

**413.140 Actions to be brought within one year.**

- (1) The following actions shall be commenced within one (1) year after the cause of action accrued:
  - (a) An action for an injury to the person of the plaintiff, or of her husband, his wife, child, ward, apprentice, or servant;
  - (b) An action for injuries to persons, cattle, or other livestock by railroads or other corporations, with the exception of hospitals licensed pursuant to KRS Chapter 216;
  - (c) An action for malicious prosecution, conspiracy, arrest, seduction, criminal conversation, or breach of promise of marriage;
  - (d) An action for libel or slander;
  - (e) An action against a physician, surgeon, dentist, or hospital licensed pursuant to KRS Chapter 216, for negligence or malpractice;
  - (f) A civil action, arising out of any act or omission in rendering, or failing to render, professional services for others, whether brought in tort or contract, against a real estate appraiser holding a certificate or license issued under KRS Chapter 324A or a real estate broker or sales associate holding a license issued under KRS Chapter 324;
  - (g) An action for the escape of a prisoner, arrested or imprisoned on civil process;
  - (h) An action for the recovery of usury paid for the loan or forbearance of money or other thing, against the loaner or forbearer or assignee of either;
  - (i) An action for the recovery of stolen property, by the owner thereof against any person having the same in his possession;
  - (j) An action for the recovery of damages or the value of stolen property, against the thief or any accessory;
  - (k) An action arising out of a detention facility disciplinary proceeding, whether based upon state or federal law;
  - (l) An action for damages arising out of a deficiency, defect, omission, error, or miscalculation in any survey or plat, whether brought in tort or contract, against a licensed professional land surveyor holding a license under KRS Chapter 322;
  - (m) An action for violating KRS 311.782; and
  - (n) An action for violating KRS 311.731.
- (2) In respect to the action referred to in paragraph (e) of subsection (1) of this section, the cause of action shall be deemed to accrue at the time the injury is first discovered or in the exercise of reasonable care should have been discovered; provided that such action shall be commenced within five (5) years from the date on which the alleged negligent act or omission is said to have occurred.
- (3) In respect to the action referred to in paragraph (f) or (l) of subsection (1) of this section, the cause of action shall be deemed to accrue within one (1) year from the date of the occurrence or from the date when the cause of action was, or reasonably

should have been, discovered by the party injured.

- (4) In respect to the action referred to in paragraph (h) of subsection (1) of this section, the cause of action shall be deemed to accrue at the time of payment. This limitation shall apply to all payments made on all demands, whether evidenced by writing or existing only in parol.
- (5) In respect to the action referred to in paragraph (i) of subsection (1) of this section, the cause of action shall be deemed to accrue at the time the property is found by its owner.
- (6) In respect to the action referred to in paragraph (j) of subsection (1) of this section, the cause of action shall be deemed to accrue at the time of discovery of the liability.
- (7) In respect to the action referred to in paragraph (k) of subsection (1) of this section, the cause of action shall be deemed to accrue on the date an appeal of the disciplinary proceeding is decided by the institutional warden.
- (8) In respect to the action referred to in subsection (1)(m) and (n) of this section, the cause of action shall be deemed to accrue after the performance or inducement or attempt to perform or induce the abortion.

**Effective:** June 27, 2019

**History:** Amended 2019 Ky. Acts ch. 37, sec. 7, effective March 19, 2019; and ch. 135, sec. 10, effective June 27, 2019. -- Amended 2017 Ky. Acts ch. 5, sec. 10, effective January 9, 2017. -- Amended 2013 Ky. Acts ch. 48, sec. 1, effective June 25, 2013. -- Amended 2002 Ky. Acts ch. 11, sec. 3, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 309, sec. 1, effective July 14, 2000. -- Amended 1974 Ky. Acts ch. 386, sec. 98. -- Amended 1972 Ky. Acts ch. 20, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2516, 2517, 2553.

**Legislative Research Commission Note (6/27/2019).** This statute was amended by 2019 Ky. Acts chs. 37 and 135, which do not appear to be in conflict and have been codified together.

**Legislative Research Commission Note (3/19/2019).** 2019 Ky. Acts. 37, sec. 8, provides that 2019 Ky. Acts ch. 37 may be cited as the "Human Rights of the Unborn Child and Anti-Discrimination Act." This statute was amended in Section 7 of that Act.