

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 606
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40335-MC-180

Short Title: Civil Procedure Amendment.

(Public)

Sponsors: Representative Almond.

Referred to:

A BILL TO BE ENTITLED
AN ACT AMENDING THE CIVIL PROCEDURE STATUTE RELATING TO ACCRUAL OF
ACTION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 1-15 reads as rewritten:

"§ 1-15. Statute runs from accrual of action.

(a) Civil actions can only be commenced within the periods prescribed in this Chapter, after the cause of action has accrued, except where in special cases a different limitation is prescribed by statute.

(b) Repealed by Session Laws 1979, c. 654, s. 3.

(c) Except as provided by subsection (d) of this section or where otherwise provided by statute, a cause of action for malpractice arising out of the performance of or failure to perform professional services shall be deemed to accrue at the time of the occurrence of the last act of the defendant giving rise to the cause of action: Provided that whenever there is bodily injury to the person, economic or monetary loss, or a defect in or damage to property which originates under circumstances making the injury, loss, defect or damage not readily apparent to the claimant at the time of its origin, and the injury, loss, defect or damage is discovered or should reasonably be discovered by the claimant two or more years after the occurrence of the last act of the defendant giving rise to the cause of action, suit must be commenced within one year from the date discovery is made: Provided nothing herein shall be construed to reduce the statute of limitation in any such case below three years. Provided further, that in no event shall an action be commenced more than four years from the last act of the defendant giving rise to the cause of action: Provided further, that where damages are sought by reason of a foreign object, which has no therapeutic or diagnostic purpose or effect, having been left in the body, a person seeking damages for malpractice may commence an action therefor within one year after discovery thereof as hereinabove provided, but in no event may the action be commenced more than 10 years from the last act of the defendant giving rise to the cause of action.

(d) Notwithstanding subsection (c) of this section, a cause of action arising out of the performance of or failure to perform services while in the course of facilitating or perpetuating gender transition shall be commenced either within 25 years from the day the claimant reaches 18 years of age or four years from discovery of both the injury and the causal relationship between the treatment and the injury, whichever is later. "Gender transition" is defined in G.S. 90-21.150(5) for the purposes of this subsection.

(e) A medical professional or entity may not seek a contractual waiver of the liability arising in subsection (d) of this section. Any attempted waiver is contrary to the public policy of this State and is null and void.



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- 1 (f) G.S. 90-21.19 does not apply to damages under subsection (d) of this section."
2 **SECTION 2.** This act is effective when it becomes law and applies to causes of
3 action accruing on or after that date.