



CONNECTICUT  
TRIAL  
LAWYERS  
ASSOCIATION

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Raised Bill 365  
Public Hearing: 3-14-12

TO: MEMBERS OF THE JUDICIARY COMMITTEE  
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION (CTLA)  
DATE: MARCH 14, 2012

RE: ***SUPPORT OF RAISED BILL 365, AN ACT CONCERNING THE STATUTE  
OF LIMITATIONS IN CARBON MONOXIDE CASES***

The Connecticut Trial Lawyers Association respectfully urges the members of the Connecticut General Assembly to PASS RAISED BILL NO. 365.

This proposal addresses a problem faced by those who suffer injuries they only later find out were caused by negligent exposure to carbon monoxide. This occurs because of the way injuries manifest themselves in a person, making it difficult at first to assess that their true cause is negligent exposure.

**This bill maintains the current two year statute of limitations** for these types of injuries, but starts the tolling of that limitation when the injured victim discovers or reasonably should have discovered that their injury was caused by negligent exposure.

**This bill does not create a new cause of action**, it merely ensures responsibility for injuries will be placed where the negligence lies, after it is discovered or should have been discovered that an injury was indeed caused by carbon monoxide.

Although the instances where an injury is only later found to be caused by negligent exposure to carbon monoxide may indeed be rare, the innocent injured victim of such negligence should not be barred from the courtroom, and the negligent party should not enjoy a benefit because exposure may remain hidden for a period of time.

For these reasons, CTLA urges members to PASS the Raised Bill.

**WE RESPECTFULLY URGE YOU TO PASS RAISED BILL 365. Thank you.**