



***The Florida Justice Reform Institute Supports  
CS/CS/SB 236, Which Would Ensure Parties  
Timely Pursue Negligence Claims***

Under current law, a four-year statute of limitations applies to negligence actions. In other words, a party has to bring “[a]n action founded on negligence” within four years of the time that the cause of action accrues (i.e., when the last element of the cause of action occurs). § 95.11(3)(a), Fla. Stat. Statutes of limitation are designed and intended to encourage diligence in the prosecution of claims, eliminate the potential of abuse from a stale claim, and ultimately foster certainty and finality in liability. *See, e.g., Caduceus Props., LLC v. Graney*, 137 So. 3d 987, 992 (Fla. 2014) (“Statutes of limitations are designed to protect defendants from unusually long delays in the filing of lawsuits and to prevent prejudice to defendants from the unexpected enforcement of stale claims.”); *Hawkins v. Barnes*, 661 So. 2d 1271, 1272 (Fla. 5th DCA 1995) (“The purpose of setting a fixed time limit on the right to assert a civil claim is to encourage prompt resolution of controversies and to protect against the risk of injustice. . . . As to each civil action, the applicable statute of limitations serves notice of a potential bar and provides a reasonable time within which the plaintiff can initiate a claim.”).

Providing a four-year limitations period on negligence claims does not further those goals. A party should know whether they have a claim for negligence within a time period far shorter than four years. Indeed, other claims founded on negligence or similar principles, like professional malpractice claims and wrongful death claims, apply a two-year rather than four-year statute of limitations. § 95.11(4)(b) & (d), Fla. Stat. This would also be consistent with several states, including Alabama, Alaska, Arizona, Colorado, Delaware, Hawaii, Idaho, Indiana, Kansas, Ohio, Oklahoma, Pennsylvania, Texas, and West Virginia, which impose two-year statutes of limitations on most tort claims.<sup>1</sup>

Thus, the Florida Justice Reform Institute supports CS/CS/SB 236, which in Section 2 would make the statute of limitations period applicable to negligence actions two years:

95.11 Limitations other than for the recovery of real property.—Actions other than for recovery of real property shall be commenced as follows:

(3) WITHIN FOUR YEARS.—

(a) ~~An action founded on negligence.~~

~~(b) An action relating to the determination of paternity, with the time running from the date the child reaches the age of 15 majority.~~

....

(4) WITHIN TWO YEARS.—

(a) An action founded on negligence.

---

<sup>1</sup> A chart outlining the statute of limitations applicable to claims in all 50 states from September 2014 is attached.



## **JURISDICTIONS COMPARATIVE CHART:**

### **LIMITATIONS OF TIME AND NOTICE REQUIREMENTS FOR COMMENCEMENT OF ACTIONS**

#### **COZEN O'CONNOR**

1900 Market Street | Philadelphia, PA 19103  
P: 215.665.2000 or 800.523.2900 | F: 215.665.2013  
[www.cozen.com](http://www.cozen.com)

Last Updated: September 2014

© 2014 Cozen O'Connor. All Rights Reserved.

Atlanta • Charlotte • Cherry Hill • Chicago • Dallas • Denver • Harrisburg • Houston • London • Los Angeles  
Miami • Minneapolis • Newark • New York • Philadelphia • San Diego • San Francisco  
Seattle • Toronto • Washington, DC • West Conshohocken • West Palm Beach • Wilkes-Barre • Wilmington

---

**JURISDICTIONS COMPARATIVE CHART:  
LIMITATIONS OF TIME AND NOTICE REQUIREMENTS  
FOR COMMENCEMENT OF ACTIONS**

<b>ALABAMA</b>		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>• Personal injury, wrongful death: 2 years. <i>Al. Code § 6-2-38</i></li> <li>• Real or personal property: 2 years. <i>Al. Code § 6-2-38</i> [Note: All actions claiming liability under respondeat superior must be commenced within 2 years]</li> <li>• Actions for trespass to real or personal property: 6 years. <i>Al. Code §6-2-34(2)</i></li> <li>• NOTE: Alabama also has a common law 20 year “rule of repose” that runs from the date that all essential elements of the claim exist. <i>American General Life v. Underwood</i>, 886 So.2d 807 (Ala. 2004)</li> </ul>
	Contract	<ul style="list-style-type: none"> <li>• Written and Oral: 6 years. <i>Al. Code § 6-2-34 (9)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>• Municipality Torts: 6 months from claim’s accrual. <i>Al. Code § 11-47-23</i></li> <li>• All others (except bonds and interest coupons and claims for damages): 2 years from claim’s accrual. <i>Al. Code § 11-47-23</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	<ul style="list-style-type: none"> <li>•</li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>• 13 years after substantial completion for against architects and engineers or builders who have constructed or managed the construction of an improvement based on plans prepared by an architect or engineer. <i>Al. Code §6-5-221</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>• There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
<b>ALASKA</b>		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>• Personal Injury/Property Damage: 2 years. <i>A.S. § 09.10.070</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>• Written and Oral: 3 years. <i>A.S. § 09.10.053</i></li> <li>• U.C.C. Warranty Claims: 4 years from the date product is sold. <i>A.S. § 45.02.725</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>• Tort (claim against government): 2 years from claim’s accrual. <i>Johnson v. City of Fairbanks</i>, 583 P.2d 181 (1978)</li> <li>• Contract (claim against government): 6 years from claim’s accrual. <i>State Dep’t of Natural Resources v. Transamerica Premier Ins. Co.</i>, 856 P.2d 766 (Alaska 1993)</li> </ul>
<b>Statutes of Repose</b>	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>• Within 10 years of substantial completion or last act causing property damage. <i>A.S. § 09.10.055(a)(1)(2)</i>. Act does not apply where the injury results from prolonged exposure to hazardous waste, intentional act, gross negligence, fraud or misrepresentation, or breach of express warranty.</li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>• There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

ARIZONA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Property Damage: 2 years. <i>A.R.S. § 12-542</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 6 years. <i>A.R.S. § 12-548</i></li> <li>Oral: 3 years. <i>A.R.S. § 12-543</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 180 days of claim’s accrual. <i>A.R.S. § 12-821.01</i></li> <li>Suit brought 1 year after cause of action accrues. <i>A.R.S. § 12 -821</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>Within 2 years of bodily injury, death or property damage, but within 12 years of date of first sale unless the action is based on negligence or breach of expressed warranty of the manufacturer or seller. <i>A.R.S. § 12-551, § 12-542</i></li> <li>[Declared unconstitutional in <i>Hazine v. Montgomery Elevator Co.</i>, 861 P.2d 625 (1993)]</li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>8 years after substantial completion, but within 1 year if claim arose in 8th year. <i>A.R.S. § 12-552</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>For claims against licensed professionals, within 40 days of receiving a responsive pleading, the plaintiff must certify in a written statement whether expert opinion is necessary to prove the licensed professional standard of care. If an expert is required, the plaintiff must provide a preliminary opinion affidavit with the expert’s qualifications, the factual basis for the claim, the acts, errors or omissions that the expert considers to be a violation of the standard of care and the manner in which the acts, errors or omissions caused or contributed to the damages. <i>A.R.S. § 12-2602</i></li> </ul>
ARKANSAS		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>3 years. <i>Ark. Code § 16-56-105(3)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 5 years. <i>Ark. Code § 16-56-111</i></li> <li>Oral: 3 years. <i>Ark. Code § 16-56-105(1)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Actions against sheriffs or coroners acting in their official capacity: 2 years. <i>Ark. Code §16-56-019</i></li> <li>For claims against the State or its agencies, plaintiff must submit claim to the Arkansas State Claims Commission with the applicable statute of limitations. Subrogation claims filed by insurance companies are not entertained by the Commission.</li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>Real or Personal Property: 5 years after substantial completion. <i>Ark. Code § 16-56-112(a)</i></li> <li>Personal Injury or Wrongful Death: 4 years after substantial completion. <i>Ark. Code § 16-56-112(b)(1)</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals.</li> </ul>
CALIFORNIA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>Cal. Code Civ. Prac. § 335.1</i></li> <li>Property Damage: 3 years. <i>Cal. Code Civ. Prac. §338</i></li> <li>Medical Malpractice: 1 year after discovery of injury but not more than 3 years after injury. <i>CCP §340.5</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 4 years. <i>Cal. Code Civ. Prac. § 337</i></li> <li>Oral: 2 years. <i>Cal. Code Civ. Prac. § 339</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Personal property or personal injury: Administrative claim must be filed with the agency within 6 months after accrual. <i>Gov’t Code. § 911.2;</i></li> <li>Real Property or contract damages: Administrative claim must be filed with the agency within 1 year of the date of the contractual breach or property damage. <i>Gov’t Code. § 911.2.</i></li> <li>If the governmental agency denies claim within 45 days of receiving, plaintiff must file lawsuit within 6 months of governmental agency’s denial of the claim. If agency does not respond within 45 days, plaintiff has 2 years from the date of the injury to file suit. <i>Gov’t Code. § 945.6(a)(2)</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>Patent Defects: 4 years after substantial completion but within 1 year if claim arises in 4th year. <i>Cal. Code Civ. Prac. §337.1</i></li> <li>Latent Defects: 10 years after substantial completion. <i>Cal. Code Civ. Prac. §337.15</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>Certificate of merit must be filed for claim against architects, engineers and surveyors within 60 days of filling the complaint. <i>Cal. Code Civ. Prac §411.35.</i></li> </ul>

