



Report on Public Policy Position

Name of Section or Committee:

Negligence Law Section

Contact Person:

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Bill Numbers:

HB 4044 (Simpson) Torts; product liability; immunity from liability for drugs that have been approved by federal food and drug administration; rescind. Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).

HB 4045 (McDowell) Civil procedure; statute of limitations; drug product liability cases previously prohibited because of FDA approval defense; allow to be commenced within 3 years of repeal of the defense. Amends sec. 5805 of 1961 PA 236 (MCL 600.5805). TIE BAR WITH: HB 4044'07

HB 4046 (Valentie) Consumer protection; unfair trade practices; liability for inaccurate representations concerning risks of certain drugs, medications, and supplements; clarify. Amends secs. 2 & 3 of 1976 PA 331 (MCL 445.902 & 445.903).

Date position was adopted:

February 28, 2007

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting

Number of members in the decision-making body:

14

Number who voted in favor and opposed to the position:

13 Voted for position

0 Voted against position

0 Abstained from vote

1 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

The section opposes special immunities from civil liability.

The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:

<http://legislature.mi.gov/doc.aspx?2007-HB-4044>

<http://legislature.mi.gov/doc.aspx?2007-HB-4045>

<http://legislature.mi.gov/doc.aspx?2007-HB-4046>