

SECOND REGULAR SESSION

# HOUSE BILL NO. 2793

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ANDERSON.

6188H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal sections 516.110, 516.120, and 516.140, RSMo, and to enact in lieu thereof three new sections relating to the statute of limitations for certain debts.

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

Section A. Sections 516.110, 516.120, and 516.140, RSMo, are repealed and three  
2 new sections enacted in lieu thereof, to be known as sections 516.110, 516.120, and 516.140,  
3 to read as follows:

516.110. Within ten years:

2 (1) An action upon any writing, whether sealed or unsealed, for the payment of  
3 money or property, **except the collection of debt to recover money owed to a creditor by a**  
4 **debtor;**

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

10 (3) Actions for relief, not herein otherwise provided for.

516.120. Within five years:

2 (1) All actions upon contracts, obligations or liabilities, express or implied, except:

3 (a) Those mentioned in section 516.110~~[-and except];~~

4 (b) Upon judgments or decrees of a court of record~~[-and except];~~

5 (c) Where a different time is herein limited; **and**

6 (d) **The collection of credit card debt;**

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.

7           (2) **An action upon any writing, whether sealed or unsealed, for the payment of**  
8 **money or property involving the collection of debt to recover money owed to a creditor**  
9 **by a debtor;**

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

11           ~~[(3)]~~ (4) An action for trespass on real estate;

12           ~~[(4)]~~ (5) An action for taking, detaining or injuring any goods or chattels, including  
13 actions for the recovery of specific personal property, or for any other injury to the person or  
14 rights of another, not arising on contract and not herein otherwise enumerated;

15           ~~[(5)]~~ (6) An action for relief on the ground of fraud, the cause of action in such case to  
16 be deemed not to have accrued until the discovery by the aggrieved party, at any time within  
17 ten years, of the facts constituting the fraud.

          516.140. Within two years: an action for libel, slander, injurious falsehood, assault,  
2 battery, false imprisonment, criminal conversation, malicious prosecution or actions brought  
3 under section 290.140. An action by an employee for the payment of unpaid minimum  
4 wages, unpaid overtime compensation or liquidated damages by reason of the nonpayment of  
5 minimum wages or overtime compensation, and for the recovery of any amount under and by  
6 virtue of the provisions of the Fair Labor Standards Act of 1938 and amendments thereto,  
7 such act being an act of Congress, shall be brought within two years after the cause accrued.  
8 **An action for the collection of credit card debt shall be brought within two years after**  
9 **the cause accrued.**

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