

78B-4-603 Applicability.

- (1) The limitations in Section 78B-4-604 apply to a successor.
- (2) The limitations in Section 78B-4-604 do not apply to:
 - (a) workers' compensation benefits paid by or on behalf of an employer to an employee under Title 34A, Chapter 2, Workers' Compensation Act, and Title 34A, Chapter 3, Utah Occupational Disease Act, or a comparable workers' compensation law of another jurisdiction;
 - (b) a claim against a corporation that does not constitute a successor asbestos-related liability;
 - (c) an obligation under the National Labor Relations Act, 29 U.S.C. Sec. 151, et seq., as amended, or under a collective bargaining agreement; or
 - (d) a successor that, after a merger or consolidation, continued in the business of:
 - (i) mining asbestos;
 - (ii) selling or distributing asbestos fibers; or
 - (iii) manufacturing, distributing, removing, or installing asbestos-containing products that were the same or substantially the same as those products previously manufactured, distributed, removed, or installed by the transferor.

Enacted by Chapter 237, 2012 General Session