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CAGC Champions Passage of SC Underground Safety Law

Carolinas AGC, in conjunction with the SC Civil Justice Coalition, has helped pass H. 3375, the tort reform legislation in South Carolina. Prior to passage, building contractors were at risk for being on the hook for 13 years for any construction defects that were found, since the trial lawyers found a loophole in the changes to the Statute of Repose that were passed three years ago. The enacted legislation, which was signed into law by Gov. Nikki Haley on June 14, 2011, clarifies a loophole in the original 2008 law that changed the statute of repose. The law now states that a building code violation cannot kick the statute of repose back to 13 years from the 8 years that was adopted three years ago. The legislation also includes a cap on punitive damages modeled after the state of Florida's cap, establishes an appeal bond cap, requires the attorney general to approve civil actions by circuit solicitors and requires disclosure of insurance policy limits for personal auto policies in accident cases.

The legislation takes effect January 1, 2012 and applies to all actions that accrue on or after that date.

"Carolinas AGC fought for this legislation because it increases our state's ability to be economically competitive and helps protect our members from frivolous lawsuits," said Leslie Hope, Director, SC Government Relations & Divisions for Carolinas AGC.

Source: *"Carolinas AGC Helps Pass Tort Reform to Protect SC Contractors"* published on Carolina AGC website

Article link: http://www.cagc.org/advocacy/files/sc_tort_reform.cfm

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