

**TITLE 7: CIVIL PROCEDURE**  
**DIVISION 4: JUDGMENTS; ENFORCEMENT OF JUDGMENTS**

**§ 4304. Enforcement.**

(a) Whether or not judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced by separate action.

(b) Where a judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced in that action by judgment in favor of one against other judgment defendants by motion upon notice to all parties to the action.

(c) If there is a judgment for the injury or wrongful death against the tortfeasor seeking contribution, any separate action by the tortfeasor to enforce contribution must be commenced within one year after the judgment has become final by lapse of time for appeal or after appellate review.

(d) If there is no judgment for the injury or wrongful death against the tortfeasor seeking contribution, any right of contribution is barred unless the tortfeasor has either:

(1) Discharged by payment the common liability within the statute of limitations period applicable to claimant's right of action against him and has commenced the action for contribution within one year after payment, or

(2) Agreed while action is pending against the tortfeasor to discharge the common liability and has within one year after agreement paid the liability and commenced the action for contribution.

(e) The recovery of a judgment for an injury or wrongful death against one tortfeasor does not of itself discharge the other tortfeasors from liability for the injury or wrongful death unless the judgment is satisfied. The satisfaction of the judgment does not impair any right of contribution.

(f) The judgment of the court in determining the liability of the several defendants to the claimant for an injury or wrongful death shall be binding as among such defendants in determining their right to contribution.

**Source:** 6 TTC § 554.