COLORADO		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>C.R.S. § 13-80-102(1)(a)</i></li> <li>Property Damage: 2 years. <i>C.R.S. § 13-80-102(1)(a)</i></li> <li>Products Liability: 2 years. <i>C.R.S. § 13-80-106(1)</i></li> <li>Injury or Damage Arising Out of Use or Operation of Automobile: 3 years. <i>C.R.S. § 13-80-101(1)(n)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written, Oral and Contracts for the Sale of Goods: 3 years. <i>C.R.S. § 13-80-101(1)(a)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 180 days. <i>C.R.S. § 24-10-109(1)</i></li> <li>Actions against police and firemen: Suit within 1 year. <i>C.R.S. § 13-80-103(1)(c)</i></li> <li>Actions against other governmental entities or employees: 2 years. <i>C.R.S. § 13-80-102(1)(f) and (h)</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>Claims relating to new manufacturing equipment: 7 years after first use. <i>C.R.S. § 13-80-107(1)(b)</i> [Applies only to equipment used in factory or manufacturing plant]</li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>6 years after substantial completion, but within 2 years if claim arises in 5th or 6th year. Claims for contribution must be filed within 90 days after judgment/settlement. <i>C.R.S. § 13-80-104</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>For claims against licensed professionals, within 60 days of filings, suit, plaintiff's attorney must file a certificate of review stating that the attorney has consulted a person who has expertise in the area of the negligent conduct and that consulted expert has reviewed the known facts and has concluded that the filing of the claim does not lack substantial justification. <i>C.R.S. § 13-20-602</i></li> </ul>
CONNECTICUT		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Real or Personal Property Damage: 2 years from date of loss AND within 3 years from date of wrongful act or omission. <i>Conn. Gen. Stat. § 52-584</i></li> <li>All other actions founded upon a Tort: 3 years from the date of the act or omission complained of. <i>Conn. Gen. Stat. § 52-577</i></li> <li>Product Liability: 3 years from date of loss. <i>Conn. Gen. Stat. § 52-577a(a)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 6 years. <i>Conn. Gen. Stat. § 52-576(a)</i></li> <li>Oral: 3 years. <i>Conn. Gen. Stat. § 52-581(a)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>State: Claim presented within 1 year of accrual, but within 3 years of act complained of. <i>Conn. Gen. Stat. § 4-148(a)</i></li> <li>Municipalities: Notice within 6 months of claim's accrual; suit within 2 years. <i>Conn. Gen. Stat. § 7-101a(d)</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>10 years after product left defendant's possession or control. <i>Conn. Gen. Stat. § 52-577a(a)</i></li> <li>Limitation will not apply if claimant can prove that the harm occurred during the useful safe life of the product, <i>Conn. Gen. Stat. § 52-577a(c)</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>Actions against architects, professional engineers and land surveyors: 7 years after substantial completion, but within 1 year if injury occurs in 7th year. <i>Conn. Gen. Stat. § 52-584a(a), § 52-584a(b)</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
DELAWARE		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>Del. Code Ann. Tit. 10 § 8119</i></li> <li>Personal Property: 2 years. <i>Del. Code Ann. Tit. 10 § 8107</i></li> <li>Real Property: 3 years. <i>Del. Code Ann. Tit. 10 § 8106</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written and Oral: 3 years. <i>Del. Code Ann. Tit. 10 § 8106</i></li> <li>Contracts for the Sale of Goods: 4 years. <i>Del. Code Ann. Tit. 6 § 2-725(1)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Actions against the City of Wilmington: Notice within 1 year of claim's accrual. <i>Del. Code Ann. Tit. 10 § 8124</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>6 years from date of substantial completion. <i>Del. Code Ann. Tit. 10 § 8127</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

DISTRICT OF COLUMBIA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>All Torts not specifically prescribed: 3 years. <i>D.C. Stat. § 12-301(8)</i></li> <li>Real or Personal Property: 3 years. <i>D.C. Stat. §12-301(3)</i></li> <li>Wrongful Death: 1 year. <i>D.C. Stat. § 16-2702</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written or Oral: 3 years. <i>D.C. Stat. § 12-301(7)</i></li> <li>Contracts for the Sale of Goods: 4 years. <i>D.C. Stat. § 28:2-725</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 6 months of injury or damage. <i>D.C. Stat. § 12-309</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years from date of substantial completion; unless claim based on a contract or product liability. <i>D.C. Stat. § 12-310</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
FLORIDA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Negligence and claims arising out of an improvement to real property: 4 years. <i>Fla. Stat. § 95.11(3)</i></li> <li>Professional Malpractice: 2 years. <i>Fla. Stat. §95.11(4)</i></li> <li>Wrongful Death: 2 Years. <i>Fla. Stat. §95.11(4)(d)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 5 years. <i>Fla. Stat. § 95.11(2)(b)</i></li> <li>Oral: 4 years. <i>Fla. Stat. § 95.11(3)(k)</i></li> <li>Specific Performance: 1 year. <i>Fla. Stat. § 95.11(5)(a)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Written notice within 3 years to governmental agency and Dept. of Insurance. <i>Fla. Stat. § 768.28(6)(a)</i></li> <li>Suit within 4 years. <i>Fla. Stat. § 95.11(3)(d), § 11.065(1)</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>12 years after delivery of product to first purchaser, unless product is warranted to have expected useful life of more than 10 years, in which case suit must be filed within product’s expected life or 12 years, whichever is greater. <i>Fla. Stat. § 95.031(2)(b)</i></li> <li>All products presumed to have useful life of 10 years or less except for aircraft, railroad equipment, elevators, escalators, large vessels, which are subject to special rules. <i>Fla. Stat. § 95.031(2)(b)</i></li> <li>Repose period does not apply if claimant was exposed during repose period but injury does not manifest itself until after repose period. <i>Fla. Stat. §95.031(2)(c)</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after date of owner’s actual possession or substantial completion, whichever is later. <i>Fla. Stat. § 95.11(3)(c)</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is a certificate of merit for medical malpractice actions but not for claims against other professionals. See <i>Fla. Stat. §§766.201 – 766.206; 766.104</i></li> </ul>
GEORGIA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Property Damage: 4 years. <i>O.C.G.A. § 9-3-30, § 9-3-31</i></li> <li>Personal Injury: 2 years. <i>O.C.G.A. § 9-3-33</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 6 years. <i>O.C.G.A. § 9-3-24</i></li> <li>Sale of Goods: 4 years. <i>O.C.G.A. §11-2-725(1)</i></li> <li>Oral: 4 years. <i>O.C.G.A. § 9-3-25</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice of claim against the State: 12 months. <i>O.C.G.A. § 50-21-26(a)(1)</i></li> <li>Presentment of claim against a County: 12 months. <i>O.C.G.A. §36-11-1</i></li> <li>Notice of claim against a municipality: 6 months. <i>O.C.G.A. §36-33-5</i></li> </ul>
Statutes of Repose:	Product Liability	<ul style="list-style-type: none"> <li>10 years from date of first sale to user. <i>O.C.G.A. § 51-1-11(b)(2)</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>8 years after substantial completion, but within 2 years if claim arises in the 7th or 8th year. <i>O.C.G.A. § 9-3-51</i></li> <li>Note, however, 4 year real property statute of limitations begins to run at time of substantial completion. See <i>Colormatch Exteriors v. Hickey</i>, 275 Ga. 249, 569 S.E.2d 495 (2002)</li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>For all claims alleging professional malpractice against a professional licensed by the State of Georgia, a plaintiff must file an affidavit from an expert competent to testify setting forth a negligent act or omission along with the complaint. This requirement applies to claims against architects, land surveyors, professional engineers and numerous other professionals listed in the statute. <i>O.C.G.A. § 9-11-9.1</i></li> </ul>

