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AB-1980 Statute of limitations: hazardous materials. (2017-2018)

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Assembly Bill No. 1980

CHAPTER 141

An act to amend Section 338.1 of the Code of Civil Procedure, relating to statute of limitations.

[Approved by Governor July 20, 2018. Filed with Secretary of State July 20, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1980, Quirk. Statute of limitations: hazardous materials.

Existing law requires that actions for civil penalties or punitive damages under specified provisions relating to hazardous waste and hazardous substances be commenced within 5 years after the discovery by the agency bringing the action of the facts constituting the grounds for commencing the action.

This bill would include actions relating to aboveground storage of petroleum within the 5-year limitations period.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 338.1 of the Code of Civil Procedure is amended to read:

338.1. An action for civil penalties or punitive damages authorized under Chapter 6.5 (commencing with Section 25100), Chapter 6.67 (commencing with Section 25270), Chapter 6.7 (commencing with Section 25280), Chapter 6.8 (commencing with Section 25300), or Chapter 6.95 (commencing with Section 25500) of Division 20 of the Health and Safety Code shall be commenced within five years after the discovery by the agency bringing the action of the facts constituting the grounds for commencing the action.