

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 6-202

"D.C. Statute of Limitations Amendment Act of 1986".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 6-510 on first and second readings, November 25, 1986 and December 16, 1986, respectively. Following the signature of the Mayor on January 8, 1987, this legislation was assigned Act No. 6-261, published in the January 23, 1987, edition of the D.C. Register, (Vol. 34 page 527) and transmitted to Congress on January 13, 1987 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 6-202, effective February 28, 1987.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 13,14,15,16,20,21,22,23,26,27,28,29,30

February 2,3,4,5,6,9,10,11,17,18,19,20,23,24,25,26,27

D.C. LAW 6 - 2 0 2

EFFECTIVE DATE FEB 28 1987

AN ACT

D.C. ACT 6 - 2 6 1

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 0 8 1987

To amend sections 12-301 and 12-310 of the District of Columbia Code to make these sections inapplicable to the District of Columbia government and to provide special limitation provisions governing actions for injury or death caused by exposure to asbestos.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Statute of Limitations Amendment Act of 1986".

Sec. 2. (a) The table of contents for title 12 is amended to read as follows:

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(1987

"3. Limitation of Actions. Sections 12-301 to 12-311."

(b) The table of contents for Chapter 3 of title 12 is amended by adding the following after the heading for section 12-310:

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"12-311. Actions arising out of death or injury caused by exposure to asbestos."

Sec. 3. Section 12-301 of the District of Columbia Code is amended:

D.C. C
12-301
supp.)

(a) By adding a new subsection (10) to read as

follows:

"(10) for the recovery of damages for an injury to real property from toxic substances including products containing asbestos - 5 years from the date the injury is discovered or with reasonable diligence should have been discovered.";

(b) By striking the period at the end of the last sentence and inserting in its place ", nor to actions brought by the District of Columbia government."

Sec. 4. Section 12-310 of the District of Columbia Code is amended:

D.C. Code,
12-310 (19
supp.)

(a) By striking the period after the last word of the section and inserting in its place ", or (3) any manufacturer or supplier of any equipment or machinery or other articles installed in a structure upon real property, or (4) any action brought by the District of Columbia government."

Sec. 5. Title 12, Chapter 3 of the District of Columbia Code is amended by adding a new section 12-311, to read as follows:

New, D.C. Code
sec. 12-311
(1987 supp)

"Sec. 12-311. Actions arising out of death or injury caused by exposure to asbestos.

"(a) In any civil action for injury or illness based upon exposure to asbestos, the time for the commencement of the action shall be the later of the following:

"(1) Within one year after the date the plaintiff first suffered disability; or

"(2) Within one year after the date the plaintiff either knew, or through the exercise of reasonable diligence should have known, that the disability was caused or contributed to by the exposure.

"(b) "Disability" as used in subsection (a) of this section means the loss of time from work as a result of the exposure that precludes the performance of the employee's regular occupation.

"(c) In an action for the wrongful death of any plaintiff's decedent, based upon exposure to asbestos, the time for commencement of an action shall be the later of the following:

"(1) Within one year from the date of the death of the plaintiff's decedent; or

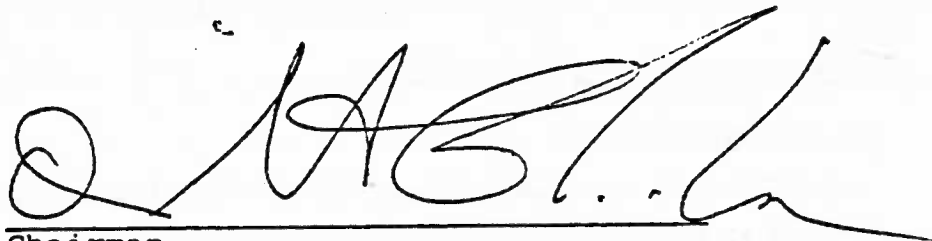
"(2) Within one year from the date the plaintiff first knew, or through the exercise of reasonable diligence should have known, that the death was caused or contributed to by the exposure."

Sec. 6. This act shall apply to actions pending in a court on July 1, 1986, and to actions filed in a court after July 1, 1986.

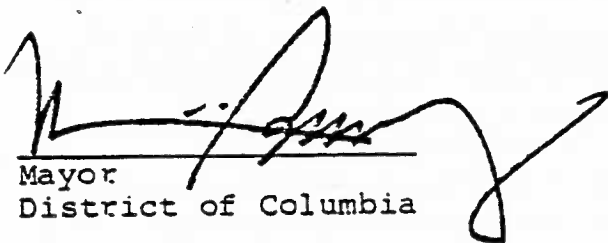
Sec. 7. This act shall take effect after a 30-day period of Congressional review following approval by the

Note
secs
12-3
(198

Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

Approved: 1-8-87



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Six — Second Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B6-510

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 11-25-86

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Schwartz

ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
 Secretary to the Council

12/29/86
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-16-86

VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
 Secretary to the Council

12/29/86
 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

 Secretary to the Council

 Date