

(1) (I) [the] THE defendant was in actual possession and control of the property as owner, tenant, or otherwise when the injury occurred;

~~(2) IN A CAUSE OF ACTION AGAINST A MANUFACTURER, OTHER THAN A MANUFACTURER DESCRIBED IN ITEM (3) OF THIS SUBSECTION, FOR DAMAGES FOR PERSONAL INJURY OR DEATH, THE PERSONAL INJURY OR DEATH RESULTED FROM A LATENT DISEASE;~~

(2) ~~(3)~~ (I) IN A CAUSE OF ACTION AGAINST A MANUFACTURER OR SUPPLIER FOR DAMAGES FOR PERSONAL INJURY OR DEATH CAUSED BY ASBESTOS OR A PRODUCT THAT CONTAINS ASBESTOS, THE INJURY OR DEATH RESULTS FROM EXPOSURE TO ASBESTOS DUST OR FIBERS WHICH ARE SHED OR EMITTED PRIOR TO OR IN THE COURSE OF THE AFFIXATION, APPLICATION, OR INSTALLATION OF THE ASBESTOS OR THE PRODUCT THAT CONTAINS ASBESTOS TO AN IMPROVEMENT TO REAL PROPERTY; AND

~~(H) IN THIS PARAGRAPH, SUPPLIER "SUPPLIER" MEANS ANY INDIVIDUAL OR ENTITY WHOSE PRINCIPAL BUSINESS IS THE SUPPLY, DISTRIBUTION, INSTALLATION, SALE, OR RESALE OF ANY PRODUCT THAT CAUSES ASBESTOS RELATED DISEASE;~~

(3) ~~(4)~~ (III) IN OTHER CAUSES OF ACTION FOR DAMAGES FOR PERSONAL INJURY OR DEATH CAUSED BY ASBESTOS OR A PRODUCT THAT CONTAINS ASBESTOS, THE DEFENDANT IS A MANUFACTURER OF A PRODUCT THAT CONTAINS ASBESTOS; OR

(4) ~~(5)~~ (IV) IN A CAUSE OF ACTION FOR DAMAGES FOR INJURY TO REAL PROPERTY THAT RESULTS FROM A DEFECTIVE AND UNSAFE CONDITION OF AN IMPROVEMENT TO REAL PROPERTY:

~~(H)~~ 1. THE DEFENDANT IS A MANUFACTURER OF A PRODUCT THAT CONTAINS ASBESTOS;

~~(H)~~ 2. THE DAMAGES TO AN IMPROVEMENT TO REAL PROPERTY ARE CAUSED BY ASBESTOS OR A PRODUCT THAT CONTAINS ASBESTOS;

~~(H)~~ 3. THE IMPROVEMENT FIRST BECAME AVAILABLE FOR ITS INTENDED USE AFTER JULY 1, 1953;

~~(H)~~ 4. THE IMPROVEMENT:

A. IS OWNED BY A GOVERNMENTAL ENTITY AND USED FOR A PUBLIC PURPOSE; OR

B. IS A PUBLIC OR PRIVATE INSTITUTION OF ELEMENTARY, SECONDARY, OR HIGHER EDUCATION; AND

~~(H)~~ 5. THE CAUSE OF ACTION COMPLAINT IS FILED BY JULY 1, 1993.