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## State By State Survey: Statutes of Limitations and Repose for Construction - Related Claims

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### Statutes of Limitations and Repose for Construction - Related Claims





A statute of repose is a limitation on a party's right to pursue a legal action after a specified time period has elapsed, regardless of when that party's injuries or damages actually accrue (i.e. when the cause of action is discovered). In the construction context, the statute typically begins to run from the date of substantial completion of the construction or improvement. Effectively, these statutes provide limitations on claims for construction defects and are intended to provide certainty as to exposure for construction related lawsuits. However, these statutes vary widely from state to state with regard to the limitation periods, what is covered by the statute, and whom the statute protects.






A statute of repose is different from a statute of limitation because the time limitation begins to run from the date of substantial completion of the construction or improvement, whereas a statute of limitation typically does not begin to run until the injury or damage actually occurs (irrespective of when the work was performed).






This survey is intended to provide an explanation of the statutes of limitation and repose in each state.




For statutes of limitation, we have identified the applicable time limitation for claims of personal injury and property damages. For statutes of repose, our chart identifies the following:





1. The limitations period specified in the statute, which can range from 4 years to 15 years depending on the state, and
2. Whether the statute provides an extension of the limitations period, if the condition giving rise to the claim is discovered in the final year (or final two years) of the statutory time limit.







State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 Alabama	2 years ALA. CODE § 6-2-38(l)	2 years ALA. CODE § 6-2-38(l)	ALA. CODE § 6-5-221	7 years	N/A	<p>An action must be brought no more than 7 years after the substantial completion of construction of the improvement to the real property.</p> <p>However, the 7 year period does not apply, where prior to the expiration of such 7 year period, the architect, engineer, or builder had actual knowledge that such defect or deficiency exists and failed to disclose such defect or deficiency to the person with whom the architect, engineer, or builder contracted to perform such service.</p>
 Alaska	2 years ALASKA STAT. § 09.10.070	2 years ALASKA STAT. § 09.10.070	ALASKA STAT. § 09.10.055, <i>et. seq</i>	10 years	N/A	<p>A claim for personal injury, death, or property damage must be brought within 10 years of the earlier of substantial completion or the last act alleged to have caused the injury. This ten year limitation does not apply to claims of gross negligence.</p> <p>Note that there are also notice requirements on construction projects. Notice must be given within 1 year after the claimant discovers the defect, but that can occur within the 10 year limitation.</p>
 Arizona	2 years ARIZ. REV. STAT. § 12-542	2 years ARIZ. REV. STAT. § 12-542	ARIZ. REV. STAT. § 12-552	8 years	1 year	<p>An action may be brought up to 8 years after substantial completion of improvement. If injury occurred during, or latent defect was not discovered until, 8th year after substantial completion, the action may be brought within 1 year after injury occurred or latent defect was discovered, but cannot be brought more than 9 years after substantial completion.</p> <p>This statute does not apply to personal injury or wrongful death.</p>
 Arkansas	3 years ARK. CODE. § 16-116-103	3 years ARK. CODE. § 16-116-103	Property Damage: ARK. CODE § 16-56-112	5 years	1 year	<p>An action seeking damages for property damage may be brought up to 5 years after substantial completion of improvement. If injury occurred during 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.</p>
			Personal Injury: ARK. CODE ANN. § 16-56-112	4 years	1 year	<p>An action seeking damages for personal injury and wrongful death caused by any deficiency in the design, planning, supervision, or observation of construction or the construction and repairing of any improvement to real property shall be brought against any person performing or furnishing the design, planning, supervision, or observation of construction or the construction and repair of the improvement more than four (4) years after substantial completion of the improvement.</p> <p>If injury occurred during 3rd year after substantial completion, the action may be brought within 1 year after injury occurred, irrespective of date of death, but no more than 5 years after substantial completion.</p>

