

#### **413.120 Actions to be brought within five years.**

The following actions shall be commenced within five (5) years after the cause of action accrued:

- (1) An action upon a contract not in writing, express or implied.
- (2) An action upon a liability created by statute, when no other time is fixed by the statute creating the liability.
- (3) An action for a penalty or forfeiture when no time is fixed by the statute prescribing it.
- (4) An action for trespass on real or personal property.
- (5) An action for the profits of or damages for withholding real or personal property.
- (6) An action for an injury by a trustee to the rights of a beneficiary of a trust.
- (7) An action for an injury to the rights of the plaintiff, not arising on contract and not otherwise enumerated.
- (8) An action upon a bill of exchange, check, draft or order, or any endorsement thereof, or upon a promissory note, placed upon the footing of a bill of exchange.
- (9) An action to enforce the liability of a steamboat or other vessel.
- (10) An action upon a merchant's account for goods sold and delivered, or any article charged in such store account.
- (11) An action upon an account concerning the trade of merchandise, between merchant and merchant or their agents.
- (12) An action for relief or damages on the ground of fraud or mistake.
- (13) An action to enforce the liability of bail.
- (14) An action for personal injuries suffered by any person against the builder of a home or other improvements. This cause of action shall be deemed to accrue at the time of original occupancy of the improvements which the builder caused to be erected.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 196, sec. 25, effective July 15, 1998. -- Amended 1988 Ky. Acts ch. 224, sec. 6, effective July 15, 1988. -- Amended 1964 Ky. Acts ch. 124, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2515, 2518.