

**78B-2-117 Statute of limitations -- Asbestos damages.**

- (1)
- (a) Notwithstanding any other provision of law, a statute of limitation or repose may not bar an action to recover damages from any manufacturer of any construction materials containing asbestos and arising out of the manufacturer's providing of the materials, directly or through other persons, for use in construction of any building within the state until July 1, 1991, or until three years after the person or entity bringing the action discovers or with reasonable diligence could have discovered the injury or damages, whichever is later.
  - (b) Subsection (1)(a) provides a statute of limitation for the specified actions, and also acts retroactively to permit, within time limits, the commencement of actions under this section that are otherwise barred.
- (2) As used in this section, "asbestos" means asbestiform varieties of:
- (a) chrysotile (serpentine);
  - (b) crocidolite (riebeckite);
  - (c) amosite (cummingtonite-grunerite);
  - (d) anthophyllite;
  - (e) tremolite; or
  - (f) actinolite.

Renumbered and Amended by Chapter 3, 2008 General Session