State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 California	2 years CAL. CIV. CODE § 335.1	3 years CAL. CIV. CODE § 338(c)	Patent Defects: CAL CIV. CODE § 337.1	4 years	1 year	For injury to property, personal injury, or wrongful death arising out of patent defects, an action must be brought within 4 years of substantial completion.  If injury occurs during 4th year, the action may be brought within 1 year after date of injury, but in no event may such an action be brought more than 5 years after substantial completion.
			Latent Defects: CAL. CIV. CODE § 337.15	10 years	N/A	Latent defects actions must be brought within 10 years of substantial completion of improvement. This does not apply to actions based on willful misconduct or fraudulent concealment. This does not apply to limit causes of actions for personal injury or wrongful death caused by latent defects.
 Colorado	2 years COLO. REV. STAT. § 13-80-102	2 years COLO. REV. STAT. § 13-80-102	COLO. REV. STAT. § 13- 80-104	6 years	2 years	In no event can the action be brought more than 6 years after substantial completion of improvement, but if the cause of action arises during 5th or 6th year after substantial completion, it shall be brought within 2 years after the date the cause of action arises.
 Connecticut	2 years CONN. GEN. STAT. § 52-584	2 years CONN. GEN. STAT. § 52-584	CONN. GEN. STAT. § 52-584a	7 years	1 year	The statute applies only to architects, professional engineers and land surveyors. An action may be brought up to 7 years after substantial completion of improvement. If injury occurs during 7th year after substantial completion, action may be brought within 1 year of date of injury, but no more than 8 years after substantial completion.  <i>Note: In a 2012 decision the Connecticut Supreme Court held that the statute of limitations and repose do not apply to actions brought by the state. State of Connecticut v. Lombardo Brothers Mason Contractors, Inc., 307 Conn. 412 (2014)</i>
 Delaware	2 years, or 3 years if not discoverable in 2 years DEL. CODE TIT. 10 § 8119	2 years DEL. CODE TIT. 10 § 8107.	DEL. CODE TIT. 10, § 8127(b)	6 years	N/A	An action may be brought 6 years from the earliest of various dates set forth in statute (e.g., date of substantial completion).
 District of Columbia	3 years D.C. CODE § 12-301	3 years D.C. CODE § 12-301	D.C. CODE ANN. § 12-310	10 years	N/A	Actions for personal injury, property damage, or wrongful death caused by defective improvements to real property must be brought within 10 years after substantial completion.






State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 Florida	4 years  FLA. STAT. § 95.11(3)(a),(o)	4 years  FLA. STAT. § 95.11(3)(a),(o)	FLA. STAT. § 95.11(3)(c)	10 years	1 year	In cases of latent defects, the 4 year period begins to run from the time defect is discovered or should have been discovered, and in any case such an action must be commenced within 10 years of latest of various listed dates (e.g., date of substantial completion). If an action is brought in the 10th year after substantial completion, a compulsory counterclaim, cross-claim, or third-party claim that arises from the same conduct or occurrence may be brought within 1 year of the filing of the original pleading.
 Georgia	2 years  GA. CODE § 9-3-33	4 years  GA. CODE § 9-3-30	GA. CODE § 9-3-51	8 years	2 years	An action must be brought within 8 years of substantial completion to recover damages for personal injury, property damage, or wrongful death.  If injury occurs in the 7th or 8th year, an action in tort to recover damages for personal injury or wrongful death may be brought within 2 years, but in no event may an action be brought more than 10 years after substantial completion.
 Hawaii	2 years  HAW. REV. STAT. § 657-7	2 years  HAW. REV. STAT. § 657-7	HAW. REV. STAT. § 657-8	10 years	N/A	No action to recover damages for any injury to property, real or personal, or for bodily injury or wrongful death, arising out of any deficiency or neglect in the planning, design, construction, supervision and administering of construction, and observation of construction relating to an improvement to real property shall be commenced more than two years after the cause of action has accrued, but in any event not more than ten years after the date of completion of the improvement.
 Idaho	2 years  IDAHO CODE § 5-219(4)	3 years  IDAHO CODE § 5-218(2),(3)	IDAHO CODE § 5-241	6 years, plus statute of limitations	N/A	Actions will be deemed to have accrued and the statute of limitations shall begin to run as to actions against any person who preformed or finished the design, planning, supervision or construction of an improvement to real property, as follows:  a. Tort actions, if not previously accrued, shall accrue and the applicable statute of limitations shall begin to run six (6) years after the final completion of the construction of such an improvement b. Contract actions shall accrue and the applicable statute of limitations shall begin to run at the time of final completion of construction of such an improvement
 Illinois	2 years  735 ILL. COMP. STAT. § 5/13-202	5 years  735 ILL. COMP.STAT. § 5/13-205	735 ILL. COMP. STAT. § 5/13-214	10 years	4 years	No action may be brought after 10 years from the time of such act or omission, but if act or omission is discovered prior to the expiration of 10 years the plaintiff shall have 4 years to bring his action.


