

FIRST REGULAR SESSION

# SENATE BILL NO. 3

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

0851S.01H

ADRIANE D. CROUSE, Secretary

## AN ACT

To repeal sections 516.120 and 516.140, RSMo, and to enact in lieu thereof two new sections relating to the statute of limitations for personal injury claims.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 516.120 and 516.140, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 516.120 and 516.140, to read as follows:

516.120. Within five years:

2 (1) All actions upon contracts, obligations or  
3 liabilities, express or implied, except those mentioned in  
4 section 516.110, and except upon judgments or decrees of a  
5 court of record, and except where a different time is herein  
6 limited;

7 (2) An action upon a liability created by a statute  
8 other than a penalty or forfeiture;

9 (3) An action for trespass on real estate;

10 (4) An action for taking, detaining or injuring any  
11 goods or chattels, including actions for the recovery of  
12 specific personal property[, or for any other injury to the  
13 person or rights of another, not arising on contract and not  
14 herein otherwise enumerated];

15 (5) An action for relief on the ground of fraud, the  
16 cause of action in such case to be deemed not to have  
17 accrued until the discovery by the aggrieved party, at any  
18 time within ten years, of the facts constituting the fraud.

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

516.140. Within two years:

2       **(1)** An action for libel, slander, injurious falsehood,  
3 assault, battery, false imprisonment, criminal conversation,  
4 malicious prosecution or actions brought under section  
5 290.140[.];

6       **(2)** An action by an employee for the payment of unpaid  
7 minimum wages, unpaid overtime compensation or liquidated  
8 damages by reason of the nonpayment of minimum wages or  
9 overtime compensation, and for the recovery of any amount  
10 under and by virtue of the provisions of the Fair Labor  
11 Standards Act of 1938 and amendments thereto, such act being  
12 an act of Congress, shall be brought within two years after  
13 the cause accrued;

14       **(3) An action for any injury to the person or rights**  
15 **of another, not arising on contract and not otherwise**  
16 **provided for by law, including actions for personal injury**  
17 **or bodily injury.**

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