



General Assembly

January Session, 2009

Raised Bill No. 6577

LCO No. 3802

03802_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE TOLLING OF THE STATUTE OF
LIMITATIONS FOR A NEGLIGENCE ACTION BY A MINOR.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-584 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) No action to recover damages for injury to the person, or to real
4 or personal property, caused by negligence, or by reckless or wanton
5 misconduct, or by malpractice of a physician, surgeon, dentist,
6 podiatrist, chiropractor, hospital or sanatorium, shall be brought but
7 within two years from the date when the injury is first sustained or
8 discovered or in the exercise of reasonable care should have been
9 discovered, and except that no such action may be brought more than
10 three years from the date of the act or omission complained of, except
11 that a counterclaim may be interposed in any such action any time
12 before the pleadings in such action are finally closed.

13 (b) Notwithstanding the limitation of time set forth in subsection (a)
14 of this section, and except as otherwise provided in section 52-577d,
15 52-577e or 52-579, if a person is unable to bring an action under said

16 subsection (a) because such person is under eighteen years of age on
17 the date the cause of action accrued, such person may bring such
18 action within one year from the date such person attains eighteen years
19 of age, except that no such action may be brought more than eight
20 years from the date of the act or omission complained of.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	52-584

Statement of Purpose:

To extend the statute of limitations for an injured minor to bring a negligence action to one year after the minor attains the age of majority but in no event later than eight years after the injury.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]