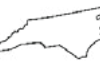

State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 Indiana	2 years  IND. CODE § 34-11-2-4	6 years  IND. CODE § 34-11-2-7	Design Defect Claims: IND. CODE § 32-30-1-5, <i>et seq.</i>	12 years	2 years	An action to recover damages for property damage, personal injury, or wrongful death may be brought within 12 years after the completion and submission of plans to the owner if the action is for a design defect.  If personal injury or wrongful death occurs during the 9th or 10th years after substantial completion, then the action may be brought within 2 years after date of injury; however, the action may not be brought more than 14 years after the completion and submission of plans to the owner if the action is for design defect.
			All Others: IND. CODE § 32-30-1-5, <i>et seq.</i>	10 years	2 years	An action to recover damages for property damage, personal injury, or wrongful death may be brought within 10 years after substantial completion.  If personal injury or wrongful death occurs during the 9th or 10th years after substantial completion, then the action may be brought within 2 years after date of injury; however, the action may not be brought more than 12 years after substantial completion.
 Iowa	2 years  IOWA CODE § 614.1(2)	5 years  IOWA CODE § 614.1(4)	IOWA CODE § 614.1(11)	8 years but 10 years if residential	N/A	An action arising out of the unsafe or defective condition of improvement based on tort, implied warranty, and for contribution and indemnity, and based on injury to property, personal injury or wrongful death, may not be brought more than 10 years after residential construction and 8 years for any other kind of improvement to real property. The statute does have an exception for "intentional misconduct" or "fraudulent concealment" that allows claims to be made within 15 years of the act or omission that caused the injury or death.
 Kansas	2 years  KAN. STAT. ANN. § 60-513	2 years KAN. STAT. ANN. § 60-513  3 years KAN. STAT. ANN. § 60-512 (all actions upon contracts, obligations or liabilities)	KAN. STAT. ANN. § 60-513	10 years	N/A	The action must be commenced within 10 years of the act giving rise to the cause of action.



State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 Kentucky	1 year  KY. REV. STAT. ANN. § 413.140(1) (a)	5 years  KY. REV. STAT. ANN. § 413.120(13)	KY. REV. STAT. ANN. § 413.135	7 years	1 year	<p>An action to recover damages arising out of any deficiency in construction components, design, planning, supervision, inspection, or construction of any improvement to real property, or for any injury to personal or real property, must be brought within seven years following substantial completion.</p> <p>If the damage to property occurs in the seventh year following substantial completion, then an action may be brought within one year from the date upon which the injury occurred, but in no event more than eight years following substantial completion.</p>
 Louisiana	1 year  LA. CIV. CODE ANN. ART. § 3492	1 year  LA. CIV. CODE ANN. ART. § 3493	LA. CIV. CODE ANN. ART. § 9:2772	5 years	1 year	<p>An action in contract, tort, or otherwise must be brought within 5 years after the date of registry in mortgage office of acceptance of work by owner or, if acceptance is not recorded within 6 months of occupation/possession, 5 years after improvement is so occupied. <b>La. Civ. Code Ann. Art. § 9:2772(A)</b>. If injury occurs during the 5th year, an action may be brought within 1 year after date of injury, but no more than 6 years after date set forth in section A. <b>La. Civ. Code Ann. Art. § 9:2772(C)</b>.</p> <p>However, an action against a contractor or an architect on account of defects of construction, renovation or repair of building and other works is subject to a liberative prescription of 10 years. <b>La. Civ. Code Ann. Art. 3500</b>. It is the equivalent of a statute of limitations. Parties can contract to shorten the time period.</p>
 Maine	6 years  ME. REV. STAT. ANN. TIT. 14 § 752	6 years  ME. REV. STAT. ANN. TIT. 14 § 752	ME. REV. STAT. ANN. TIT. 14, § 752-A	10 years	N/A	<p>An 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 or, if no contract, 10 years from substantial completion of services provided.</p>
 Maryland	3 years  MD. CODE ANN. CTS., & JUD. PROC. § 5-101	3 years  MD. CODE ANN. CTS., & JUD. PROC. § 5-101	Where defendant is architect, professional engineer or contractor: MD. CODE ANN., CTS., & JUD. PROC. § 5-108	10 years	N/A	<p>If the defendant is an architect, professional engineer, or contractor, the action may not be brought if the injury occurs more than 10 years after the entire improvement became available.</p>
			All other cases: Md. Code Ann., Cts., & Jud. Proc. § 5-108	20 years	N/A	<p>In all other cases, action may not be brought more than 20 years after entire improvement became available.</p>





