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

Received by the Clerk of the House on February 25, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Presented by Representative PARRY of Arundel.
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.

Nothing in this section may be construed to alter the notice period applicable to claims and causes of actions against governmental entities in section 8107 or the time to file an action against a governmental entity in 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 makes clear that the notice of claim and statute of limitations provisions of the Maine Tort Claims Act apply to actions against governmental entities that arise out of any harm or injury caused by a perfluoroalkyl or polyfluoroalkyl substance.