

6824--B

I N S E N A T E

February 25, 2016

Introduced by Sens. MARCHIONE, AKSHAR, DeFRANCISCO, KRUEGER, LATIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil practice law and rules, in relation to the tolling of the statute of limitations relating to personal injury caused by contact with or exposure to ground water contaminated by substances, compounds or toxins

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The civil practice law and rules is amended by adding a new
2 section 214-f to read as follows:
3 S 214-F. ACTION TO RECOVER DAMAGES FOR PERSONAL INJURY CAUSED BY
4 CONTACT WITH OR EXPOSURE TO GROUND WATER CONTAMINATED BY SUBSTANCES,
5 COMPOUNDS OR TOXINS. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
6 CONTRARY, AN ACTION TO RECOVER DAMAGES FOR PERSONAL INJURY CAUSED BY
7 CONTACT WITH OR EXPOSURE TO GROUND WATER CONTAMINATED BY IDENTIFIABLE
8 SUBSTANCE OR SUBSTANCES, COMPOUND OR COMPOUNDS, OR TOXIN OR TOXINS MAY
9 BE COMMENCED WITHIN THIRTY MONTHS OR TWO YEARS AND SIX MONTHS FROM THE
10 DATE OF THE DISCOVERY OF SUCH INJURY, OR WITHIN TWO YEARS FROM THE DATE
11 WHEN THROUGH THE EXERCISE OR REASONABLE DILIGENCE THE CAUSE OF SUCH
12 INJURY SHOULD HAVE BEEN DISCOVERED, WHICHEVER IS LATER.
13 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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