Jurisdictions Comparative Chart: Limitations of Time and Notice Requirements for Commencement of Actions

HAWAII		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Property Damage: 2 years. <i>H.R.S. § 657-7</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written or Oral: 6 years. <i>H.R.S. § 657-1</i></li> <li>Sale of Goods: 4 years after tender of delivery. <i>H.R.S. § 490:2-725(1)</i></li> <li>For property damages arising out of contract, the 2 year property damage statute may apply</li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>State Agencies: 2 years. <i>H.R.S. § 662-4</i></li> <li>Counties: Notice within 2 years after injury occurs. <i>H.R.S. § 46-72</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after date of completion of the improvement to real property. <i>H.R.S. § 657-8</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>Must submit claim to Design Claim Reconciliation Panel before filing suit. Statute is tolled for year after submitted. Certificate of Consultation with expert required. <i>H.R.S. § 672B &amp; 462B</i></li> </ul>
IDAHO		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Professional Malpractice: 2 years. <i>I.C. § 5-219</i></li> <li>Property Damage: 3 years. <i>I.C. § 5-218</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 5 years. <i>I.C. § 5-216</i></li> <li>Oral: 4 years. <i>I.C. § 5-217</i></li> <li>Sale of Goods: 4 years. <i>I.C. § 28-2-725</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>County: 6 months after rejection of board of commissioners. <i>I.C. § 5-221</i></li> <li>State: Notice to Secretary of State within 180 days from date claim arose or reasonably should have been discovered. <i>I.C. § 6-905</i></li> <li>Political Subdivision: Notice to Clerk or Secretary within 180 days from date claim arose or reasonably should have been discovered. <i>I.C. § 6-906</i></li> <li>Suit within 2 years of claim accrual. <i>I.C. § 6-911</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>Presumed useful life of product is 10 years. <i>I.C. § 6-1403(2)</i></li> <li>Claim must be brought within 2 years from time cause of action accrued. <i>I.C. § 6-1403(3)</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>Tort: 6 years after final completion. <i>I.C. § 5-241(a)</i></li> <li>Contract: Statute begins to run at time of final completion, subject to statute of limitations for written contract of 5 years. <i>I.C. § 5-241(b)</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li></li> </ul>
ILLINOIS		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>735 ILCS § 5/13-202</i></li> <li>Property Damage: 5 years. <i>735 ILCS § 5/13-205</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 10 years. <i>735 ILCS § 5/13-206</i></li> <li>Oral: 5 years. <i>735 ILCS § 5/13-205</i></li> <li>Sale of Goods: 4 years. <i>810 ILCS § 5/2-725</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Contract / Tort: 1 year. <i>745 ILCS § 10/8-101</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>12 years from date of sale to retailer or 10 years from date of sale to consumer, whichever is earlier. <i>735 ILCS § 5/13-213(b)</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years from substantial completion but within 4 years if claim arises in 7th, 8th, 9th, or 10th year. <i>735 ILCS § 5/13-214(b)</i></li> <li>Action must be brought within 4 years of date of knowledge of act or omission giving rise to the claim. <i>735 ILCS § 5/13-214(a)</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>No requirement for filing a certificate or affidavit of merit against a construction or design professional</li> </ul>

INDIANA		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>Ind. Code § 34-11-2-4(1)</i></li> <li>Personal Property: 2 years. <i>Ind. Code § 34-11-2-4(2)</i></li> <li>Real Property: 6 years. <i>Ind. Code § 34-11-2-7</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 10 years. <i>Ind. Code § 34-11-2-11</i></li> <li>Oral: 6 years. <i>Ind. Code § 34-11-2-7(1)</i></li> <li>Sale of Goods: 4 years. <i>Ind. Code § 26-1-2-725(1)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Political Subdivisions: Notice within 180 days after the loss occurs. <i>Ind. Code § 34-13-3-8</i></li> <li>State: Notice within 270 days after the loss occurs. <i>Ind. Code § 34-13-3-6</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	<ul style="list-style-type: none"> <li>10 years after initial delivery, but within 2 years if claim arises in 9th or 10th year. <i>Ind. Code § 34-20-3-1</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after substantial completion or 12 years after completed plans delivered to owner if action for defective design, but within 2 years if claim is for personal injury which arose in 9th or 10th year. <i>Ind. Code § 32-30-1-5, § 32-30-1-6</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
IOWA		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>Iowa Code Ann. § 614.1(2)</i></li> <li>Property Damage: 5 years. <i>Iowa Code Ann. § 614.1(4)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 10 years. <i>Iowa Code Ann. § 614.1(5)</i></li> <li>Oral: 5 years. <i>Iowa Code Ann. § 614.1(4)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>6 months after claim's accrual or, if notice is given within 60 days, suit within 2 years. <i>Iowa Code Ann. § 670.5</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	<ul style="list-style-type: none"> <li>15 years after first purchased or installed for use for cause of action based on strict liability in tort, negligence or breach of an implied warranty. <i>Iowa Code Ann. § 614.1(2A)(a)</i>. Specific exceptions listed in the statute.</li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>15 years after date of act or omission which caused the injury. <i>Iowa Code Ann. § 614.1(11)</i>. This includes products incorporated into real property]</li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
KANSAS		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>K.S.A. § 60-513</i></li> <li>Property Damage: 2 years. <i>K.S.A. § 60-513</i></li> <li>Intentional Torts: 1 year. <i>K.S.A. § 60-514</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 5 years. <i>K.S.A. § 60-511</i></li> <li>Oral: 3 years. <i>K.S.A. § 60-512</i></li> </ul>
	Governmental	
<b>Statutes of Repose</b>	Product Liability	<ul style="list-style-type: none"> <li>Rebuttable presumption that product is not defective 10 years after delivery of product. <i>K.S.A. § 60-3303</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years from the time the act giving rise to the cause of action occurs. <i>K.S.A. § 60-513</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>No requirement that a certificate of merit be filed prior to or contemporaneous with a professional malpractice action. However, Kansas does have a procedure for convening a screening panel for professional malpractice cases after they are filed. <i>K.S.A. § 60-3502</i></li> </ul>



