

50 State Survey – Statutes of Repose

STATE	STATUTE	NOTES	EXTENSION YEARS	REPOSE YEARS
Alabama	Ala. Code § 6-5-221	Action shall be commenced within 2 years after the cause of action arises/accrues; no relief can be granted on any cause of action accruing more than 7 years after substantial completion of construction	N/A	7
Alaska	Alaska Stat. § 09.10.054 et seq.	Claim must be brought in 10 years from substantial completion of construction or from the last act that allegedly caused injury, death, or property damage but does not apply to claims of gross negligence; notice must be given within 1 year of claimant discovering defect	N/A	10
Arizona	Ariz. Rev. Stat. Ann. § 12-552	If injury occurred during, or latent defect not discovered, until 8th year after substantial completion, action may be brought within 1 year of discovered defect but not more than 9 years after substantial completion	1	8
Arkansas	Ark. Code Ann. § 16-56-112	If personal injury occurred during the 3rd year after substantial completion, the action may be brought within 1 year after injury occurred, but no more than 5 years after substantial completion. If a person furnishes designs or plans which are not used within 3 years from the date they are furnished, no action shall lie against that person for deficiency in the designs or plans	1	5 (property) 4 (personal injury)
California	Cal. Civ. Proc. Code §§ 337.1, 337.15	For injury to property/person, or death arising out of patent defects, if injury occurs during 4th year, action may be brought in 1 year but no more than 5 years after substantial completion	0/1	10 (latent) 4 (patent)
Colorado	Colo. Rev. Stat. § 13-80-104 <i>Goodman v. Heritage</i>	For direct claims from a plaintiff, an action may not be brought more than 6 years after substantial completion; if cause arises during 5th/6th year, it shall be brought within 2 years after discovery. For third-party and/or contribution claims the statute of repose can be extended to 90 days after settlement or judgment of the underlying action pursuant to <i>Goodman v. Heritage Builders</i>	2 (direct claims)	6 (direct claims)
Connecticut	Conn. Gen. Stat. Ann. § 52-584a	Action may be brought up to 7 years after substantial completion; if injury occurs during 7th year, action may be brought within 1 year of date of injury but no more than 8 years after substantial completion. Statute applies only to architects, professional engineers, and land surveyors	1	7
Delaware	Del. Code Ann. tit. 10, § 8127(b)	Action may be brought 6 years from the date of substantial completion	N/A	6

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District of Columbia	D.C. Code § 12-310	Actions for personal injury, property damage, or wrongful death must be brought within 10 years after substantial completion	N/A	10
Florida	Fla. Stat. Ann. § 95.11(3)(c)	In the case of latent defects, 4 year period begins to run from time defect is/should have been discovered; in any case action must be commenced within 10 years of various listed dates	N/A	10
Georgia	Ga. Code Ann. § 9-3-51	If injury occurs in the 7th or 8th year, an action in tort for personal injury/wrongful death may be brought within 2 years but not more than 10 years after substantial completion	2	8
Hawaii	Haw. Rev. Stat. § 657-8	An action must be brought 2 years after accrual; but not more than 10 years after date of substantial completion of the improvement or the improvement has been abandoned	N/A	10
Idaho	Idaho Code § 5-241	Tort actions not previously accrued shall accrue and begin to run 6 years after final completion of improvement; contract actions shall accrue and begin to run at time of final completion of construction	N/A	6
Illinois	735 ILCS Comp. Stat. 5/13-214	An action based in tort/contract may be brought within 4 years from time plaintiff knew/should have known of the act/omission complained of; no action can be brought after 10 years from the time of such act; but if act/omission is discovered prior to 10 year expiration, plaintiff shall have 4 years to bring action	4	10
Indiana	Ind. Code Ann. §§ 32-30-1-5, 32-30-1-6	Action may be brought within earlier of 10 years after substantial completion or 12 years after the completion and submission of plans to owner if action is for a design defect; if personal injury/death occurs in 9th or 10th years after substantial completion then action may be brought within 2 years after date of injury; action may not be brought more than 12 years after completion or 14 years after the completion/submission of plans to the owner if action is for design defect	2/2	10/12
Iowa	Iowa Code Ann. § 614.1(11)	For an action arising from or related to residential construction, 10 years from date of act/omission. For an action arising from or related to any other kind of improvement to real property, 8 years from date of act/omission. Action out of intentional misconduct or fraudulent concealment of an unsafe/defective condition of improvement based on tort/implied warranty/ contribution/indemnity may be brought up to 15 years from date of act/omission. If the unsafe or defective condition is discovered within one year prior to the expiration of the applicable period of repose, the period of repose shall be extended one year	0/0/1	10/8/15

