

KENTUCKY STATUTES OF LIMITATIONS

<u>Claim Type/Section</u>	<u>Statute Period</u>
Assault and Battery K.R.S. § 413.140(a)	One year from the date of assault and battery.
Bodily Injury Claims Other than from Automobile Accidents K.R.S. § 413.140(a)	One year from the date of injury. This statute applies to injuries caused by acts of negligence as well as those caused by intentional acts. This statute does not apply to bodily injuries stemming from automobile accidents.
Loss of Consortium K.R.S. § 413.140(a)	One year from the date of the incident.
Medical Malpractice K.R.S. § 413.140(e)	One year from the time the injury is first discovered or in the exercise of reasonable care should have been discovered. Any action must still be commenced within five years from the date the alleged act of negligence occurred.
Malicious Prosecution K.R.S. § 413.140(c)	One year from the date of the incident.
Libel, Defamation, or Slander K.R.S. § 413.140(d)	One year from the date of the incident.
Wrongful Death K.R.S. § 413.180(2)	If a person dies before the expiration of the applicable statute of limitations, the action may still be brought by their personal representative so long as it is commenced within one year of the appointment of the representative.
Product Liability K.R.S. § 413.140(a)	One year from the date of the bodily injury.

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Claim Type/Section

Statute Period

Bodily Injuries from
Automobile Accident
K.R.S. § 304.39–230

Two years from the date of the accident or two years from the date of the last no-fault payment. Survivors and beneficiaries of a decedent have two years to make a claim for wrongful death.

Damage to Personal
Property
K.R.S. § 413.125

Two years from the date of injury or damage.

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Claim Type/Section

Statute Period

Product Liability
K.R.S. §355.2-725

Four years from when the breach occurs, regardless of the aggrieved party's lack of knowledge of the breach if brought under a theory of breach of warranty.

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Claim Type/Section

Statute Period

Breach of Contracts
Not in Writing
K.R.S. §413.120(1)

Five years from the date the contract was breached.

Trespass on Real or
Personal Property
K.R.S. § 413.120(4)

Five years from the date of injury or damage.

Fraud
K.R.S. § 413.120(11)

Five years from the date the fraud was discovered, but per K.R.S. § 413.130 no more than ten years after the date the fraud was perpetrated.

Intentional Infliction of
Emotional Distress
K.R.S. § 413.120

Five years from the date of the incident.

Bodily Injury Claims
Against the Builder of
a Home or a Person
Making Improvements
to a Home
K.R.S. § 413.120(13)

This cause of action accrues at the time of original occupancy of the home, or occupancy after the improvements in question were made.

Statutory Claims
K.R.S. § 413.120(2)

This applies to all claims for liability based upon a statute where no statute of limitations is provided by statute.

Bad Faith
K.R.S. § 413.120(7)

Five years from the alleged act of bad faith, (when coverage is denied).

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Claim Type/Section

Statute Period

Actions Upon Written
Contracts(Pre-July 15,
2014)
K.R.S. § 413.090

Fifteen years from the date of the breach.

Actions Upon Written
Contract
(Post-July 15, 2014)
K.R.S. §413.160

Ten years from cause of action accruing.

Claims of Minors and
Incompetents
K.R.S. § 413.170

The statute of limitations does not begin to run until the minor reaches the age of majority or the incompetent plaintiff becomes competent.

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