

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda—underwritten by global corporations—includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board --in recent past or present

- AT&T Services, Inc.
- centerpoint360
- UPS
- Bayer Corporation
- GlaxoSmithKline
- Energy Future Holdings
- Johnson & Johnson
- Coca-Cola Company
- PhRMA
- Kraft Foods, Inc.
- Coca-Cola Co.
- Pfizer Inc.
- Reed Elsevier, Inc.
- DIAGEO
- Peabody Energy
- Intuit, Inc.
- Koch Industries, Inc.
- ExxonMobil
- Verizon
- Reynolds American Inc.
- Wal-Mart Stores, Inc.
- Salt River Project
- Altria Client Services, Inc.
- American Bail Coalition
- State Farm Insurance

For more on these corporations, search at www.SourceWatch.org.

S & MEETINGS

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

Home → Model Legislation → Civil Justice
Ten-Year Statute of Repose Act

Did you know that Victor Schwartz--a lawyer who represents companies in product litigation--was the corporate co-chair in 2011?

Summary

Statutes of repose prohibit filing of claims beyond a specified period of time after the date of sale of a product or provision of a service. This model bill provides that a plaintiff must commence a cause of action within 10 years after the purchase date of the product alleged to have caused an injury during use or consumption; the date of the last professional action alleged to have caused the harm; or the date of substantial completion of the construction that is alleged to have caused the harm.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Title.} This Act shall be known and may be cited as the Ten-Year Statute of Repose Act.

Section 2. {Limitation period.}

(A) In any action for:

- (1) personal physical injury, illness, or death;
- (2) mental anguish or emotional harm;
- (3) damage to property, except as such actions are governed by the Uniform Commercial Code;
- (4) wrongful death;
- (5) any loss of consortium or services; or
- (6) other loss deriving from any type of harm described in Subsections (1), (2), (3), (4), or (5), the plaintiff must commence a cause of action within 10 years after:

(a) the date that the product that is alleged to have caused the injury was first purchased for use or consumption;

(b) the date of the last professional action that is alleged to have caused the harm; or

(c) the date of substantial completion of the construction that is alleged to have caused the harm.

(B) This time limitation does not apply if the harm described in Subsections (1), (2), (3), (4), or (5) resulted from exposure to a toxic substance and was not manifest for more than 10 years after the final exposure to the toxic substance.

Section 3. {Legal disability.} The time limitation in this Act shall apply to all persons regardless of minority or other legal disability.

Section 4. {Severability clause.}

Section 5. {Repealer clause.}

Were your laws repealed?

Section 6. {Effective date.}

ALEC's Sourcebook of American State Legislation 1995

About Us and ALEC EXPOSED. The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish www.PRWatch.org, www.SourceWatch.org, and now www.ALECExposed.org. For more information contact: editor@prwatch.org or 608-260-9713.

Center for Media and Democracy's quick summary:

This bill has the effect of limiting liability for product liability, construction defects, or other personal injury or negligence lawsuits. Specifically, it provides that a plaintiff must sue within ten years after a product is purchased, the date of the last professional action (i.e. when a doctor performed surgery), or the date of completion of construction; an exception is included for toxic substances.

In general, "statutes of repose" such as this are more liability-limiting than statutes of limitations. No similar proposals are before the Wisconsin legislature.