KENTUCKY		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 1 year. <i>Ky. Rev. Stat. Ann. § 413.140</i> (but see §304.39-230 extending limitation period for tort liability not abolished by auto no-fault statute)</li> <li>Personal Property: 2 years. <i>Ky. Rev. Stat. Ann. § 413.125</i></li> <li>Real Property: 5 years. <i>Ky. Rev. Stat. Ann. § 413.120(4)</i></li> <li>Professional Malpractice: 1 year. <i>Ky. Rev. Stat. Ann. § 413.245</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 5 years. <i>Ky. Rev. Stat. Ann. § 413.090(2)</i></li> <li>Oral: 5 years. <i>Ky. Rev. Stat. Ann. § 413.120(1)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Action against county on bonded obligation: 3 years. <i>Ky. Rev. Stat. Ann. §413.110(1)</i></li> <li>Action on state warrant: 2 years. <i>Ky. Rev. Stat. Ann. §413.110(2)</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	<ul style="list-style-type: none"> <li>Presumption of non-defectiveness if loss occurs 5 years after sale to consumer or 8 years after first manufactured. <i>Ky. Rev. Stat. Ann. § 411.310</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>7 years from substantial completion, or within 1 year if injury occurs during 7<sup>th</sup> year. <i>Ky. Rev. Stat. Ann. § 413.135</i>; but see <i>Perkins v. Northeastern Log Homes</i>, 808 S.W.2d 809 (Ky. 1991)(holding virtually identical predecessor statute unconstitutional because it violated Kentucky Constitution)</li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
LOUISIANA		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>1 year. <i>La. Civ. Code art. 3492</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>10 years. <i>La. Civ. Code art. 3499</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Claim presented to commissioner of administration within 2 years after accrual. <i>La. Rev. Stat. §39:339</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>Action can be brought within 5 yrs. after owner’s acceptance of work is registered in mortgage office or 5 yrs. from occupation or possession, if acceptance isn’t recorded w/in 6 months of occupation or possession. However, if injury occurs during 5th year after above event (i.e., registry of acceptance; ownership or possession), action may be brought w/in 1 yr. after injury, but in no event more than 6 yrs. after event.</li> <li><i>La. Rev. Stat. Ann. § 9:2772.</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
MAINE		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Torts: 6 years. <i>Me. Rev. Stat. Ann. 14 § 752</i></li> <li>Intentional Torts: 2 years. <i>Me. Rev. Stat. Ann. 14 § 753</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Oral and Written: 6 years. <i>Me. Rev. Stat. Ann.14 § 752</i></li> <li>Contracts for the Sale of Goods: 4 years. <i>Me. Rev. Stat. Ann. 11 § 2-725</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 180 days of claim’s accrual. <i>Me. Rev. Stat. Ann. 14 § 8107(1)</i></li> <li>Suit filed within 2 years. <i>Me. Rev. Stat. Ann. 14 § 8110</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>Architects and engineers: 4 years after discovery, in no event more than 10 years after substantial completion. <i>Me. Rev. Stat. Ann. 14 § 752-A</i></li> <li>Land surveyors: 4 years after discovery, in no event more than 20 years after completion of the plan. <i>Me. Rev. Stat. Ann. 14 § 752-D</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

Jurisdictions Comparative Chart: Limitations of Time and Notice Requirements for Commencement of Actions

MARYLAND		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>3 years. <i>Md. Code Ann. Cts. &amp; Jud. Proc. § 5-101</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>3 years. <i>Md. Code Ann. Cts. &amp; Jud. Proc. § 5-101</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 1 year of injury</li> <li>Action filed within 3 years of accrual. <i>Md. Code Ann. Cts. &amp; Jud. Proc. § 12-106</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>No claim for damages, contribution, or indemnity accrues if it occurs more than 20 years after improvement is first available for use. <i>Md. Code Ann. Cts. &amp; Jud. Proc. § 5-108(a)</i></li> <li>No action against architect or contractor accrues if it occurs more than 10 years after improvement is first available. <i>Md. Code Ann. Cts. &amp; Jud. Proc. § 5-108(b)</i></li> <li>An action must be filed within 3 years of the accrual of the cause of action. <i>Md. Code Ann. Cts. &amp; Jud. Proc. § 5-108(c)</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>For malpractice claims against licensed professionals including architects, designers, landscape architects, professional engineers and professional land surveyors, within 90 days of filing suit plaintiff must file a certificate from a qualified expert containing a statement that the licensed professional failed to meet an applicable standard of professional care. <i>Md. Code Ann. Cts. &amp; Jud. Proc. §3-2-C-02</i></li> </ul>
MASSACHUSETTS		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>3 years. <i>Mass. Gen. Laws ch. 260 § 2A</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written / Oral: 6 years. <i>Mass. Gen. Laws ch 260 § 2</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>All public entities: Written notice required within 2 years after the claim accrues. <i>Mass. Gen. Laws ch 258 § 4</i></li> <li>County / Municipality: 3 years after the claim accrues. <i>Mass. Gen. Laws ch 260 § 4</i></li> <li>Commonwealth: 3 years after the claim accrues. <i>Mass. Gen. Laws ch 260 § 3A</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>3 years from the date the claim accrues, however no more than 6 years after the earlier of the date of the opening of the improvement to use or substantial completion of the improvement. <i>Mass. Gen. Laws ch 260 § 2B</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
MICHIGAN		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Property Damage: 3 years. <i>Mich. Comp. L. Ann. § 600.5805(10)</i></li> <li>Professional Malpractice: 2 years, <i>Mich. Comp. L. Ann. §600.5805(6)</i>, or 6 months after discovery of claim <i>Mich. Comp. L. Ann. §600.5838(2)</i>, whichever is later.</li> <li>Action for Property Damage Caused By Automobile: 1 year. <i>Mich. Comp. L. Ann. §500.3145(2)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years. <i>Mich. Comp. L. Ann. § 600.5807(8)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>For claims against the state or state agencies, claims must be brought in the Court of Claims. <i>Mich. Comp. L. Ann. 600.6419</i>. For property damage or personal injury, Notice of Claim must be filed in Court of Claims within 6 months after event giving rise to cause of action § <i>Mich. Comp. L. Ann. § 600.6431(3)</i>. For all other claims, Notice of Claim must be filed within 1 year of accrual. <i>Mich. Comp. L. Ann. § 600.6431(1)</i>.</li> <li>The Government Liability for Negligence Act provides specific notice requirements for different types of claims against government entities, which could be as short as 45 days. See <i>Mich. Comp. L. Ann. §691.1401 §691.1419</i> .</li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>Claim must be brought within 3 years from date of injury; in the case of a product that has been in use for more than 10 years, the plaintiff will not have the benefit of any presumption in proving a prima facie case. <i>Mich. Comp. L. Ann. § 600.5805(13)</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>6 years after occupancy or acceptance, or 1 year after the defect is discovered if the claim based on gross negligence but in no event more than 10 years after occupancy or acceptance of the improvement. <i>Mich. Comp. L. Ann. § 600.5839</i>. See also <i>Beauregard-Bezou v. Pierce</i>, 487 N.W.2d 792 (Mich App. 1992)</li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals.</li> </ul>