State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 Massachusetts	3 years MASS. GEN. LAWS CH. 260 §§ 2A and 4	3 years MASS. GEN. LAWS CH. 260, § 2B	MASS. GEN. LAWS CH. 260, § 2B	6 years	N/A	An action must be brought no more than 6 years after earlier of opening of improvement to use or substantial completion of improvement and owner's taking of possession for occupancy.
 Michigan	3 years MICH. COMP. LAWS § 600.5805(10)	3 years MICH. COMP. LAWS § 600.5805(10)	MICH. COMP. LAWS § 600.5839	10 years	N/A	No action may be maintained more than 10 years after the time of occupancy, use, or acceptance of improvement to real property.
 Minnesota	Intentional Acts: 2 years MINN. STAT. ANN. § 541.07  Wrongful Death: 3 years MINN. STAT. ANN. § 573.02	4 years. MINN. STAT. ANN. § 541.05(1)(4)	MINN. STAT. ANN. § 541.051	10 years	2 years	An action must be brought no more than 10 years after substantial completion of construction. If action accrues during 9th or 10th year after substantial completion, action may be brought up to 2 years after accrual, but no more than 12 years after substantial completion.
 Mississippi	3 years MISS. CODE ANN. § 15-1-49	3 years MISS. CODE ANN. § 15-1-49	MISS. CODE ANN. § 15-1-41	6 years	N/A	No action may be brought more than 6 years after owner's written acceptance, actual occupancy, or use of improvement, whichever occurs first. The statute does not apply to wrongful death.
 Missouri	5 years MO. REV. STAT. § 516.120(4)  Wrongful Death:  3 years MO. REV. STAT. § 537.100	5 years MO. REV. STAT. § 516.120(5)	MO. REV. STAT. § 516.097	10 years	N/A	An action may be brought up to 10 years from the completion of improvement. The statute is only applicable to persons whose sole connection with the improvement is performing or furnishing, in whole or in part, the design, planning or construction of the improvement.
 Montana	3 years MONT. CODE ANN. § 27-2- 204(1),(2)	2 years MONT. CODE ANN. § 27-2- 207	MONT. CODE ANN. § 27-2-208	10 years	1 year	An action may be brought up to 10 years from the completion of improvement.  If injury occurs during the 10th year after completion of improvement, the action may be brought within 1 year of injury.


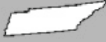










State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 Nebraska	4 years NEB. REV. STAT. § 25-207  Wrongful Death: 2 years NEB. REV. STAT. §§ 30-809 and 30-810	4 years NEB. REV. STAT. § 25-207	NEB. REV. STAT. § 25-223	10 years	N/A	If a cause of action is not, and could not be, discovered within the 4 year statute of limitation, or within 1 year before the end of the 4 year period, then the action may be commenced within 2 years of discovery or from the date of discovery of facts which should reasonably lead to discovery, but in any event no more than 10 years from the act giving rise to the action.
 Nevada	2 years NEV. REV. STAT. § 11.190	3 years NEV. REV. STAT. § 11.190(3)(c)	NEV. REV. STAT. § 11.190	6 years	N/A	Nevada altered their complex statute of repose guidelines in 2015. Now, all actions for construction defects must be commenced within 6 years of substantial completion, unless tolled. The new law applies retroactively to actions where substantial completion of home occurred prior to February 24, 2015.  The law includes a one year grace period for homeowners to bring claims under prior statutes of repose for homes completed before the effective date that would otherwise be time barred.
 New Hampshire	3 years N.H. REV. STAT. ANN. § 508:4(I)	3 years N.H. REV. STAT. ANN. § 508:4(I)	N.H. REV. STAT. ANN. § 508:4-b.	8 years	N/A	An action to recover damages for property damage, personal injury, wrongful death or economic loss must be brought within 8 years from the date of substantial completion of improvement.
 New Jersey	2 years N.J. STAT. ANN. § 2A:14-2	6 years N.J. STAT. ANN. § 2A:14-1	N.J. STAT. ANN. § 2A:14-1.1	10 years	N/A	No action to recover damages for deficiency in improvement, or for personal injury, wrongful death, etc. shall be brought more than 10 years after performance or furnishing of such services and construction.
 New Mexico	3 years N.M. STAT. ANN. § 37-1-8	4 years N.M. STAT. ANN. § 37-1-4	N.M. STAT. ANN. § 37-1-27	10 years	N/A	An action to recover damages for property damage, personal injury, or wrongful death arising out of the deficiency may be brought up to 10 years from the date of substantial completion.

