CHAPTER 271

(Senate Bill 335)

AN ACT concerning

Statute of Repose – Asbestos

FOR the purpose of providing that provisions of ~~the~~ *a certain* statute of repose do not apply to certain manufacturers or suppliers of products that contain asbestos under certain circumstances; providing for the application of this Act; making provisions of this Act severable; and generally relating to ~~the~~ *a* statute of repose.

BY repealing and reenacting, with amendments,
    Article – Courts and Judicial Proceedings
    Section 5–108
    Annotated Code of Maryland
    (1989 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

5–108.

(a) Except as provided by this section, no cause of action for damages accrues and a person may not seek contribution or indemnity for damages incurred when wrongful death, personal injury, or injury to real or personal property resulting from the defective and unsafe condition of an improvement to real property occurs more than 20 years after the date the entire improvement first becomes available for its intended use.

(b) [A] EXCEPT AS PROVIDED BY THIS SECTION, A cause of action for damages does not accrue and a person may not seek contribution or indemnity from any architect, professional engineer, or contractor for damages incurred when wrongful death, personal injury, or injury to real or personal property, resulting from the defective and unsafe condition of an improvement to real property, occurs more than 10 years after the date the entire improvement first became available for its intended use.

(c) Upon accrual of a cause of action referred to in subsections (a) and (b) OF THIS SECTION, an action shall be filed within 3 years.

(d) (1) IN THIS SUBSECTION, "SUPPLIER" MEANS ANY INDIVIDUAL OR ENTITY WHOSE PRINCIPAL BUSINESS IS THE SUPPLY, DISTRIBUTION, INSTALLATION, SALE, OR RESALE OF ANY PRODUCT THAT CAUSES ASBESTOS–RELATED DISEASE.

(2) This section does not apply if: