An Act Regarding the Statute of Limitations for Injuries or Harm Resulting from Perfluoroalkyl and Polyfluoroalkyl Substances

Received by the Clerk of the House on February 4, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 14 MRSA §752-F is enacted to read:

§752-F. Perfluoroalkyl and polyfluoroalkyl substances

An action arising out of any harm or injury caused by a perfluoroalkyl or polyfluoroalkyl substance must be commenced within 6 years after the date the plaintiff discovers or reasonably should have discovered such harm or injury. For the purposes of this section, "perfluoroalkyl or polyfluoroalkyl substance" means any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom. This section does not affect application of notice requirements for filing under section 8107 or the limitation on actions against a government entity under section 8110.

SUMMARY

This bill provides that an action arising out of any harm or injury caused by a perfluoroalkyl or polyfluoroalkyl substance must be commenced within 6 years after the plaintiff discovers or should have discovered such harm or injury. It does not alter the notice period or limitation period applicable to claims against a government entity.