State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 New York	3 years N.Y. C.P.L.R. § 214, et seq.  Wrongful Death: 2 years N.Y. Est. Powers & Trusts Law § 5-4.1	3 years N.Y. C.P.L.R. § 214, et seq.	N/A	N/A	N/A	<p>There is no statute of repose in New York for construction claims. A cause of action based on a theory of simple negligence and brought by a third party (i.e., not the owner of a building) against a design professional or construction contractor is governed by a 3 year statute of limitations, and the cause of action does not accrue until the injury occurs. See <i>Cubito v. Kriesburg</i>, 419 N.Y.S.2d 578 (N.Y. App. Div. 1979), <i>aff'd</i> 415 N.E.2d 979 (N.Y. 1980), citing N.Y. C.P.L.R. § 214.</p> <p>There is an additional notice requirement for claims against design professionals (including construction managers that have a design component in their contract) arising out of injuries that occur more than 10 years after the completion of construction. See N.Y. C.P.L.R. § 214-d. Although there is an expedited procedure for claims brought more than 10 years after the completion of the design professional's or contractor's work, contractors/design professionals remain answerable to negligence claims commenced indefinitely after project completion. Note, however, that an owner's cause of action accrues against a builder upon completion of construction. <i>City Sch. Dist. v. Hugh Stubbins &amp; Assocs., Inc.</i>, 650 N.E.2d 399 (N.Y. 1995).</p>
 North Carolina	3 years N.C. GEN. STAT. § 1-52(1)-(5)  Wrongful Death: 2 years N.C. GEN. STAT. § 1-53(4)	3 years N.C. GEN. STAT. § 1-52(16)	N.C. GEN. STAT. § 1-50(a)(5)	6 years	N/A	No action to recover damages arising out of defective condition of improvement to property shall be brought more than 6 years from the later of the last act or omission giving rise to cause of action or substantial completion of improvement.
 North Dakota	6 years N.D. CENT. CODE § 28-01-16(5)  Wrongful Death: 2 years N.D. CENT. CODE § 28-01-18(4)	6 years N.D. CENT. CODE § 28-01-16	N.D. CENT. CODE § 28-01-44	10 years	2 years	No action to recover damages for any deficiency, property damage, personal injury or wrongful death may be brought more than 10 years after substantial completion of improvement. If injury occurs in the 10th year after substantial completion, an action in tort to recover damages for such injury may be brought within 2 years, but in no event may such action be brought more than 12 years after substantial completion.

