

# Georgia Statutes of Limitation

## QUICK REFERENCE CARD

<b>Bank deposits &amp; collections, action to enforce obligations</b> (§11-4-111)	3 years	
<b>Bonds, limitations generally</b> (§45-8-9)	6 years	
action against surety for breach of bond	3 years	
<b>Bulk transfers, action brought or levy made</b> (§11-6-111)	12 months	
<b>Child Support, arrearages</b> (§19-11-163)	Ca. statute of limitation or statute of issuing state (whichever is longer)	
<b>Contracts:</b>		
• Simple written contract (except sale of goods & negotiable instruments) (§9-3-24)	6 years	
• Open accounts/parol contract/implied promise (except sale of goods) (§9-3-25)	4 years	
• Other contracts (except sale of goods) (§9-3-26)	4 years	
• Contract for sale of goods, breach of (§11-2-725)	4 years/1 year by agreement	
• Lease contract, default under (§11-2A-506)	4 years/1 year by agreement	
• Lease purchase agreements (§10-1-688)	4 years	
<b>Counties, claims against</b> (§36-11-1)	12 months	
<b>Criminal Procedure, limitations on prosecution</b> (§17-3-1):		
• Murder	no limit	
• Crimes where DNA evidence used to establish accused's identity	no limit	
• Other crimes punishable by death or life	7 years	
• Forcible rape	15 years	
• Felonies (victims > 18 years old)	4 years	
• Felonies (victims < 18 years old)	7 years	
• Felonies-other crimes (victims > 65 years old) (§17-3-2.2)	15 years	
• Misdemeanors	2 years	
• Extension of period if indictment found (§17-3-3)	6 months from 1 <sup>st</sup> indictment quashed or nolle prosequi entered	
• Conspiracy to commit a felony (§16-4-8)	Not less than 1 year nor more than ½ max period of time for that crime	
• Conspiracy to commit a crime punishable by death or life imprisonment (§16-4-8)	1 year/10 years	
<b>Directors and Officers of Banks &amp; Trust Companies</b>		
• Claims against (§7-1-493)	4 years	
• Liability of directors (§7-1-494)	6 years	
<b>Dissenter's action against corporation</b> (§14-2-1332)	3 years	
<b>Enforcement of rights accrued under statutes, acts of incorporation or by operation of law</b> (§9-3-22)		
	20 years	
<b>Estates, claim against</b> (§53-7-42 & §53-7-102)	no earlier than 6 months	
<b>Fair Business Practices Act, actions brought under</b> (§10-1-401)	2 years	
<b>Fiduciaries, actions against</b> (§9-3-27)	10 years	
<b>Fine and Forfeiture Fund</b> (§15-21-50)		
• Claims for payment of costs & fees	7 years	
• Extension of limitation period (§15-21-51)	7 additional years if claim first brought within 1 <sup>st</sup> 7 years	
<b>Forfeited interest, recovery of</b> (§7-4-10)		
<b>Injuries:</b>		
• Trespass or damage to realty (§9-3-30)	4 years	
• To personality (§9-3-31)	4 years	
• Conversion or destruction of personal property (§9-3-32)	4 years	
• To person (§9-3-33)	2 years	
• To reputation (§9-3-33)	1 year	
• Loss of consortium (§9-3-33)	4 years	
• To realty for deficiencies in planning supervising, or constructing improvements (§9-3-51) - Statute of Repose	8 years	
• To property or person in connection with improvements to realty (§9-3-51) - Statute of Repose	2 years/10 years	
<b>Insurance institution or agent, action against</b> (§33-39-21)	2 years	
<b>Judgments:</b>		
• Actions on foreign judgments (except child or spousal support judgments) (§9-3-20)	5 years	
• Motions to set aside judgments (§9-11-60)	3 years	
<b>Land Sales Act, buyers (action under §44-3-8)</b>	2 years	
<b>Land Surveyor, action against</b> (§9-3-30.2)	6 years	
<b>Legal &amp; Accounting Malpractice</b> (§9-3-25/§9-3-24)	4 years/6 years	
<b>Medical Malpractice</b> (§9-3-71)	2 years	
• Incompetents and minors who have reached 5 years of age (§9-3-73(b))	2 years	
• Minors <5 years old (§9-3-73(b))	2 years from 5 <sup>th</sup> birthday	
• Statute of Repose (§9-3-71)	5 years	
• Incompetents (§9-3-73(c)(1))	5 years	
• Minors <5 years old (§9-3-73(c)(2))	until 10 <sup>th</sup> birthday	
• Minors ≥ 5 years old (§9-3-73(c)(2))	5 years	
• Foreign objects left in body (§9-3-72)	1 year after discovery	
<b>Minors and Incompetents, excluding medical malpractice actions</b> (§9-3-90)	All statutes of limitations tolled until removal of disability	
<b>Motor vehicle franchise practice actions</b> (§10-1-625)	4 years	
<b>Municipal corporation, written claims against</b> (§36-33-5)	6 months	
<b>Negotiable instruments, action to enforce payment of</b> (§11-3-118)	6 years	
<b>Occupational Disease</b> (§34-9-281)		
• Claim for disablement	1 year/7 years	
• Asbestos	1 year from date of diagnosis of asbestosis	
• Death claim	1 year from date of death	
<b>Product Liability</b> (§51-1-11)	No later than 10 years from 1 <sup>st</sup> sale for use/consumption	
• Statute of Repose		
<b>Public Employer's unlawful labor practice, complaint against</b> (§45-19-36)	180 days	
<b>Recommendation of dismissed action</b> (§9-2-60)	6 months	
<b>Renewal of case after dismissal</b> (§9-2-61)	within original applicable period of limitations or within 6 months, whichever is later	
<b>Representative of deceased joint obligor, action against</b> (§9-2-27)	not earlier than 6 months	
<b>Restrictive covenant, breach of</b> (§9-3-29)		
• Land usage	2 years	
• Failure to pay assessments or fee	4 years	
<b>RICO, criminal or civil actions</b> (§16-14-8)	5 years	
<b>Sealed instruments, actions on</b> (§9-3-23)	20 years	
<b>Tax executions</b> (§48-3-21 & §48-3-21.1) for ad valorem taxes <\$5.00	7 years	
	1 year	
<b>Torts, claim against State Government</b> (§50-21-27)	2 years	
<b>Traffic conviction, challenge</b> (§40-1-3-33)	180 days	
<b>Unrepresented estate,</b> (§9-3-92 & §9-3-93)	Statutes of limitations tolled for 5 years in favor of estate and creditors	
<b>Wages &amp; overtime</b>		
• Recovery of (§9-3-22)	2 years	
• Unpaid wages in sexual wage discrimination case brought under §34-5-3 (§34-5-5)	1 year	
<b>Ward's action to reopen settlement of guardian's accounts</b> (§29-2-83)	4 years	
<b>Workers' Compensation</b> (§34-9-82)		
• from date of injury or death	1 year	
• if remedial treatment has been furnished	1 year from date of last remedial treatment	
• if payment of weekly benefits has been made	2 years from date of last payment	