



General Assembly

January Session, 2015

Raised Bill No. 6925

LCO No. 4126



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE STATUTE OF REPOSE IN HAZARDOUS
CHEMICAL CASES RESULTING IN THE DEATH OF A PERSON.***

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

1 Section 1. Section 52-577c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015, and*
3 *applicable to all cases pending on and cases filed on or after said date*):

4 (a) For the purposes of this section: (1) "Environment" means any
5 surface water, ground water, drinking water supply, land surface or
6 subsurface strata or ambient air within the state or under the
7 jurisdiction of the state; (2) "exposure" means any contact, ingestion,
8 inhalation or assimilation, including irradiation; (3) "hazardous
9 chemical substance or mixture" means petroleum, a petroleum product
10 or any chemical substance or mixture for which there is a federal
11 standard, including any law, requirement, tolerance, prohibition,
12 action level or similar legal authority adopted by an agency pursuant
13 to federal law, including any such standard or legal authority adopted
14 by a state or local government pursuant to federal law, generally
15 intended to prevent, reduce or mitigate the risk of a disease or class or
16 type of diseases to an individual or individuals resulting from

17 exposure to such chemical substance or mixture; (4) "hazardous
18 pollutant" means any designated, specified or referenced chemical
19 considered to be a "hazardous substance" under Section 101(14) of the
20 Comprehensive Environmental Response, Compensation, and Liability
21 Act, 42 USC 9601(14); (5) "release" means any spilling, leaking,
22 pumping, pouring, emitting, emptying, discharging, injecting,
23 escaping, leaching, dumping or disposing into the environment.

24 (b) Notwithstanding the provisions of sections 52-555, 52-577 and
25 52-577a, no action to recover damages for personal injury, death or
26 property damage caused by exposure to a hazardous chemical
27 substance or mixture or hazardous pollutant released into the
28 environment shall be brought but within two years from the date
29 when the injury or damage complained of is discovered or in the
30 exercise of reasonable care should have been discovered.

31 (c) The provisions of subsection (b) of this section shall not apply to
32 an action brought against (1) any municipal waterworks system
33 established and operated under chapter 102 or any special act, (2) any
34 regional water authority established under any general statute or
35 special act, or (3) any water company as defined in section 16-1.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015, and applicable to all cases pending on and cases filed on or after said date</i>	52-577c

JUD *Joint Favorable*