State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 Ohio	2 years OHIO REV. CODE ANN. § 2305.10(A)	4 years OHIO REV. CODE ANN. § 2305.09	OHIO REV. CODE ANN. § 2305.131	10 years	2 years	<p>No action to recover damages for bodily injury, injury to property, or wrongful death that arises out of a deficiency in an improvement shall accrue against a person who performed services for the improvement or who furnished the designs, plans, etc. later than 10 years from substantial completion.</p> <p>If the defective condition is discovered during the 10 year period but less than 2 years prior to the expiration of that period an action may be brought within 2 years from the date of discovery.</p>
 Oklahoma	2 years OKLA. STAT. TIT. 12, § 95	2 years OKLA. STAT. TIT. 12, § 95(3)	OKLA. STAT. TIT. 12, § 109; Okla. Stat. tit. 12, § 110	10 years	N/A	<p>No action to recover damages: (i) for any deficiency in design, planning, supervision or observation of construction or construction of an improvement to real property, (ii) for injury to property, real or personal, arising out of any such deficiency, or (iii) for injury to the person or for wrongful death arising out of any such deficiency, shall be brought against any person owning, leasing, or in possession of such an improvement or performing or furnishing the design, planning, supervision or observation of construction or construction of such an improvement more than 10 years after substantial completion.</p> <p>Nevertheless, if the injury to property or the person or such an injury causing wrongful death occurring during the 5th year after substantial completion, a tort action may be brought within 2 years after the date on which the injury occurred, but no more than 7 years after substantial completion.</p> <p>The statute does not protect manufacturers of “prefabricated” products produced in mass quantities. See <i>Ball v. Harnischfeger Corp.</i>, 877 P.2d 45 (Okla. 1994).</p>

State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 Oregon	2 years  OR. REV. STAT. § 12.110(1)  Wrongful Death: 3 years OR. REV. STAT. § 30.020(1)	6 years  OR. REV. STAT. § 12.080	For private parties on small commercial, residential, or home- owners associations: OR. REV. STAT. § 12.135	10 years	N/A	An action against a person by a plaintiff who is not a public body arising from the performance of construction alteration or repair of any improvement on small commercial structures, residential structures or larger commercial structures owned/maintained by a homeowners association or unit owners must be commenced no later than 10 years after substantial completion or abandonment.
			For private parties on large commercial structures: OR. REV. STAT. § 12.135	6 years	N/A	An action against a person by a plaintiff who is not a public body arising from large commercial structures must be commenced no later than 6 years after substantial completion or abandonment.
			For public entities: OR. REV. STAT. § 12.135	10 years	N/A	Any action by a public body for any form of structure must be commenced no later than 10 years after substantial completion or abandonment.
 Pennsylvania	2 years  42 PA. CONS. STAT. § 5524	2 years  42 PA. CONS. STAT. § 5524	42 PA. CONS. STAT. § 5536	12 years	2 years	An action arising out of deficiencies in an improvement must be brought within 12 years of completion.  If injury occurred between the 10th and 12th years after completion of improvement, the action may be commenced within the time otherwise limited by statute, but not later than 14 years after completion of construction.
 Rhode Island	3 years  R.I. GEN. LAWS. § 9-1-14 (b)	10 years  R.I. GEN. LAWS § 9-1-13	R.I. GEN. LAWS § 9-1-29	10 years	N/A	An action in tort against an architect or professional engineer who planned, designed, or supervised improvements or any contractor who constructed improvements or suppliers who furnished materials for the construction of improvements to recover for property damage, personal injury or wrongful death may be brought more than 10 years after substantial completion.
 South Carolina	3 years  S.C. CODE ANN. §§ 15-3- 530, 15-3- 535, 15-3-545	3 years  S.C. CODE ANN. § 15-3-530	S.C. CODE ANN. § 15-3-640	8 years	N/A	No action to recover damages based on the defective condition of an improvement may be brought more than 8 years from substantial completion.

