

2022 Regular Session

HOUSE BILL NO. 584

BY REPRESENTATIVE BAGLEY

LIABILITY/CIVIL: Provides liability for selling certain safety equipment in the state

1 AN ACT

2 To enact R.S. 9:2800.28, relative to liability for the sale, distribution, or delivery of certain
3 safety equipment; to provide strict liability for damage or injury; to provide for
4 definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2800.28 is hereby enacted to read as follows:

7 §2800.28. Liability for the sale, distribution, or delivery of certain safety equipment

8 A. Except as provided in R.S. 9:2800.51, et seq., any person who sells,
9 distributes, or delivers any safety equipment or tools within this state that does not
10 meet or exceed the safety standards prescribed by the Occupational Safety and
11 Health Administration within the United States Department of Labor shall be liable
12 for any damage or injury resulting from the use of such safety equipment or tools.

13 B. For purposes of this Section "safety equipment and tools" means any
14 equipment or tools used to provide safe working conditions for persons engaged in
15 the commercial construction or maintenance industry and is provided for in the
16 Occupational Safety and Health Administration standards.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 584 Original

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Bagley

Abstract: Provides strict liability for a person who sells, distributes, or delivers safety equipment and tools that fail to meet federal standards.

Proposed law provides that any person who sells, distributes, or delivers any safety equipment or tools within this state that does not meet or exceed the safety standards prescribed by the Occupational Safety and Health Administration (OSHA) shall be liable for any damage or injury resulting from the use of such safety equipment or tools.

Proposed law applies to safety equipment and tools used in the commercial construction or maintenance industry and provided for in OSHA standards.

(Adds R.S. 9:2800.28)