

Kansas Product Liability Act—Resale of Used Products; SB 83

SB 83 amends the Kansas Product Liability Act to provide that a retail seller of used products is not subject to liability in a claim arising from an alleged defect in a used product sold by the seller if the seller establishes one of three conditions: (1) the seller is tax-exempt under section 501(c)(3) of the Internal Revenue Code; (2) the product liability claim is for strict liability in tort; or (3) the seller resold the product after it was previously used, it was sold in substantially the same condition as it was in when acquired for resale, the manufacturer of the defective product is subject to service of process under Kansas law or the law of the domicile of the claimant, and any judgment against the manufacturer would be reasonably certain of being satisfied.