



HB 0461

2003  
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CHAMBER ACTION

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The Committee on Health Care recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to the Uniform Commercial Code; amending s. 672.316, F.S.; providing that implied warranties of merchantability and fitness for a particular purpose are not applicable to the procurement, processing, storage, distribution, or use of blood; 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 service by any person participating therein and does not constitute a sale,



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29 | whether or not any consideration is given therefor; and the  
30 | implied warranties of merchantability and fitness for a  
31 | particular purpose are not applicable ~~as to a defect that cannot~~  
32 | ~~be detected or removed by a reasonable use of scientific~~  
33 | ~~procedures or techniques.~~

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