

By: Representative Zuber

To: Judiciary A

HOUSE BILL NO. 1459

1 AN ACT TO PROVIDE AN AFFIRMATIVE DEFENSE TO LIQUEFIED  
2 PETROLEUM GAS PROVIDERS IN CIVIL ACTIONS FOR DAMAGE OR INJURY  
3 CAUSED BY CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** (1) As used in this act, unless the context  
6 clearly indicates otherwise:

7 (a) "Liquefied petroleum gas equipment" means any  
8 appliance, equipment, or piping system that uses, stores or  
9 transports liquefied petroleum gas; and

10 (b) "Liquefied petroleum gas provider" means any person  
11 or entity engaged in the business of supplying, handling,  
12 transporting or selling liquefied petroleum gas.

13 (2) A liquefied petroleum gas provider shall have an  
14 affirmative defense to any action for civil liability for damage  
15 or injury caused by:

16 (a) An alteration or modification of liquefied  
17 petroleum gas equipment that was not reasonably foreseeable by the



18 provider and caused the equipment to be unsafe for use in its  
19 altered or modified form; or

20 (b) The end-user's use of liquefied petroleum gas  
21 equipment:

22 (i) Was outside of the manner or purpose that  
23 could reasonably have been intended to be used or rendered the  
24 equipment unsafe; and

25 (ii) The liquefied petroleum gas provider or the  
26 equipment's manufacturer provided a reasonable warning about the  
27 consequences of misusing the equipment.

28 **SECTION 2.** This act shall take effect and be in force from  
29 and after July 1, 2020.