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Kansas	Kan. Stat. Ann. § 60-513	Action for injury to the rights of another, not arising on contract and not enumerated by statute, is subject to 2 year statute of limitations; action must be commenced within 10 years of the act giving rise to cause of action	N/A	10
Kentucky	Ky. Rev. Stat. Ann. § 413.135 et seq.	Action for injury to person/property arising out of deficiency in construction must be brought within 7 years of substantial completion; if damage to property occurs in 7th year then action may be brought within 1 year from date injury occurred, but no more than 8 years following completion	1	7
Louisiana	La. civil code §§ 9:2772, 3500	Action must be brought within 5 years after date of registry of acceptance of work by owner/5 years after improvement is occupied; if injury during 5th year, action may be brought within 1 year after injury but no more than 6 years; action against contractor/architect on design defect subject to 10 year limitation	1/0	5/10
Maine	Me. Rev. Stat. Ann. tit. 14, § 752-A	Action for professional negligence against architects/engineers must be brought within 4 years of discovery of negligence but no more than 10 years from substantial completion of construction contract/services	N/A	10
Maryland	Md. Courts & Jud. Proc. Code Ann. § 5-108	Action must be brought within 3 years of injury; if defendant is an architect, professional engineer, or contractor, action may not be brought if injury occurs more than 10 years after improvement becomes available; in all other cases, action may not be brought more than 20 years after improvement becomes available	N/A	10/20
Massachusetts	Mass. Ann. Laws ch. 260, § 2B	Action must be brought 3 years from action accruing but no more than 6 years after the earlier of opening the improvement for use, or substantial completion of improvement. For claims of defects in the common areas of condominium, statute not tolled until entire project is completed. <i>D'Allessandro v. Lennar Hingham Holdings, LLC</i> , 486 Mass. 150, 156 N.E.3d 197, 202 (2020)	N/A	6
Michigan	Mich. Comp. Laws § 600.5839	No action may be brought against architect/engineer/contractor more than 6 years after occupancy/use/acceptance of improvement; or 1 year after defect is/should have been discovered. If defect results from gross negligence of architect or engineer, action must be brought within 1 year after defect discovered no action may be maintained more than 10 years after time of occupancy/use/ acceptance of improvement	N/A	10

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Minnesota	Minn. Stat. Ann. § 541.051	Action must be brought 2 years from discovery of injury, but not more than 10 years after substantial completion; if action accrues during 9th/10th year, action may be brought up to 2 years after accrual but not more than 12 years after substantial completion	2	10
Mississippi	Miss. Code Ann. § 15-1-41	No action may be brought more than 6 years after the earliest of owner's written acceptance, actual occupancy, or use of improvement; does not apply to wrongful death	N/A	6
Missouri	Mo. Ann. Stat. § 516.097	Action may be brought up to 10 years from completion of improvement; only applicable to persons whose connection with improvement is performing in whole/part, the design/planning/construction of the improvement	N/A	10
Montana	Mont. Code Ann. § 27-2-208	Action may be brought up to 10 years from when the owner can utilize the improvement for the purpose for which it was intended or when a completion certificate is executed, whichever is earlier; if injury occurs during 10th year, action may be brought within 1 year of injury	1	10
Nebraska	Neb. Rev. Stat. § 25-223	Action for breach of warranty/deficiency in design/construction must be brought within 4 years of act/omission contributing to the warranty/defect; if cause could not be discovered within 4 years, or within 1 year before end of 4 year period, action may be commenced within 2 years of discovery but no more than 10 years from the act giving rise to the action	2	4/10
Nevada	Nev. Rev. Stat. § 11.202	An action for property damage/personal injury/wrongful death shall be commenced within 10 years following substantial completion	N/A	10
New Hampshire	N.H. Rev. Stat. Ann. § 508:4-b	Action shall be brought within 8 years of substantial completion; if project is divided in phases, then action must be brought within 8 years of all phases being substantially completed	N/A	8
New Jersey	N.J. Stat. Ann. § 2a:14-1.1	No action for damages/personal injury/wrongful death shall be brought more than 10 years after performance/furnishing of construction services	N/A	10
New Mexico	N.M. Stat. Ann. § 37-1-27	Action for damage/injury/wrongful death arising out of deficiency may be brought 10 years after substantial completion	N/A	10

