

By Senator Smith

14-1005-03

See HB

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A bill to be entitled
An act relating to the Uniform Commercial Code;
amending s. 672.316, F.S.; providing that the
procurement, processing, storage, distribution,
or use of blood shall be considered a medical
service; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (5) of section 672.316, Florida
Statutes, is amended to read:

672.316 Exclusion or modification of warranties.--

(5) The procurement, processing, storage,
distribution, or use of whole blood, plasma, blood products,
and blood derivatives for the purpose of injecting or
transfusing the same, or any of them, into the human body for
any purpose whatsoever is declared to be the rendering of a
medical service by any person participating therein and does
not constitute a sale, whether or not any consideration is
given therefor; and the implied warranties of merchantability
and fitness for a particular purpose are not applicable ~~as to~~
~~a defect that cannot be detected or removed by a reasonable~~
~~use of scientific procedures or techniques.~~

Section 2. This act shall take effect upon becoming a
law.