

106TH CONGRESS
2D SESSION

S. 3014

To amend title 18 of the United States Code to penalize the knowing and reckless introduction of a defective product into interstate commerce.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7, 2000

Mr. SPECTER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18 of the United States Code to penalize the knowing and reckless introduction of a defective product into interstate commerce.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 (a) A “defective” product is one with a flaw in design,
5 manufacture, assembly, or instruction which renders the
6 product dangerous to human life and limb beyond the rea-
7 sonable and accepted risk associated with such or similar
8 products lacking such a flaw.

1 (b) To “introduce” a product into the stream of inter-
2 state commerce is to manufacture, assemble, import, sell,
3 or otherwise produce or transfer the product in question.

4 (c) “Person” means the employees of any corpora-
5 tion, company, association, firm, partnership, or other
6 business entity.

7 (d) “Serious bodily injury” means bodily injury which
8 involves—

9 (1) a substantial risk of death;

10 (2) extreme physical pain; or

11 (3) protected or impairment of the function of
12 a bodily member, organ, or mental faculty.

13 **SEC. 2. ENACTMENTS.**

14 (a) A person who in gross deviation from a reasonable
15 standard of care introduces into interstate commerce a
16 product known by that person to be defective which causes
17 the death of any individual shall be guilty of murder in
18 the second degree and shall be imprisoned for a term of
19 up to fifteen years.

20 (b) A person who in gross deviation from a reasonable
21 standard of care introduces into interstate commerce a de-
22 fective product which causes serious bodily injury to any
23 individual shall be imprisoned for a term of up to 5 years.

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