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New York	N.Y. Civ. Prac. Laws & Rules §§ 214(3), 214-d	No statute of repose. Action based on simple negligence /malpractice against a design professional/contractor is governed by 3 year statute of limitations; add'l notice requirements for claims against design professionals that occur more than 10 years after construction complete; contractors/professionals remain answerable to negligence claims commenced indefinitely after project completion	N/A	N/A
North Carolina	N.C. Gen. Stat. § 1-50(a)(5)	No action to recover damages shall be brought more than 6 years after the later of the specific last act or omission of the defendant giving rise to the cause of action or substantial completion of the improvement	N/A	6
North Dakota	N.D. Cent. Code § 28-01-44	No action may be brought more than 10 years after substantial completion; if injury occurs in 10th year then action may be brought in 2 years but not more than 12 years after substantial completion	2	10
Ohio	Ohio Rev. Code Ann. § 2305.131	No action shall accrue later than 10 years from substantial completion; if defect is discovered during 10 year period but less than 2 years prior to expiration of that period, action may be brought within 2 years from date of discovery	2	10
Oklahoma	Okla. Stat. Ann. tit. 12, § 109, 110	Action may be brought up to 10 years after substantial completion; if injury occurs during 5th year, tort action may be brought within 2 years of date of injury, but no more than 7 years after substantial completion	N/A	10
Oregon	Or. Rev. Stat. § 12.135	Action by plaintiff (non-public body) for small commercial structures/residences shall be brought within 10 years of substantial completion; large structures within 6 years; action by plaintiff (public body) for any of the above is 10 years; action against an architect/engineer shall be brought within 2 years of injury but no later than 10 years	N/A	10/6
Pennsylvania	42 Pa. Cons. Stat. § 5536	Action arising out of deficiencies in an improvement must be brought within 12 years of completion; if injury occurs between 10th and 12th years, action may be brought within time otherwise limited by statute, but not later than 14 years after construction completed	2	12
Rhode Island	R. I. Gen. Laws § 9-1-29	Action in tort against architect/engineer/contractor may be brought within 10 years of substantial completion	N/A	10
South Carolina	S.C. Code Ann. § 15-3-640	No action to recover damages may be brought more than 8 years after substantial completion	N/A	8

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South Dakota	S.D. Codified Laws Ann. §§ 15-2A-3, 15-2A-5.	No action may be brought to recover more than 10 years after substantial completion; if injury occurs in 10th year, action may be brought within 1 year after injury, but not more than 11 years after substantial completion	1	10
Tennessee	Tenn. Code Ann. §§ 28-3-202, 28-3-203	Action for any deficiency shall be brought within 4 years of substantial completion; if injury occurred during 4th year action shall be brought within 1 year after injury but within 5 years of substantial completion	1	4
Texas	Tex. Civ. Prac. & Rem. Code § 16.009	Action for damages must be brought within 10 years of substantial completion; if claim brought during 10th year, period extended for 2 years from date of claim; if injury occurs during 10th year, may bring suit within 2 years of day of cause	2	10
Utah	Utah Code Ann. § 78B-2-225	Action in contract/warranty shall be brought within 6 years of completion; other actions shall be brought within 2 years from earlier of discovery/reasonable discovery date but no more than 9 years after completion; if cause is discovered/discoverable during 8th/9th year then 2 more years to bring suit	2	9
Vermont	Vt. Stat. Ann. tit. 12, § 511	No statute of repose; civil actions must be commenced within 6 years of cause of action	N/A	6
Virginia	Va. Code Ann. § 8.01-250	No action can be brought more than 5 years after performance; does not apply to manufacturer or supplier of equipment/machinery supplied in structure	N/A	5
Washington	Wash. Rev. Code Ann. §§ 4.16.300, 4.16.310	All claims shall accrue within 6 years after the later of substantial completion or termination of services	N/A	6
West Virginia	W. Va. Code § 55-2-6a	No action may be brought more than 10 years after performance of services; period does not run until improvement has been occupied or accepted by owner, whichever comes first	N/A	10
Wisconsin	Wis. Stat. Ann. § 893.89	No action to recover damages after 7 years from date of substantial completion; if injury occurs between the 5th and 7th years, time for action is extended 3 years from date of injury	3	7
Wyoming	Wyo. Stat. § 1-3-111	Action may be brought up to 10 years after substantial completion; if injury occurs in 9th year after substantial completion, action may be brought within 1 year after injury	1	10

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