

Alabama State Senate Attempts to Expand Causes of Action for Exposures to Toxic Substances

Hinshaw Alert | 1 min read

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Senate Bill - S.B. 0215, also known as the “Jack Cline Act,” was introduced in the State Senate last month. It says that a cause of action for *toxic substances* exposure would accrue from the date the injured party should have reason to discover the injury giving rise to the civil action. The bill seeks to amend Section 6-2-30 of the Alabama Civil Code (1975).

The proposed change in the law would apply to any injury to a person or to property as a result of exposure to any toxic substance. A toxic substance is defined under the bill as “any physical substance or material exposure to which is toxic or hazardous to human life or well-being or which causes any disease process, including, without limitation, all hazardous substances, hazardous wastes, hazardous materials, and toxic substances as defined by federal law.”

The bill would also allow a person to initiate more than one cause of action arising out of a single act, by providing that each cause of action based on a single course of conduct accrues separately. Finally, the proposed bill would apply retroactively to revive such toxic tort actions that may have been previously barred under Alabama law.

S.B. 0215 was read for the first time on January 12, 2010, and referred to the Senate Committee on Judiciary for further action.

Click on “Download PDF” to view a copy of Senate Bill - S.B. 0215.

For more information, please contact Craig T. Liljestrand or your regular Hinshaw attorney.

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