

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in limitation of time,
3 further providing for two-year limitation and for limitation
4 and application for asbestos claims.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 5524 of Title 42 of the Pennsylvania
8 Consolidated Statutes, amended November 24, 2004 (P.L.1243,
9 No.152), amendment declared unconstitutional subject to a 90-day
10 stay effective December 16, 2013, *Commonwealth v. Neiman* No.74
11 MAP 2011 (Pa.2013), is reenacted and amended to read:

12 § 5524. Two year limitation.

13 The following actions and proceedings must be commenced
14 within two years:

15 (1) An action for assault, battery, false imprisonment,
16 false arrest, malicious prosecution or malicious abuse of
17 process.

18 (2) An action to recover damages for injuries to the

1 person or for the death of an individual caused by the
2 wrongful act or neglect or unlawful violence or negligence of
3 another.

4 (3) An action for taking, detaining or injuring personal
5 property, including actions for specific recovery thereof.

6 (4) An action for waste or trespass of real property.

7 (5) An action upon a statute for a civil penalty or
8 forfeiture.

9 (6) An action against any officer of any government unit
10 for the nonpayment of money or the nondelivery of property
11 collected upon on execution or otherwise in his possession.

12 (7) Any other action or proceeding to recover damages
13 for injury to person or property which is founded on
14 negligent, intentional, or otherwise tortious conduct or any
15 other action or proceeding sounding in trespass, including
16 deceit or fraud, except an action or proceeding subject to
17 another limitation specified in this subchapter.

18 (8) (Reserved).

19 Section 2. Section 5524.1 of Title 42 of the Pennsylvania
20 Consolidated Statutes, added November 24, 2004 (P.L.1243,
21 No.152), amendment declared unconstitutional subject to a 90-day
22 stay effective December 16, 2013, *Commonwealth v. Neiman* No.74
23 MAP 2011 (Pa.2013), is reenacted to read:

24 § 5524.1. Limitation and application for asbestos claims.

25 (a) General rule.--An action to recover damages for injury
26 to a person or for the death of a person caused by exposure to
27 asbestos shall be commenced within two years from the date on
28 which the person is informed by a licensed physician that the
29 person has been injured by such exposure or upon the date on
30 which the person knew or in the exercise of reasonable diligence

1 should have known that the person had an injury which was caused
2 by such exposure, whichever date occurs first.

3 (b) Applicability.--The limitations set forth in 15 Pa.C.S.
4 § 1929.1(a) and (b) (relating to limitations on asbestos-related
5 liabilities relating to certain mergers or consolidations) shall
6 not apply to an asbestos claim for which the applicable period
7 of limitation commenced on or before December 17, 2001.

8 (c) Definition.--As used in this section, the term "asbestos
9 claim" shall have the meaning as set forth in 15 Pa.C.S. §
10 1929.1(e).

11 Section 3. This act shall take effect immediately.

