

Senate Bill 213

By: Senators Wiles of the 37th, Shafer of the 48th, Pearson of the 51st and Hill of the 32nd

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to  
2 general provisions relative to torts, so as to specify manufacturer liability in certain cases;  
3 to provide for related matters; to provide for an effective date and applicability; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general  
8 provisions relative to torts, is amended by revising Code Section 51-1-11, relating to when  
9 privity is required to support an action, product liability actions, and time limitation therefor,  
10 by adding a new subsection to read as follows:

11 "(d) Irrespective of privity, a manufacturer shall not be held liable for the manufacture of  
12 a product alleged to be defective based on theories of market share or enterprise, or other  
13 theories of industry-wide liability.

14 (e) Irrespective of privity, a manufacturer of a product alleged to be defective shall not be  
15 held liable for a public nuisance based on theories of market share or enterprise, or other  
16 theories of industry-wide liability."

17 style="text-align:center">**SECTION 2.**

18 This Act shall become effective upon its approval by the Governor or upon its becoming law  
19 without such approval and shall apply to causes of action arising on or after such date.

20 style="text-align:center">**SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.