

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 882  
Judiciary I Committee Substitute Adopted 5/5/09  
Third Edition Engrossed 5/12/09  
PROPOSED HOUSE COMMITTEE SUBSTITUTE S882-PCS75292-RN-44

Short Title: Statute of Repose/Products Liability.

(Public)

Sponsors:

Referred to:

March 26, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY AND REFORM THE STATUTES OF LIMITATION AND REPOSE  
3 IN PRODUCT LIABILITY ACTIONS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 1-50 reads as rewritten:

6 "**§ 1-50. Six years.**

7 (a) Within six years an action –

8 ...

9 ~~(6) No action for the recovery of damages for personal injury, death or damage~~  
10 ~~to property based upon or arising out of any alleged defect or any failure in~~  
11 ~~relation to a product shall be brought more than six years after the date of~~  
12 ~~initial purchase for use or consumption.~~

13 ...."

14 SECTION 2. Article 5 of Chapter 1 of the General Statutes is amended by adding a  
15 new section to read:

16 "**§ 1-46.1. Twelve years.**

17 (a) Within 12 years an action –

18 (1) No action for the recovery of damages for personal injury, death, or damage  
19 to property based upon or arising out of any alleged defect or any failure in  
20 relation to a product shall be brought more than 12 years after the date of  
21 initial purchase for use or consumption."

22 SECTION 3. This act becomes effective October 1, 2009, and applies to causes of  
23 action that accrue on or after that date. This act shall not affect the application of G.S.  
24 1-50(a)(5). Nothing in this act is intended to change existing law relating to product liability  
25 actions based upon disease.



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