**A** **BILL**

TO AMEND SECTION 15-78-110 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA TORT CLAIMS ACT’S STATUTE OF LIMITATIONS, TO PROVIDE THAT EXCEPT AS PROVIDED IN SECTIONS 15-3-40 AND 15-3-555, ANY ACTION BROUGHT PURSUANT TO THIS CHAPTER IS FOREVER BARRED UNLESS AN ACTION IS COMMENCED WITHIN TWO YEARS AFTER THE DATE THE LOSS WAS OR SHOULD HAVE BEEN DISCOVERED; PROVIDED, THAT IF THE CLAIMANT FIRST FILED A CLAIM PURSUANT TO THIS CHAPTER THEN THE ACTION FOR DAMAGES BASED UPON THE SAME OCCURRENCE IS FOREVER BARRED UNLESS THE ACTION IS COMMENCED WITHIN THREE YEARS OF THE DATE THE LOSS WAS OR SHOULD HAVE BEEN DISCOVERED.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-78-110 of the 1976 Code is amended to read:

“Section 15-78-110. Except as provided for in ~~Section 15-3-40,~~ Sections 15-3-40 and 15-3-555, any action brought pursuant to this chapter is forever barred unless an action is commenced within two years after the date the loss was or should have been discovered; provided, that if the claimant first filed a claim pursuant to this chapter then the action for damages based upon the same occurrence is forever barred unless the action is commenced within three years of the date the loss was or should have been discovered.”

SECTION 2. This act takes effect upon approval by the Governor.

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