

198B.135 Presumption regarding defectiveness of building design, construction, materials, or supplies where injury, death, or damage occurs more than five years after completion or incorporation.

In any action alleging defective building design, construction, materials, or supplies where the injury, death, or property damage occurs more than five (5) years after the date of completion of construction or incorporation of materials or supplies into the building, there shall be a presumption that the building was not defective in design, construction, materials, or supplies. This presumption may be overcome by a preponderance of the evidence to the contrary.

Effective: July 14, 1992

History: Created 1992 Ky. Acts ch. 154, sec. 1, effective July 14, 1992.