MINNESOTA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>Minn. Stat. Ann. § 541.07</i></li> <li>Property Damage: 6 years. <i>Minn. Stat. Ann. § 541.05</i></li> <li>Product Liability: 4 years. <i>Minn. Stat. Ann. § 541.05</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years. <i>Minn. Stat. Ann. § 541.05(1)</i></li> <li>Notice of breach of statutory builders warranties must be given within 6 months after vendee or owner discovers or should have discovered loss or damage. <i>Minn. Stat. Ann. § 327A.03</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>State: Notice within 180 days of claim’s accrual. <i>Minn. Stat. Ann. § 3.736(5)</i></li> <li>Municipality: Notice within 180 days of claim’s accrual unless wrongful death claim, then notice within 1 year. <i>Minn. Stat. Ann. § 466.05</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>Cause of action must arise within 10 years after substantial completion; claim must be brought within 2 years after cause of action arises; in no event may a claim be brought more than 12 years after substantial completion. <i>Minn. Stat. Ann. § 541.051</i></li> <li>Note: Notice of breach of statutory builders warranties must be given within 6 months after vendee or owner discovers or should have discovered loss or damage. <i>Minn. Stat. Ann. § 327A.03</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>For actions against licensed attorney, licensed architect, certified public accountant, engineer, land surveyor or licensed landscape architect, within 60 days of commencing the action, plaintiff must serve an affidavit stating that the facts have been reviewed with an expert whose qualifications provide a reasonable expectation that the expert’s opinions will be admissible at trial, and that in the opinion of the expert, the defendant deviated from the standard of care. <i>Minn. Stat. Ann. § 544.42(6)</i>. The parties may agree to waive the affidavit. <i>Minn. Stat. Ann. § 544.42(3)(c)</i></li> </ul>
MISSISSIPPI		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Property Damage/Personal Injury: 3 years. <i>Miss. Code. Ann. § 15-1-49</i></li> <li>Intentional Torts: 1 year. <i>Miss. Code. Ann. § 15-1-35</i></li> <li>Medical Malpractice: 2 years but not more than 7 years after negligent act. <i>Miss. Code. Ann. § 15-1-36</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 3 years. <i>Miss. Code. Ann. § 15-1-49</i></li> <li>Oral: 3 years. <i>Miss. Code. Ann. § 15-1-29</i></li> <li>Unwritten employment contract: 1 year. <i>Miss. Code. Ann. § 15-1-29</i></li> <li>Sale of Goods: 6 years. <i>Miss. Code. Ann. § 75-2-725</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice of claim 90 days prior to filing suit; Suit commenced 1 year after the date of the actionable conduct. <i>Miss. Code. Ann. § 11-46-11</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>6 years after written acceptance or occupancy. <i>Miss. Code. Ann. § 15-1-41</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals.</li> </ul>
MISSOURI		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Property Damage: 5 years. <i>Mo. Ann. Stat. § 516.120</i></li> <li>Medical Malpractice: 2 years but not more than 10 years after negligent act. <i>Mo. Ann. Stat. § 516.105</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 10 years. <i>Mo. Ann. Stat. § 516.110(1)</i></li> <li>Oral: 5 years. <i>Mo. Ann. Stat. § 516.120(1)</i></li> </ul>
	Governmental	
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after completion. <i>Mo. Ann. Stat. § 516.097</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for actions against construction or design professionals</li> </ul>

<b>MONTANA</b>		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 3 years. <i>M.C.A. § 27-2-204</i></li> <li>Property Damage: 2 years. <i>M.C.A. § 27-2-207</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 8 years. <i>M.C.A. § 27-2-202(1)</i></li> <li>Oral: 5 years. <i>M.C.A. § 27-2-202(2)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice required within applicable statutory period; filing of notice tolls statute for 120 days; agency must accept or reject claim within 120 days; suit must be filed within 6 months following rejection. <i>M.C.A. § 2-9-301, 302; § 27-2-209</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after completion, but within 1 year if the claim arises in 10th year. <i>M.C.A. § 27-2-208</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
<b>NEBRASKA</b>		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 4 years. <i>§ 25-207</i></li> <li>Property Damage: 4 years. <i>§ 25-207</i></li> <li>Professional Malpractice: 2 years after act or 1 year after discovery of claim, but in no event more than 10 years after act. <i>§25-222</i></li> <li>Wrongful Death: 2 years. <i>§30-810</i></li> <li>Products Liability: 4 years from date of injury. <i>§25-224(1)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 5 years. <i>§ 25-205</i></li> <li>Oral: 4 years. <i>§ 25-206</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 2 years. <i>§ 81-8,227</i></li> <li>Suit must be filed within 2 years. <i>§25-218</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	<ul style="list-style-type: none"> <li>For products manufactured in Nebraska, 10 years after product was first sold or leased for use or consumption. For products manufactured outside of Nebraska, within the statute of repose for the state or country of manufacture but in no event less than ten years. <i>§ 25-224(2)(a)</i>.</li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>Within 4 years of act giving rise to claim, or if cause of action not reasonably discoverable within 4 years, then within 2 years after the act or deficiency reasonably should have been discovered but in no event more than 10 years after the act giving rise to the claim. <i>§ 25-223</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
<b>NEVADA</b>		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>N.R.S. § 11.190(4)(e)</i></li> <li>Property Damage: 3 years. <i>N.R.S. § 11.190(3)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 6 years. <i>N.R.S. §11.190(1)(b)</i></li> <li>Oral: 4 years. <i>N.R.S. § 11.190(2)(c)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>State Agencies: Written notice within 2 years. <i>N.R.S. § 41.036</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>Patent Defects: 6 years after substantial completion, but within 8 years if claim arises in 6th year. <i>N.R.S. § 11.205</i></li> <li>Latent Defects: 8 years after substantial completion, but within 10 years if claim arises in 8th year. <i>N.R.S. §11.204</i></li> <li>Known deficiencies: 10 years after substantial completion, but within 12 years if claim arises in 10th year. <i>N.R.S. §11.203</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>For claims against design professionals or person primarily engaged in the practice of professional engineering, land surveying, architecture or landscape architecture, at the time of the filing the complaint, the attorney must also file an affidavit stating that he has reviewed the facts of the case, consulted with an expert, reasonably believes the expert who was consulted is knowledgeable in the relevant discipline and has concluded based on consultation with the expert that the action has a reasonable basis in law and fact. <i>N.R.S. §40.6884</i></li> </ul>

NEW HAMPSHIRE		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>• 3 years, § 508:4</li> </ul>
	Contract	<ul style="list-style-type: none"> <li>• 3 years, § 508:4</li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>• Notice within 180 days; Suit within 3 years, § 541-B:14(IV)</li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>• Within 3 years of discovery of the injury, or 12 years after the manufacturer parted with possession or sold the product, whichever occurred last, § 507-D:2 [Held unconstitutional in <i>Heath v. Sears, Roebuck</i>, 464 A.2d 288 (N.H. 1983)]</li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>• 8 years from date of substantial completion, § 508:4-b</li> <li>• Note: Predecessor statute declared unconstitutional in <i>Antoniou v. Kenick</i>, 474 A.2d 566 (N.H. 1984)</li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>• There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
NEW JERSEY		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>• Personal Injury: 2 years. <i>N.J. Stat. Ann. § 2A:14-2</i></li> <li>• Property Damage: 6 years. <i>N.J. Stat. Ann. § 2A:14-1</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>• 6 years. <i>N.J. Stat. Ann. § 2A:14-1</i></li> <li>• Contracts for the Sale of Goods: 4 years. <i>N.J. Stat. Ann. § 12A:2-725</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>• Torts / Contracts: Notice of claim within 90 days of accrual; Suit within 2 years. <i>N.J. Stat. Ann. § 59:13-5, § 59:8-8</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>• 10 years after the performance of furnishing of services. <i>N.J. Stat. Ann. § 2A:14-1.1</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>• For claims against licensed professionals, within 60 days of defendant filing an answer, plaintiff must provide nan affidavit of an appropriate licensed person that there exists a reasonable probability that the care, skill or knowledge exercised or exhibited fell outside the acceptable professional or occupational standards or treatment practices. <i>N.J. Stat. Ann. § 2A:53A-27</i></li> </ul>
NEW MEXICO		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>• Personal Injury: 3 years. <i>N.M. Stat. Ann. § 37-1-8</i></li> <li>• Property Damage: 4 years. <i>N.M. Stat. Ann. § 37-1-4</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>• Written: 6 years. <i>N.M. Stat. Ann. § 37-1-3(a)</i></li> <li>• Oral: 4 years. <i>N.M. Stat. Ann. § 37-1-4</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>• State or County: Torts - 2 years <i>§41-4-15</i>; Contract – 2 years. <i>N.M. Stat. Ann. §37-1-23</i></li> <li>• Municipalities: Personal Injury - 1 year <i>§37-1-24</i>; Contract – 3 years <i>§37-1-24</i> ; Other Torts - 2 years. <i>N.M. Stat. Ann. §41-4-15</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>• 10 years after substantial completion. <i>N.M. Stat. Ann. § 37-1-27</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>• There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

