

**GORDON DENLINGER, MEMBER**  
99<sup>TH</sup> LEGISLATIVE DISTRICT

PO BOX 202099  
HARRISBURG, PENNSYLVANIA 17120-2099  
PHONE: (717) 787-3531  
FAX: (717) 705-1951  
E-mail: [gdenling@pahousegop.com](mailto:gdenling@pahousegop.com)

607 EAST MAIN STREET  
EPHRATA, PENNSYLVANIA 17522  
PHONE: (717) 733-4002  
FAX: (717) 733-3992



*House of Representatives*

COMMONWEALTH OF PENNSYLVANIA  
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## MEMORANDUM

**DATE:** January 10, 2011

**FROM:** Representative Gordon R. Denlinger

A handwritten signature in black ink, appearing to read "G. Denlinger".

**TO:** All House Members

**SUBJECT:** Reintroduction of Legislation  
(**Prior HB 1005** – Statute of Repose)

In the near future I plan to reintroduce legislation that will add Section 5539, Statute of repose, to Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes.

This legislation requires that a product liability lawsuit must be initiated within 15 years of: the date of delivery of the product to the first owner or lessee of the product; or the date of completion of the replacement or addition of a new component to the product, which is alleged to have caused the damage.

This legislation would not include an action brought while the product is covered under a written warranty enforceable by law; or an action alleging the product was the cause of a physical illness, of which the symptoms did not appear less than 15 years after the first exposure to the product.

Currently, there is no section under the Pennsylvania consolidated Statutes that establishes a statute of repose for product liability lawsuits. If you would like to be a co-sponsor of this legislation, please contact Jessica Murphy at [Jlmurphy@pahousegop.com](mailto:Jlmurphy@pahousegop.com).

**Prior Cosponsors:** DENLINGER , BASTIAN , BENNINGHOFF , BOYD , CAPPELLI , CAUSER , CLYMER , CREIGHTON , CUTLER , EVERETT , FAIRCHILD , FLECK , GINGRICH , GODSHALL , GRELL , HARRIS , HERSHEY , HESS , HICKERNELL , HUTCHINSON , KAUFFMAN , KILLION , MARSICO , MUSTIO , O'NEILL , PETRI , PICKETT , PYLE , RAPP , REED , REICHLEY , ROAE , ROHRER , ROSS , SAYLOR , SCHRODER , SONNEY , STEIL , STERN , R. STEVENSON , TRUE , TURZAI , VULAKOVICH and WATSON