

FLORIDA STATUTES OF LIMITATIONS

<u>Claim Type/Section</u>	<u>Statute Period</u>
Specific Performance of a Contract Fla. Stat. § 95.11(5)(a)	One year for an action for specific performance of a contract.

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<u>Claim Type/Section</u>	<u>Statute Period</u>
Medical Malpractice Fla. Stat § 95.11(4)(b)	Two years from the time the incident giving rise to the action occurred, or two years from the time the incident should have been discovered with due diligence. In no event shall the action be commenced later than four years from the date of the incident or occurrence out of which the cause of action occurred.
Wrongful Death Fla. Stat. § 95.11(4)(d)	Two years for an action for wrongful death.
Libel or Slander Fla. Stat. § 95.11(4)(g)	Two years for an action for libel or slander.

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<u>Claim Type/Section</u>	<u>Statute Period</u>
Bodily Injury due to Negligence Fla. Stat. § 95.11(3)(a)	Four years for an action founded on negligence.
Personal Property damage due to Negligence Fla. Stat. § 95.11(3)(a)	Four years for an action founded on negligence.
Trespass to Property Fla. Stat. § 95.11(3)(g)	Four years for an action for trespass on real property.
Fraud Fla. Stat. § 95.031(2)(a)	For an action founded on fraud, four years, with the period running from the time the facts giving rise to the cause of action were discovered or should have been discovered with the exercise of due diligence. In any event, an action for fraud must be begun within twelve years after the date of the commission of the alleged fraud.
Breach of Contract not in Writing Fla. Stat. § 95.11(3)(k)	Four years for an action on a contract not founded on a written instrument.
Assault and Battery Fla. Stat. § 95.11(3)(o)	Four years for an action for assault and battery.
Malicious Prosecution Fla. Stat. § 95.11(3)(o)	Four years for an action for malicious prosecution.
Statutorily Created Liability Fla. Stat. § 95.11(3)(f)	Four years for an action founded on a statutory liability.
Rights not Otherwise Provided for Fla. Stat. § 95.11(3)(p)	Four years for any action not specifically provided for.

Products Liability
Fla. Stat. § 95.11(3)(e),
Fla. Stat. § 95.031(2)(b)

Four years for an action founded on the design, manufacture, distribution or sale of personal property not permanently incorporated into real property. Under no circumstances may a claimant commence an action for products liability to recover for harm allegedly caused by a product with an expected useful life of ten years or less, if the harm was caused by exposure to or use of the product more than twelve years after delivery of the product to its first purchaser or lessee who was not engaged in the business of selling or leasing the product or of using the product as a component in the manufacture of another product.

Claim Type/Section

Statute Period

Contract in Writing
Fla. Stat. § 95.11(2)(b)

Five years for an action on a contract founded on a written instrument.

Foreclosure of Mortgage
Fla. Stat. § 95.11(2)(c)

Five years for an action to foreclose a mortgage.

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Claim Type/Section

Statute Period

Bad Faith
Fla. Stat. § 624.155

As a condition precedent to bringing an action of bad faith, an insurer must have been given sixty (60) days written notice of the violation. No action shall lie if, within sixty (60) days after filing notice, the damages are paid or the circumstances giving rise to the violation are corrected.

Minor's Claims
Fla. Stat. § 95.051(1)(h)

Except as to claims of medical malpractice, the statute of limitations does not begin to run until the minor reaches the age of majority. In any case, the action must be begun within seven years after the act or event giving rise to the cause of action.

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