NEW YORK		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 3 years. <i>CPLR § 214(5)</i></li> <li>Property Damage: 3 years. <i>CPLR § 214(4)</i></li> <li>Medical Malpractice: 2 ½ years. <i>CPLR § 214-a</i></li> <li>Non medical malpractice: 3 years. <i>CPLR § 214(6)</i></li> <li>Wrongful Death: 2 years (but 2 years and 6 months for 9/11 victims), <i>EPTL § 5-4.1</i></li> <li>Products Liability: 3 years from date of injury, <i>Heller v. Suzuki Motor Corp.</i>, 64 N.Y.2d 407 (1985)</li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years. <i>CPLR § 213</i></li> <li>Contracts for the Sale of Goods: 4 years. <i>UCC § 2-725</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>County: Notice within 90 days (<i>Gen M. § 50-e</i>), Suit within 1 year and 90 days or 2 years for wrongful death, (<i>Gen M. § 50-i</i>)</li> <li>City of New York: Notice within 90 days, Suit within 1 year and 90 days, (<i>Gen M. § 50-k</i>) Can file online through comptrollers office at <a href="http://www.comptroller.nyc.gov/bureaus/bla/e-filingclaim.shtml">www.comptroller.nyc.gov/bureaus/bla/e-filingclaim.shtml</a></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>For claims against architects and engineers. No statutory repose period. However, under the case law, if the claimant is in contractual privity, the cause of action accrues when the services are completed and must be commenced within 3 years of the completion of the services. <i>CPLR §214(4)</i>; <i>Frank v. Mazs Group</i>, 815 N.Y.S.2d 738 (2006). If not in privity, the action must be filed within 3 years of the date of loss; however, if the work occurred more than 10 years ago, the plaintiff must provide notice to the defendant in accordance with <i>CPLR §214-d</i>.</li> <li>For claims against contractors for defective construction, where there is privity of contract, the claim accrues at the time of the completion of the construction and must be brought within 6 years of the completion. <i>CPLR § 213</i>; <i>Cabrini Medical Center v. Desina</i>, 64 N.Y.2d 1059 (1985). If the claimant is not in contractual privity, the claim must be brought within 3 years of the injury. <i>CPLR § 214(4)(5)</i>.</li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
NORTH CAROLINA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 3 years. <i>N.C. Gen. Stat. § 1-52(16)</i></li> <li>Property Damage: 3 years. <i>N.C. Gen. Stat. § 1-52(16)</i></li> <li>Wrongful Death: 2 years. <i>N.C. Gen. Stat. §1-53(4)</i> . Provided that no tort action shall accrue more than 10 years from last act of defendant giving rise to cause of action. <i>N.C. Gen. Stat. §1-52 (16)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written / Oral: 3 years. <i>N.C. Gen. Stat. § 1-52(1)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Contract: 2 years. <i>N.C. Gen. Stat. §1-53(1)</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>12 years after date of initial purchase. <i>N.C. Gen. Stat. § 1-46.1</i> (effective 10/1/09 for causes of action accruing on or after that date. Prior limitation was 6 years)</li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>6 years after act giving rise to the claim or substantial completion, § 1-50(5)</li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is presently no certificate of merit required for claims against design professionals or contractors but there is legislation pending that would require a certificate of merit for claims against design professionals.</li> </ul>

NORTH DAKOTA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 6 years. <i>N.D. Code § 28-01-16(5)</i></li> <li>Property Damage: 6 years. <i>N.D. Code §28-01-16(4)</i></li> <li>Wrongful Death: 2 years. <i>N.D. Code §28-01-18(4)</i></li> <li>Medical Malpractice: 2 years but not more than 6 years after negligent act. <i>N.D. Code §28-01-18(3)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years. <i>N.D. Code § 28-01-16(1)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>State Agencies: 3 years, § 28-01-22.1</li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>10 years from date of purchase or 11 years from date of manufacture. <i>N.D. Code§ 28-01.3-08(1)</i> [Declared unconstitutional by North Dakota Supreme Court in <i>Dickie v. Farmers Union Oil Company of LaMoure</i>, 2000 ND 111, 611 N.W.2d 168 (2000) (Personal Injury Action)]</li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after substantial completion, but within 12 years if claim arises within 10th year. <i>N.D. Code § 28-01-44</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
OHIO		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>Ohio Rev. Code Ann. § 2305.10</i></li> <li>Personal Property Damage: 2 years. <i>Ohio Rev. Code Ann. § 2305.10</i></li> <li>Real Property Damage: 4 years. <i>Ohio Rev. Code Ann. § 2305.09</i></li> <li>All Causes of Action Arising from Product Liability: 2 years. <i>Ohio Rev. Code Ann. §2305.10</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 15 years. <i>Ohio Rev. Code Ann. § 2305.06</i></li> <li>Oral: 6 years. <i>Ohio Rev. Code Ann. § 2305.07</i></li> <li>Sale of goods: 4 years. <i>Ohio Rev. Code Ann. §1302.98</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Political Subdivision: 2 years from claim’s accrual or within any applicable shorter period of time for bringing the action provided by the Revised Code. <i>Ohio Rev. Code Ann. § 2744.04(A)</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>10 years from date of delivery to first purchaser, or within 2 years if the cause of action accrues in the 8<sup>th</sup> or 9<sup>th</sup> year. <i>Ohio Rev. Code Ann. §2305.10</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after substantial completion, or within 2 years if the cause of action accrues in the 8<sup>th</sup> or 9<sup>th</sup> year. <i>Ohio Rev. Code Ann. §2305.131</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
OKLAHOMA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>Okla. Stat. Tit. 12 § 95(3)</i></li> <li>Property Damage: 2 years. <i>Okla. Stat. Tit. 12 § 95(3)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 5 years. <i>Okla. Stat. Tit. 12 § 95(A)(2)</i></li> <li>Oral: 3 years. <i>Okla. Stat. Tit. 12 § 95(A)(1)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 1 year from date or loss or injury. <i>Okla. Stat. Tit. 51 § 156 (B)</i>. Action must be commenced within 180 days after denial of claim. <i>Okla. Stat. Tit. 51 § 156 (E)</i>.</li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after substantial completion. <i>Okla. Stat. Tit. 12 § 109</i></li> <li>Statute of repose also protects manufacturers to the extent that they engage in activities enumerated in §109. <i>Ball v. Harnischfeger</i>, 877 P.2d 45 (1994)</li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

