

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/SCS/Senate Bill No. 631, Page 1, Section A, Line 4,

2 by inserting after all of said line the following:

3 "516.110. Within ten years:

4 (1) An action upon any writing, whether sealed or  
5 unsealed, for the payment of money or property;

6 (2) Actions brought on any covenant of warranty  
7 contained in any deed of conveyance of land shall be brought  
8 within ten years next after there shall have been a final  
9 decision against the title of the covenantor in such deed,  
10 and actions on any covenant of seizin contained in any such  
11 deed shall be brought within ten years after the cause of  
12 such action shall accrue;

13 (3) Actions for relief, not herein otherwise provided  
14 for;.

15 (4) All actions upon contracts, obligations or  
16 liabilities, express or implied, except those mentioned in  
17 section 516.110, and except upon judgments or decrees of a  
18 court of record, and except where a different time is herein  
19 limited;

20 (5) An action upon a liability created by a statute  
21 other than a penalty or forfeiture;

22 (6) An action for trespass on real estate;

23 (7) An action for taking, detaining or injuring any  
24 goods or chattels, including actions for the recovery of  
25 specific personal property, or for any other injury to the

26 person or rights of another, not arising on contract and not  
27 herein otherwise enumerated;

28 (8) An action for relief on the ground of fraud, the  
29 cause of action in such case to be deemed not to have  
30 accrued until the discovery by the aggrieved party, at any  
31 time within ten years, of the facts constituting the fraud;

32 (9) An action against a sheriff, coroner or other  
33 officer, upon a liability incurred by the doing of an act in  
34 his official capacity and in virtue of his office, or by the  
35 omission of an official duty, including the nonpayment of  
36 money collected upon an execution or otherwise;

37 (10) An action upon a statute for a penalty or  
38 forfeiture, where the action is given to the party  
39 aggrieved, or to such party and the state;

40 (11) An action under section 290.300;

41 (12) An action for libel, slander, injurious  
42 falsehood, assault, battery, false imprisonment, criminal  
43 conversation, malicious prosecution or actions brought under  
44 section 290.140;

45 (13) An action by an employee for the payment of  
46 unpaid minimum wages, unpaid overtime compensation or  
47 liquidated damages by reason of the nonpayment of minimum  
48 wages or overtime compensation, and for the recovery of any  
49 amount under and by virtue of the provisions of the Fair  
50 Labor Standards Act of 1938 and amendments thereto; or

51 (14) All actions brought by an offender, as defined in  
52 section 217.010, against the department of corrections or  
53 any entity or division thereof, or any employee or former  
54 employee for an act in an official capacity, or by the  
55 omission of an official duty."; and

56 Further amend said bill, pages 1-2, section 516.120, by  
57 striking all of said section; and

58 Further amend said bill, page 2, section 516.125, by  
59 striking all of said section; and

60 Further amend said bill, page 4, section 556.036, line  
61 76, by inserting after all of said line the following:

62 "[516.120. Within five years:

63 (1) All actions upon contracts,  
64 obligations or liabilities, express or implied,  
65 except those mentioned in section 516.110, and  
66 except upon judgments or decrees of a court of  
67 record, and except where a different time is  
68 herein limited;

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

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

72 (4) An action for taking, detaining or  
73 injuring any goods or chattels, including  
74 actions for the recovery of specific personal  
75 property, or for any other injury to the person  
76 or rights of another, not arising on contract  
77 and not herein otherwise enumerated;

78 (5) An action for relief on the ground of  
79 fraud, the cause of action in such case to be  
80 deemed not to have accrued until the discovery  
81 by the aggrieved party, at any time within ten  
82 years, of the facts constituting the fraud.]

83 [516.130. Within three years:

84 (1) An action against a sheriff, coroner  
85 or other officer, upon a liability incurred by  
86 the doing of an act in his official capacity and  
87 in virtue of his office, or by the omission of  
88 an official duty, including the nonpayment of  
89 money collected upon an execution or otherwise;

90 (2) An action upon a statute for a penalty  
91 or forfeiture, where the action is given to the  
92 party aggrieved, or to such party and the state;

93 (3) An action under section 290.300.]

94 [516.140. Within two years: an action for  
95 libel, slander, injurious falsehood, assault,  
96 battery, false imprisonment, criminal  
97 conversation, malicious prosecution or actions  
98 brought under section 290.140. An action by an  
99 employee for the payment of unpaid minimum  
100 wages, unpaid overtime compensation or  
101 liquidated damages by reason of the nonpayment  
102 of minimum wages or overtime compensation, and  
103 for the recovery of any amount under and by  
104 virtue of the provisions of the Fair Labor  
105 Standards Act of 1938 and amendments thereto,  
106 such act being an act of Congress, shall be  
107 brought within two years after the cause  
108 accrued.]

109           [516.145. Within one year: all actions  
110 brought by an offender, as defined in section  
111 217.010, against the department of corrections  
112 or any entity or division thereof, or any  
113 employee or former employee for an act in an  
114 official capacity, or by the omission of an  
115 official duty.]" ; and

116 Further amend the title and enacting clause accordingly.