**A** **BILL**

TO AMEND CHAPTER 3, TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIVIL ACTIONS, SO AS TO LIMIT LIABILITY FOR CERTAIN LIQUEFIED PETROLEUM GAS PROVIDERS FOR INJURIES OR DAMAGES PROXIMATELY CAUSED BY ALTERATIONS, MODIFICATIONS, OR REPAIRS OF LIQUEFIED PETROLEUM GAS EQUIPMENT THE LIQUEFIED PETROLEUM GAS PROVIDER COULD NOT HAVE DISCOVERED, OR WHEN LIQUEFIED PETROLEUM GAS EQUIPMENT IS USED IN A MANNER OR FOR A PURPOSE OTHER THAN THAT WHICH THE EQUIPMENT WAS INTENDED TO BE USED, OR COULD REASONABLY HAVE BEEN FORESEEN TO BE USED FOR, AND TO PROVIDE AN EFFECTIVE DATE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 3 of Title 15 of the 1976 Code is amended by adding:

“Section 15‑3‑690. (A) As used in this subsection, the following definitions apply:

(1) ‘Liquefied petroleum gas equipment’ means a liquefied petroleum gas appliance or liquefied petroleum gas equipment.

(2) ‘Liquefied petroleum gas provider’ means any person or entity engaged in the business of supplying, handling, transporting, or selling at retail liquefied petroleum gas in this state.

(B) A liquefied petroleum gas provider shall be immune from civil liability if the proximate cause of the injury or damages was:

(1) an alteration, modification, or repair of liquefied petroleum gas equipment that could not have been discovered by the liquefied petroleum gas provider in the exercise of reasonable care; or

(2) the use of liquefied petroleum gas equipment in a manner or for a purpose other than that for which the liquid petroleum gas equipment was intended to be used or for which could reasonably have been foreseen, provided that the liquefied petroleum gas provider or the manufacturer of the liquefied petroleum gas equipment took reasonable steps to warn the ultimate consumer of the hazards associated with foreseeable misuses of the liquefied petroleum gas equipment.

(C) Nothing in this subsection shall be construed as affecting, modifying, or eliminating the liability of a manufacturer of liquefied petroleum gas equipment or its employees or agents from any other legal claim, including but not limited to product liability claims.”

SECTION 2. This act takes effect on July 1, 2009, or if ratified after that date, upon approval by the Governor, and applies to any cause of action arising on or after the effective date.

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