OREGON		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>O.R.S. § 12.110(1)</i></li> <li>Wrongful Death: 3 years. <i>O.R.S §30.020</i></li> <li>Professional Malpractice: 2 years from discovery or when should have been discovered and in no event later than 5 years from date of wrongful act. <i>O.R.S § 12.110(4)</i></li> <li>Property Damage: 6 years. <i>O.R.S § 12.080(3)</i></li> <li>Negligence action must be commenced within 10 years after negligent act. <i>O.R.S §12.115</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years. <i>O.R.S § 12.080(1)</i></li> <li>Contracts for the Sale of Goods: 4 years. <i>O.R.S § 72.7250</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 180 days of injury or 1 year for wrongful death; suit within 2 years. <i>O.R.S § 30.275</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>10 years after date of first purchase or before the date of the expiration of the statute of repose for the state/country where the product was manufactured but claim must be brought within 2 years of date of accrual. <i>O.R.S § 30.905(1), (2)</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>For structures owned or maintained by homeowners or homeowners association, 10 years after substantial completion and within 2 years of date of injury. <i>O.R.S. § 12.135(1)(b)</i></li> <li>For large commercial structures not maintained by homeowners association, 6 years after substantial completion and within 2 years of the date of injury. <i>O.R.S. § 12.135(1)(c)</i></li> <li>For design professionals, within 10 years of substantial completion and within 2 years of the date of injury. <i>O.R.S. § 12.135(3)</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>Complaints against design professionals must contain a certification/affidavit. <i>O.R.S. § 31.300</i></li> </ul>
PENNSYLVANIA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Property Damage: 2 years. <i>42 Pa. Cons. Stat. § 5524</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 4 years. <i>42 Pa. Cons. Stat. § 5525(8)</i></li> <li>Oral: 4 years. <i>42Pa. Cons. Stat. § 5525(3)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 6 months of claim’s accrual. <i>42 Pa. Cons. Stat. § 5522</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>12 years, but if claim arises between 10 and 12 years after substantial completion, then suit must be brought within 14 years. <i>42 Pa. Cons. Stat. § 5536</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>In any action against a licensed professional, within 60 days of filing the complaint, the attorney must file a certificate of merit signed by the attorney that either (1) an appropriate licensed professional has supplied a written statement that there exists a reasonable probability that the care, skill and knowledge exercised or exhibited fell outside acceptable professional standards, or (2) the claims against defendant are based solely on allegation that other licensed professionals for whom defendant is responsible deviated from the standard of care, or (3) expert testimony of an appropriate licensed professional is unnecessary for the prosecution of the claim. <i>231 Pa. Cons. Stat. §1042.1</i></li> </ul>
PUERTO RICO		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Property Damage: 1 year, § 31-5141 and § 31-5298</li> </ul>
	Contract	<ul style="list-style-type: none"> <li>15 years, § 31-3018 and § 31-5294</li> </ul>
	Governmental	
Statutes of Repose:	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after completion of construction, § 31-4124</li> </ul>



RHODE ISLAND		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 3 years. <i>R.I. Gen. Laws § 9-1-14</i></li> <li>Property Damage: 10 years. <i>R.I. Gen. Laws § 9-1-13</i></li> <li>Professional Malpractice: 3 years. <i>R.I. Gen. Laws § 9-1-14.1</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written and Oral: 10 years. <i>R.I. Gen. Laws § 9-1-13</i></li> <li>Contracts under seal: 20 years. <i>R.I. Gen. Laws § 9-1-17</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>3 years from claim’s accrual. <i>R.I. Gen. Laws § 9-1-25</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>10 years after date product first purchased. <i>R.I. Gen. Laws § 9-1-13</i> [Declared unconstitutional in <i>Kennedy v. Cumberland Engineering</i>, 471 A.2d 195 (R.I. 1984)]</li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after substantial completion. <i>R.I. Gen. Laws § 9-1-29</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
SOUTH CAROLINA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>All torts except libel, slander, assault, battery and certain medical negligence actions: 3 years.</li> <li><i>S.C. Code § 15-3-530</i></li> <li>Property Damage: 3 years. <i>S.C. Code § 15-3-530</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>3 years. <i>S.C. Code § 15-3-530(1)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>2 years after loss unless claim filed, then 3 years. <i>S.C. Code § 15-78-110</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>8 years after substantial completion (13 years where substantial completion occurred before July 1, 2005), § 15-3-640</li> <li>Note: Predecessor statute held unconstitutional in <i>Broome v. Truluck</i>, 241 S.E.2d 739 (S.C. 1978)</li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>For claims for professional negligence against licensed professionals, the plaintiff must file an affidavit from an expert competent to testify setting forth at least one specific negligent act or omission and the factual basis for the claim along with the complaint. This requirement applies to claims against architects, land surveyors, professional engineers, medical professionals and various other professionals. <i>S.C. Code § 15-36-100</i></li> </ul>
SOUTH DAKOTA		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 3 years. <i>S.D. Codified Laws § 15-2-14</i></li> <li>Property Damage: 6 years. <i>S.D. Codified Laws § 15-2-13</i></li> <li>Product Liability: 3 years. <i>S.D. Codified Laws §15-2-12.2</i></li> <li>Medical Malpractice: 2 years. <i>S.D. Codified Laws §15-2-14.1</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years. <i>S.D. Codified Laws § 15-2-13</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 180 days of injury. <i>S.D. Codified Laws § 3-21-2</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after substantial completion, but within 1 year if claim arises in 10th year. <i>S.D. Codified Laws §15-2A-1 and 5</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

TENNESSEE		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 1 year. <i>Tenn. Code Ann. § 28-3-104</i></li> <li>Property Damage: 3 years. <i>Tenn. Code Ann. § 28-3-105</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years. <i>Tenn. Code Ann. § 28-3-109</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Action must be brought within 12 months of when the cause of action arose. <i>Tenn. Code Ann. § 29-20-305</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>6 years from date of injury, but in no event longer than 10 years from date of purchase, or within one year after the expiration of the anticipated life, whichever is shorter. <i>Tenn. Code Ann. § 29-28-103</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>4 years after substantial completion. <i>Tenn. Code Ann. § 28-3-202</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
TEXAS		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Property Damage: 2 years. <i>Tex. Civ. Prac. Rem Code § 16.003</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>4 years. <i>Tex. Civ. Prac. Rem Code § 16.051</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice to governmental unit required within 6 months (subject to actions against municipalities having a shorter notice period pursuant to city charter or ordinance). <i>Tex. Civ. Prac. Rem Code § 101.101</i></li> </ul>
Statutes of Repose	Product Liability	<ul style="list-style-type: none"> <li>15 years after the date of sale. <i>Tex. Civ. Prac. Rem Code § 16.012</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>Architects, engineers, and interior designers: 10 years after substantial completion, or, if written claim presented within 10 years, within 2 years from the day claim presented. <i>Tex. Civ. Prac. Rem Code § 16.008</i></li> <li>Person who constructs or repairs: 10 years after substantial completion, 2 additional years if written claim presented or if loss occurs during 10<sup>th</sup> year. <i>Tex. Civ. Prac. Rem Code § 16.009</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>For claims against any licensed professional engineer, landscape architect or landscape surveyor, plaintiff must file with the complaint, an affidavit of a third party Texas licensed professional who is competent to testify, hold the same professional license or designation as the defendant, and is knowledgeable in the area of practice of the defendant. The affidavit must set forth the specific theory of recovery, the negligence or other action, error or omission. <i>Tex. Civ. Prac. Rem Code § 150.002(b)</i></li> </ul>
UTAH		
Statutes of Limitation	Torts	<ul style="list-style-type: none"> <li>Personal Property Damage: 3 years. <i>Utah Code Ann. § 78B-2-305</i></li> <li>Real Property Damage: 2 years. <i>Utah Code Ann. § 78B-2-225</i></li> <li>Wrongful Death: 2 years. <i>Utah Code Ann. § 78B-2-304</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 6 years. <i>Utah Code Ann. § 78B-2-309</i></li> <li>Oral: 4 years. <i>Utah Code Ann. § 78B-2-307</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Government Agencies: Written notice within 1 year. <i>Utah Code Ann. § 63-30d-402</i></li> <li>Suit must be brought within 1 year after denial of claim. <i>Utah Code Ann. § 63-30d-403</i></li> <li>County and City Agencies: 1 year after rejection of claim. <i>Utah Code Ann. § 78B-2-303</i></li> </ul>
Statutes of Repose	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>6 years from the date of completion if based upon contract or warranty claim, unless contract provides different period. <i>Utah Code Ann. § 78B-2-225(2)(e)(3)</i>. Otherwise, 9 years after completion. <i>Utah Code Ann. § 78B-2-225(2)(e)(4)</i></li> </ul>
Certificate of Merit Requirement		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

