

Session 116 - (2005-2006)

S 0084 General Bill, By McConnell, Moore, Ryberg, Elliott, Alexander, Gregory, Bryant, Fair, Leatherman and Richardson

Summary: Tort Reform Act of 2005 Relating to Construction Defects

A BILL TO ENACT THE "TORT REFORM ACT OF 2005 RELATING TO CONSTRUCTION DEFECTS" BY AMENDING CHAPTER 11, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROFESSIONS AND OCCUPATIONS, BY ADDING ARTICLE 3, SO AS TO PROVIDE FOR RIGHT TO CURE NON-RESIDENTIAL CONSTRUCTION DEFECTS; TO AMEND SECTION 40-59-820, RELATING TO RESIDENTIAL CONSTRUCTION DEFECTS, SO AS TO DEFINE CERTAIN TERMS; TO AMEND SECTION 40-59-830, RELATING TO RESIDENTIAL CONSTRUCTION DEFECTS, SO AS TO REQUIRE COMPLIANCE WITH RIGHT TO CURE BEFORE FILING A CIVIL ACTION; TO AMEND SECTION 40-59-840, RELATING TO RESIDENTIAL CONSTRUCTION DEFECTS, SO AS TO PROVIDE FOR THE TOLLING OF THE STATUTE OF LIMITATIONS WHILE RIGHT TO CURE IS IN PROGRESS; TO AMEND SECTION 40-59-850, RELATING TO RESIDENTIAL CONSTRUCTION DEFECTS, SO AS TO PROVIDE PROCEDURES GOVERNING EXERCISE OF RIGHT TO CURE OPTIONS; AND TO AMEND SECTION 15-3-640, RELATING TO STATUTES OF REPOSE FOR CONSTRUCTION DEFECTS, SO AS TO REDUCE THE OPERATIVE TIME IN THE STATUTE OF REPOSE FROM THIRTEEN TO NINE YEARS.

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