

IC 34-20-5

Chapter 5. Rebuttable Presumption That Product Is Not Defective

IC 34-20-5-0.2

Application of prior law

Sec. 0.2. The addition of IC 33-1-1.5-4.5 (before its repeal, now codified at section 1 of this chapter) by P.L.278-1995 applies to a cause of action that accrues after June 30, 1995.

As added by P.L.220-2011, SEC.553.

IC 34-20-5-1

Rebuttable presumption

Sec. 1. In a product liability action, there is a rebuttable presumption that the product that caused the physical harm was not defective and that the manufacturer or seller of the product was not negligent if, before the sale by the manufacturer, the product:

- (1) was in conformity with the generally recognized state of the art applicable to the safety of the product at the time the product was designed, manufactured, packaged, and labeled; or
- (2) complied with applicable codes, standards, regulations, or specifications established, adopted, promulgated, or approved by the United States or by Indiana, or by an agency of the United States or Indiana.

As added by P.L.1-1998, SEC.15.