

Statement

Insurance Association of Connecticut

March 24, 2010

Judiciary Committee

HB 5538, An Act Concerning Product Liability Claims.

The Insurance Association of Connecticut is opposed to HB 5538, An Act Concerning Product Liability Claims, as it unnecessarily seeks to expand the damages available in a product liability claim.

Current product liability claims that involve a commercial party plaintiff do not permit damages for “commercial loss”. HB 5538 seeks to change current law to permit such damages by removing them from the Uniform Commercial Code (UCC).

These types of claims are best left within the UCC because the UCC provides a uniform application for losses nationally. It eliminates the ability to forum shop. The UCC properly defines and governs commercial loss and it should remain the governing source for such claims.

The Insurance Association of Connecticut urges your rejection of HB 5538.