

FIRST REGULAR SESSION

# HOUSE BILL NO. 855

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEGROOT.

1981H.011

DANA RADEMAN MILLER, Chief Clerk

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Section A. Sections 516.120 and 516.140, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 516.120 and 516.140, to read as follows:

516.120. Within five years:

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

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

(3) An action for trespass on real estate;

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

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

516.140. Within two years:

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

(2) An action by an employee for the payment of unpaid minimum wages, unpaid overtime compensation or liquidated damages by reason of the nonpayment of minimum wages

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

6 or overtime compensation, and for the recovery of any amount under and by virtue of the  
7 provisions of the Fair Labor Standards Act of 1938 and amendments thereto, such act being an  
8 act of Congress, shall be brought within two years after the cause accrued;

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

✓