

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Judiciary** recommends **HB 2629** be amended on page 1, in line 7, before the first "A" by inserting "(a)"; in line 9, by striking "either that: (a)" and inserting "that:"; in line 21, by striking "; or" and inserting a period; by striking all in lines 22 through 26 and inserting "(b) (1) Except as provided in subsection (b)(2), a retail seller of used products shall not be subject to liability in a product liability claim arising from an alleged defect in a product if the product seller establishes that such seller resold the product after the product was used by a consumer or other product user and the product was sold in substantially the same condition as it was when it was acquired for resale.

(2) The provisions of subsection (b)(1) shall not apply to a claim arising out of intentional misrepresentation, an alleged breach of express warranty, as defined by K.S.A. 84-2-313, and amendments thereto, an alleged breach of implied warranty, as defined by K.S.A. 84-2-314, and amendments thereto, or intentional concealment or intentional nondisclosure of a condition known to such seller."; and the bill be passed as amended.

Chairperson