

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2009-420
SENATE BILL 882**

**AN ACT TO CLARIFY AND REFORM THE STATUTES OF LIMITATION AND REPOSE
IN PRODUCT LIABILITY ACTIONS.**

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 1-50 reads as rewritten:

"§ 1-50. Six years.

(a) Within six years an action –

...

(6) ~~No action for the recovery of damages for personal injury, death or damage to property based upon or arising out of any alleged defect or any failure in relation to a product shall be brought more than six years after the date of initial purchase for use or consumption.~~

...."

SECTION 2. Article 5 of Chapter 1 of the General Statutes is amended by adding a new section to read:

"§ 1-46.1. Twelve years.

(a) Within 12 years an action –

(1) No action for the recovery of damages for personal injury, death, or damage to property based upon or arising out of any alleged defect or any failure in relation to a product shall be brought more than 12 years after the date of initial purchase for use or consumption."

SECTION 3. This act becomes effective October 1, 2009, and applies to causes of action that accrue on or after that date. This act shall not affect the application of G.S. 1-50(a)(5). Nothing in this act is intended to change existing law relating to product liability actions based upon disease.

In the General Assembly read three times and ratified this the 28th day of July, 2009.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 2:30 p.m. this 5th day of August, 2009

