

IC 34-11-2

Chapter 2. Specific Statutes of Limitation

IC 34-11-2-1

Employment related actions

Sec. 1. An action relating to the terms, conditions, and privileges of employment except actions based upon a written contract (including, but not limited to, hiring or the failure to hire, suspension, discharge, discipline, promotion, demotion, retirement, wages, or salary) must be brought within two (2) years of the date of the act or omission complained of.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-2

Employment related action against the state of Indiana

Sec. 2. An action against the state of Indiana relating to the terms, conditions, and privileges of employment (including, but not limited to, hiring, suspension, discharge, discipline, promotion, demotion, retirement, wages, or salary) must be brought within two (2) years of the date of the act or omission complained of. This section does not:

- (1) expand the time for initiating any action, including any available administrative remedies; or
- (2) excuse the exhaustion of administrative remedies where required by the administrative orders and procedures law (IC 4-21.5).

As added by P.L.1-1998, SEC.6.

IC 34-11-2-3

Professional services related actions

Sec. 3. An action of any kind for damages, whether brought in contract or tort, based upon professional services rendered or which should have been rendered, may not be brought, commenced, or maintained, in any of the courts of Indiana against physicians, dentists, surgeons, hospitals, sanitariums, or others, unless the action is filed within two (2) years from the date of the act, omission, or neglect complained of.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-4

Injury or forfeiture of penalty actions

Sec. 4. An action for:

- (1) injury to person or character;
- (2) injury to personal property; or
- (3) a forfeiture of penalty given by statute;

must be commenced within two (2) years after the cause of action accrues.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-5

Real property recovery actions

Sec. 5. An action for the recovery of real property sold by executors, administrators, guardians, or commissioners of a court, upon a judgment, specifically directing the sale of property sought to be recovered, brought by a party to the judgment, the party's heirs, or any person claiming a title under a party, acquired after the date of the judgment, must be commenced within five (5) years after the sale is confirmed.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-6

Sheriffs or public officers; actions growing out of liability incurred during official acts or omissions of duty

Sec. 6. An action against:

- (A) a sheriff;
- (B) another public officer; or
- (C) the officer and the officer's sureties on a public bond;

growing out of a liability incurred by doing an act in an official capacity, or by the omission of an official duty, must be commenced within five (5) years after the cause of action accrues. However, an action may be commenced against the officer or the officer's legal representatives, for money collected in an official capacity and not paid over, at any time within six (6) years after the cause of action accrues.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-7

Six year limitation

Sec. 7. The following actions must be commenced within six (6) years after the cause of action accrues:

- (1) Actions on accounts and contracts not in writing.
- (2) Actions for use, rents, and profits of real property.
- (3) Actions for injuries to property other than personal property, damages for detention of personal property and for recovering possession of personal property.
- (4) Actions for relief against frauds.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-8

Real property execution actions

Sec. 8. An action for the recovery of real property sold on execution, brought by the execution debtor, the execution debtor's heirs, or any person claiming under the execution debtor by title acquired after the date of the judgment, must be commenced within six (6) years after the sale. However, an action described in this section must be commenced within ten (10) years after the sale, if the sale occurred before September 1, 1982.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-9

Promissory notes, bills of exchange, or written contracts for

payment of money

Sec. 9. An action upon promissory notes, bills of exchange, or other written contracts for the payment of money executed after August 31, 1982, must be commenced within six (6) years after the cause of action accrues. An action upon promissory notes, bills of exchange, and other written contracts for the payment of money executed on or after September 19, 1881, and before September 1, 1982, must be commenced within ten (10) years after the cause of action accrues. However, all contracts described in this section that have been executed before September 19, 1881, may be enforced within the time only as they have to run, before being barred under the law in effect at the time of their executions limiting the commencement of actions, and not afterward.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-10**Enforcement of child support obligations**

Sec. 10. An action to enforce a child support obligation must be commenced not later than ten (10) years after:

- (1) the eighteenth birthday of the child; or
- (2) the emancipation of the child;

whichever occurs first.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-10.5**Employment related action by volunteer firefighter or member of volunteer emergency medical services association**

Sec. 10.5. An action brought by a volunteer:

- (1) firefighter; or
- (2) member of a volunteer emergency medical services association connected with a unit of government as set forth in IC 16-31-5-1(6);

against the volunteer's political subdivision employer for being disciplined for being absent from employment while responding to an emergency must be commenced within one (1) year after the date of the disciplinary action, as provided in IC 36-8-12-10.5(g).

As added by P.L.43-2005, SEC.1. Amended by P.L.6-2012, SEC.221.

IC 34-11-2-11**Written contract actions**

Sec. 11. An action upon contracts in writing other than those for the payment of money, and including all mortgages other than chattel mortgages, deeds of trust, judgments of courts of record, and for the recovery of the possession of real estate, must be commenced within ten (10) years after the cause of action accrues. However, an action upon contracts in writing other than those for the payment of money entered into before September 1, 1982, not including chattel mortgages, deeds of trust, judgments of courts of record, or for the recovery of the possession of real estate, must be commenced within twenty (20) years after the cause of action accrues.

As added by P.L.1-1998, SEC.6. Amended by P.L.14-2000, SEC.69.

IC 34-11-2-11.5

Recovery of certain costs

Sec. 11.5. (a) As used in this chapter, "person" has the meaning set forth in IC 34-6-2-103(b).

(b) Subject to subsections (c), (d), and (e), a person may seek to recover the following in an action brought on or after the effective date of this section under IC 13-30-9-2 or IC 13-23-13-8(b) to recover costs incurred for a removal action, a remedial action, or a corrective action:

(1) The costs incurred not more than ten (10) years before the date the action is brought, even if the person or any other person also incurred costs more than ten (10) years before the date the action is brought.

(2) The costs incurred on or after the date the action is brought.

(c) Costs are eligible for recovery under subsection (b) regardless of whether any part of the costs is incurred before the effective date of this section.

(d) This section does not permit a person to revive or raise new claims in an action brought under IC 13-30-9-2 or IC 13-23-13-8(b) that was finally adjudicated or settled before the effective date of this section.

(e) Any person that brought an action under IC 13-30-9-2 or IC 13-23-13-8(b) that was not finally adjudicated or settled prior to the effective date of this section may not amend that action, or bring a new action, under this section.

As added by P.L.154-2011, SEC.4.

IC 34-11-2-12

Satisfaction of judgment after expiration of 20 years

Sec. 12. Every judgment and decree of any court of record of the United States, of Indiana, or of any other state shall be considered satisfied after the expiration of twenty (20) years.

As added by P.L.1-1998, SEC.6.

IC 34-11-2-13

Foreign country judgment

Sec. 13. An action to recognize a foreign country judgment must be commenced not later than the earlier of the following:

(1) The time during which the foreign country judgment is effective in the foreign country.

(2) Ten (10) years after the date the foreign country judgment became effective in the foreign country.

As added by P.L.213-2011, SEC.1.