VERMONT		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 3 years. <i>Vt. Stat. Ann. Tit. 12 § 512(4)</i></li> <li>Medical Malpractice: 3 years from date of incident or 2 years from discovery of claim, but in no event later than 7 years from date of incident. <i>Vt. Stat. Ann. Tit. 12 § 521</i></li> <li>Personal Property Damage: 3 years. <i>Vt. Stat. Ann. Tit. 12 § 512(5)</i></li> <li>Real Property Damage: 6 years. <i>Vt. Stat. Ann. Tit. 12 § 511</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years. <i>Vt. Stat. Ann. Tit 12 § 511</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li><i>Small claims actions against the State must be filed within 18 months. Vt. Stat. Ann. Tit § 32-932</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	
	Construction of Real Property	
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
VIRGIN ISLANDS		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years, 5 § 31(5)(A)</li> <li>Personal Property Damage: 6 years, 5 § 31(3)(D)</li> <li>Real Property Damage: 6 years for action for waste or trespass upon real property, 5 § 31(3)(C)</li> <li>Product Liability: 2 years, 5 § 31(5)(A)</li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years, 5 § 31(3)(A)</li> </ul>
	Governmental	
<b>Statutes of Repose</b> Damage Based Upon:	Product Liability	
	Construction of Real Property	
<b>Certificate of Merit Requirement</b>		
VIRGINIA		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 2 years. <i>Va. Code Ann. § 8.01-243(A)</i></li> <li>Property Damage: 5 years. <i>Va. Code Ann. § 8.01-243(B)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 5 years. <i>Va. Code Ann. § 8.01-246</i></li> <li>Oral: 3 years. <i>Va. Code Ann. § 8.01-246</i></li> <li>Sale of Goods: 4 years. <i>Va. Code Ann. § 8.2-725(1)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>For claims against State entities, notice within 1 year of claim’s accrual, Suit within 18 months of notice. <i>Va. Code Ann. § 8.01-195.7</i></li> <li>For claims against counties, cities or towns, notice within 6 months of accrual. <i>Va. Code Ann. § 15.2-209</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>5 years after performance of services. <i>Va. Code Ann. § 8.01-250</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

WASHINGTON		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 3 years. <i>R.C.W. § 4.16.080(2)</i></li> <li>Personal Property Damage: 3 years. <i>R.C.W. § 4.16.080(1)(2)</i></li> <li>Real Property Damage: 2 years. <i>R.C.W. § 4.16.130; Will v. Frontier Contractors, 121 Wash.App. 119, 89 P.3d 242 (2004)</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 6 years. <i>R.C.W. § 4.16.040(1)</i></li> <li>Oral: 3 years. <i>R.C.W. § 4.16.080(3)</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Written notice within applicable limitations period plus 60 day waiting period prior to filing suit. <i>R.C.W. § 4.96.020(4)</i></li> </ul>
<b>Statutes of Repose</b>	Product Liability	<ul style="list-style-type: none"> <li>12 year presumption of “useful safe life”. <i>R.C.W. § 7.72.060(2)</i></li> <li>No claim may be brought more than 3 years from time harm and its cause discovered. <i>R.C.W. § 7.72.060(3)</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>Claim must accrue within 6 years of substantial completion or within 6 years of termination of services, whichever is later. and must be brought within applicable statute of limitations. <i>R.C.W. § 4.16.310</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
WEST VIRGINIA		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury / Property Damage: 2 years. <i>W. Va. Code § 55-2-12</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 10 years. <i>W. Va. Code § 55-2-6</i></li> <li>Oral: 5 years. <i>W. Va. Code § 55-2-6</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>2 years after cause of action accrues. <i>W. Va. Code § 29-12A-6(a)</i></li> </ul>
<b>Statutes of Repose</b> Damage Based Upon:	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after occupancy or acceptance by owner. <i>W. Va. Code § 55-2-6a</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>
WISCONSIN		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 3 years. <i>Wis. Stat. § 893.54</i></li> <li>Property Damage: 6 years. <i>Wis. Stat. § 893.52</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>6 years. <i>Wis. Stat. § 893.43</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Notice within 120 days of claim’s accrual. <i>Wis. Stat. § 893.82</i></li> <li>Suit within 3 years of notice. <i>Wis. Stat. § 893.70</i></li> </ul>
<b>Statutes of Repose</b> Damage Based Upon:	Product Liability	<ul style="list-style-type: none"> <li>For strict liability claim, 15 years from the date of manufacture unless there is a specific representation that the product will last longer than that. <i>Wis. Stat. § 895.047(5)</i></li> <li>For negligence claims, 25 years from the date of manufacture <i>Wis. Stat. § 895.046(5)</i></li> </ul>
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years from the date of substantial completion. <i>Wis. Stat. § 893.89</i></li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

WYOMING		
<b>Statutes of Limitation</b>	Torts	<ul style="list-style-type: none"> <li>Personal Injury: 4 years. <i>Wyo. Stat. Ann. § 1-3-105</i></li> <li>Property Damage: 4 years. <i>Wyo. Stat. Ann. § 1-3-105</i></li> <li>Medical Malpractice: 2 years. <i>Wyo. Stat. Ann. §1-3-107</i></li> </ul>
	Contract	<ul style="list-style-type: none"> <li>Written: 10 years. <i>Wyo. Stat. Ann. § 1-3-105</i></li> <li>Oral: 8 years. <i>Wyo. Stat. Ann. § 1-3-105</i></li> </ul>
	Governmental	<ul style="list-style-type: none"> <li>Governmental Agencies: Written notice within 2 years. <i>Wyo. Stat. Ann. § 1-39-113</i></li> <li>Suit filed within 1 year of written notice. <i>Wyo. Stat. Ann. § 1-39-114</i></li> </ul>
<b>Statutes of Repose</b> Damage Based Upon:	Product Liability	
	Construction of Real Property	<ul style="list-style-type: none"> <li>10 years after substantial completion. <i>Wyo. Stat. Ann. § 1-3-111</i></li> <li>If injury to property occurs during ninth year after substantial completion, action may be brought within one year after date of loss)</li> </ul>
<b>Certificate of Merit Requirement</b>		<ul style="list-style-type: none"> <li>There is no requirement for filing a certificate or affidavit of merit for claims against design or construction professionals</li> </ul>

**Note:** This document is intended to provide a general overview of the laws enacted in each state. Many of the statutes listed are complex, and do not lend themselves to a concise summary. Also, while we have made every effort to verify the accuracy of the materials summarized as of the date indicated, these statutes and cases are subject to revision, amendment and modification, as well as to differing court interpretations. It therefore is intended that this document should serve only as a guideline, for purposes of general reference, and is not a substitute for legal advice from a qualified attorney. Please feel free to contact any Cozen O'Connor attorney for additional information and assistance. Note, also, this chart does not cover automobile no-fault statutes, which may provide a different period of limitation than the ones summarized in this chart.

The certificate of merit section of this chart only addresses claims against design or construction professionals. Many jurisdictions have separate certificate of merit statutes for medical malpractice claims. This chart does not list certificate of merit statutes for medical malpractice claims.