

COLORADO'S STATUTES OF LIMITATIONS

CRS §13-80-101 through §13-82-107 **Always check the statute**

For all forms: <http://www.courts.state.co.us/Forms/Index.cfm>

For all Colorado Statutes & all Court Rules: <http://www.michie.com/colorado/>

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ALWAYS CHECK EVERY TIME to see which statute of limitation applies to your case - these are general descriptions; check to be sure

THE MOST COMMON ARE:

- 13-80-101:** three years; including: contract; fraud; breach of fiduciary duty; UCC claims; replevin; personal injury claims arising from operation of motor vehicle under Title 42, Article 7.
- 13-80-102:** two years; including torts; negligence; trespass; strict liability; professional malpractice (*veterinarians, attorneys, accountants*); personal injury; wrongful death; actions against govt entity or public employee; liability based on federal statute (*including ADA claims*); **any claim where statute of limitations is not otherwise defined**
- 13-80-102.5:** two years; medical/health care; claims against health care institutions or professionals
- 13-80-103:** one year; civil torts claims arising from criminal acts, libel/slander; claims against law enforcement; motor vehicle repair claims; claims against real estate brokers/salesmen
- 13-80-103.5:** six years; including actions to recover debt; arrears of rent; bad checks
- 13-80-103.7** Six years; sexual assault or sexual offense against a child
- 13-80-103.8** Five years; civil forfeiture relating to criminal acts
- 13-80-103.9** – w/in 2 years of age of majority; Failure to perform background check, injury to child
- 13-80-104** 6 years; Claims against Architects, contractors, builders, engineers & inspectors
- 13-80-105** Three years; Claims against land surveyor after discovery, and no more than 10 years after completion of survey
- 13-80-106** 2 years; Claims against manufacturers, except where minor, imprisoned, or disabled
- 13-80-107** 2 years; Claims vs. manufacturers of new products; must be brought w/in 7 yrs of first use
- 13-80-107.5** 3 years; Uninsured or under-insured motorists (*exceptions detailed in the statute*)
- 13-80-112** When action survives death

DISCOVERY OF HARM RULE

Colorado recognizes the “discovery of harm” exception to the standard statute of limitations in personal injury cases:

The “discovery of harm” rule means the statute of limitation does not begin to run until the injured person discovers or reasonably should have discovered the injury, and where an injured person had no knowledge of either the injury itself; or the fact that the defendant’s actions may have caused the injury.

Comstock v. Collier, 737 P.2d 845 (Colo.1987);
Owens v. Brochner, 474 P.2d 603 (Colo. 1970);
Rauschenberger v. Radetsky, 745 P.2d 640 (Colo. 1987).

STATUTES OF LIMITATION FOR CRIMINAL OFFENSES

CRS §16-5-401: Limitation For Commencing Criminal Proceedings And Juvenile Delinquency Proceedings

FELONIES:

NONE: Murder, attempt, conspiracy, or solicitation to commit murder, kidnapping, attempt, conspiracy or solicitation to commit kidnapping, treason, attempt, conspiracy, or solicitation to commit treason, any forgery regardless of penalty provided, attempt, conspiracy or solicitation to commit any forgery regardless of penalty provided.

10 YRS: sexual assault, aggravated incest, trafficking in or sexual exploitation of children, soliciting for child prostitution, pandering or procurement of a child.

3 YRS: Other felonies.
(*bribery and abuse of public office: 3 yr. extension; sexual offenses on children under 15 yrs. of age: 7 yr. extension*)

MISDEMEANORS

18 MONTHS.;

1 YEAR: Class I and II and traffic offenses

6 MONTHS: petty offenses

5 YEARS; 3rd degree sexual assault.

Acts During Which Statute Does Not Run

Absent from state: 5 yrs. maximum extension