

(d) Any tender specified in this section may be made at any time before entry of judgment.

(e) Every cause of action under this statute survives the death of any person who might have been a plaintiff or defendant.

(f) (1) A person may not sue under [this section] SUBSECTIONS (A)(1) AND (2) OF THIS SECTION after the earlier to occur of [three] 3 years after the contract of sale or purchase or the time specified in paragraph (2) of this subsection.

(2) An action may not be maintained:

(i) To enforce any liability created under subsections (a)(1)(i) or (a)(2)(i) of this section, unless brought within one year after the violation on which it is based; or

(ii) To enforce any liability created under subsections (a)(1)(ii) or (a)(2)(ii) of this section, unless brought within one year after the discovery of the untrue statement or omission, or after the discovery should have been made by the exercise of reasonable diligence.

(3) A PERSON MAY NOT SUE UNDER SUBSECTION (A)(3) OF THIS SECTION MORE THAN 3 YEARS AFTER THE CONTRACT OF SALE OR THE RENDERING OF INVESTMENT ADVICE, OR THE EXPIRATION OF 2 YEARS AFTER THE DISCOVERY OF THE FACTS CONSTITUTING THE VIOLATION, WHICHEVER FIRST OCCURS.

[(3)] (4) A person may not sue under this section:

(i) If the buyer received a written offer, before suit and at a time when he owned the security, to refund the consideration paid together with interest at [6 percent per year] THE RATE PROVIDED FOR IN § 11-107(A) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE, AS AMENDED, from the date of payment, less the amount of any income received on the security, and he failed to accept the offer within 30 days of its receipt;

(ii) If the buyer received the offer before suit and at a time when he did not own the security, unless he rejected the offer in writing within 30 days of its receipt; or

(iii) If the seller received a written offer from the buyer, before suit, to return the security, together with the amount of any income received on the security, less interest at [6 percent per year] THE RATE PROVIDED FOR IN § 11-107(A) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE, AS AMENDED, from the date of payment, and he failed to accept the offer within 30 days of its receipt.

(g) A person may not base any suit on any contract if he: