, is amended by adding thereto one new section, to be  
2 known as section 537.767, to read as follows:

**537.767. 1. In any civil action for personal injury, death, or property damage**  
2 **caused by a product, regardless of the type of claims alleged or the theory of liability**  
3 **asserted, the plaintiff shall prove, among other elements, that the defendant designed,**  
4 **manufactured, sold, or leased the particular product the use of which is alleged to have**  
5 **caused the injury on which the claim is based, and not a similar or equivalent product.**  
6 **Designers, manufacturers, sellers, or lessors of products not identified as having been**  
7 **used, ingested, or encountered by an allegedly injured party shall not be held liable for**  
8 **any alleged injury. A person, firm, corporation, association, partnership, or other legal**  
9 **or business entity whose design is copied or otherwise used by a manufacturer without**  
10 **the designer's express authorization shall not be subject to liability for personal injury,**  
11 **death, or property damage caused by the manufacturer's product, even if the use of the**  
12 **design was foreseeable.**

13 **2. This section shall not alter or affect any other provision of law, including**  
14 **mislabeling, fraud, deceptive merchandising practices, and those provisions that apply**  
15 **to successor entities, distributors, component manufacturers, or manufacturers who use**  
16 **component parts in assembling products for sale as complete units or those provisions**  
17 **that apply to the operation of a contract, including a licensing agreement.**

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.