State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 South Dakota	3 years  S.D. CODIFIED LAWS § 15-2-14(3)	6 years  S.D. CODIFIED LAWS § 15-2-13	S.D. CODIFIED LAWS § 15-2A-3, <i>et seq.</i>	10 years	1 year	<p>No action may be brought to recover damages for injury to property, personal injury, or wrongful death arising out of a deficiency in improvement more than 10 years after substantial completion of improvement.</p> <p>If injury occurs during the 10th year after substantial completion, an action may be brought within 1 year after injury, but in any event cannot be brought more than 11 years after substantial completion.</p>
 Tennessee	1 year  TENN. CODE ANN. § 28-3-104	3 years  TENN. CODE ANN. § 28-3-105	TENN. CODE ANN. § 28-3-202, <i>et seq.</i>	4 years	1 year	<p>An action to recover damages for any deficiency in an improvement shall be brought within 4 years of substantial completion.</p> <p>If injury occurred during 4th year after substantial completion, action shall be brought within 1 year after injury, but in any event the action must be brought within 5 years after substantial completion.</p>
 Texas	2 years  TEX. CIV. PRAC. & REM. CODE ANN. § 16.003	2 years  TEX. CIV. PRAC. & REM. CODE ANN. § 16.003	TEX. CIV. PRAC. & REM. CODE ANN. § 16.009	10 years	2 years	<p>An action for damages against a person who constructs/repairs an improvement must be brought within 10 years of substantial completion.</p> <p>If the claimant presents a written claim for damages during the 10 year period, the period is extended for 2 years from date of claim. If injury occurs during the 10th year, the claimant may bring suit up to 2 years after the day the cause of action accrues.</p>
 Utah	4 years  UTAH CODE ANN. § 78B-2-307(3)  Wrongful Death: 2 years	3 years  UTAH CODE ANN. § 78B-2-305	UTAH CODE ANN. § 78B-2-225	9 years	2 years	<p>An action against a “provider” (defined as a person who contributes to, provides, etc. designs, engineering, construction, etc.) based in contract or warranty shall be commenced within 6 years of date of completion. All other actions against a provider shall be commenced within 2 years from the earlier of discovery or date when cause of action should have reasonably been discovered, but in any event no more than 9 years from completion.</p> <p>If the cause of action is discovered or discoverable during the 8th or 9th year, the injured party shall have 2 additional years to commence suit.</p>
 Vermont	3 years  VT. STAT. ANN. TIT. 12, § 512(4)  Wrongful Death: 2 years  VT. STAT. ANN. TIT. 14, § 1492	3 years  VT. STAT. ANN. TIT. 12, § 512(3)	VT. STAT. ANN. TIT. 12, § 511	N/A	N/A	<p>Vermont does not have a statute of repose specific to construction. In general, civil actions must be commenced within 6 years after the cause of action accrues. Accrual has a discovery element, and the statute begins to run when a plaintiff can first sue for their cause of action. <i>White v. White</i>, 388 A.2d 386 (Vt. 1978).</p>

State	Statute of Limitation		Statute of Repose			
	Personal Injury	Property Damage	Statute	Time Limit	Extension	Summary
 Virginia	2 years VA. CODE ANN. § 8.01-243(A)	5 years VA. CODE ANN. § 8.01-243(B)	VA. CODE ANN. § 8.01-250	5 years	N/A	No action to recover for injury to property, personal injury, or wrongful death arising out of the defective condition of improvement to property shall be brought against any person performing/furnishing the design, planning, etc. of such improvement more than 5 years after performance. The statute does not apply to the manufacturer or supplier of any equipment or machinery installed in a structure.
 Washington	Negligence Claims: 3 years WASH. REV. CODE § 4.16.080  Intentional Acts: 2 years R.C.W.A. § 4.16.100	3 years WASH. REV. CODE § 4.16.080	WASH. REV. CODE § 4.16.300, <i>et seq.</i>	6 years	N/A	All claims shall accrue within 6 years after the later of substantial completion or termination of services.
 West Virginia	2 years W. VA. CODE § 55-2-12	2 years W. VA. CODE § 55-2-12	W. VA. CODE § 55-2-6a	10 years	N/A	No action to recover damages arising from a deficiency may be brought more than 10 years after the performance or furnishing of construction services. The 10 year period does not begin to run until the improvement has been occupied or accepted by owner of real property, whichever occurs first.
 Wisconsin	3 Years Wis. STAT. § 893.54	6 years Wis. STAT. § 893.52	Wis. STAT. § 893.89	10 years	3 years	No action may accrue against the owner or occupier of property, or against any person involved in the improvement to real property, to recover damages after 10 years have elapsed from the date of substantial completion.  If injury occurs between the 8th and 10th years, the time for commencing the action is extended for 3 years after the date of injury.
 Wyoming	4 years WYO. STAT. ANN. § 1-3- 105(a)(iv)(C)  Wrongful Death: 2 years WYO. STAT. § 1-38-102(d)	4 years WYO. STAT. ANN. § 1-3- 105	WYO. STAT. ANN. § 1-3-111	10 years	1 year	An action may be commenced up to 10 years after substantial completion of improvement.  If injury occurs in 9th year after substantial completion, the action may be brought within 1 year after injury.