



National Legal Research Group, Inc.

VIRGINIA STATUTES OF LIMITATIONS

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VIRGINIA STATUTES OF LIMITATIONS

The following is an alphabetical listing of Virginia statutes of limitations arranged by area of law. Only those statutes which establish a time period are included. Statutes which establish general rules for the application and interpretation of statutes of limitations have been omitted. No attempt has been made to systematically include tolling periods or rules, administrative or regulatory time limits, or appeal periods. The information presented here is intended for use as a quick reference. The applicability of each limitation period will need to be determined on a case by case basis through examination of the entire statute and relevant case law.

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is offered with the understanding that the publisher is not engaged in rendering legal services. If legal advice is required, the services of a competent attorney should be sought. (From a Declaration of Principles jointly adopted by a Committee of the American Bar Association and a Committee of Publishers and Associations.)

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
ADOPTION		
Attack of final order	6 months (from date of entry of final order)	63.2-1216
AGRICULTURAL EQUIPMENT WARRANTIES		
Actions for defective equipment	6 months (after expiration of warranty or 18 months after delivery of equipment, whichever is later)	59.1-207.8
ANIMALS		
Cruelty to animals		
—Agricultural animals	1 year	19.2-8
—Other animals	5 years	19.2-8
Illegal sale or purchase of wild birds, wild animals, or freshwater fish	3 years	19.2-8
ANTITRUST		
Virginia Antitrust Act [See BUSINESS CORPORATIONS]		
ASBESTOS		
Personal actions	(no action may be brought more than 2 years after death of person)	8.01-249(4)
Workers' compensation claims [See WORKERS' COMPENSATION]		
BANKS		
Claim against insolvent bank	6 months (from publication of notice)	6.1-109
Commercial Code [See COMMERCIAL CODE]		
FDIC receivership	(statute extended 6 months on all causes of action where FDIC is receiver)	6.1-110.11
BUILDING CODE		
Condominium Code violations	3 years	19.2-8
Prosecution of violations		

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
—Generally	2 years (after discovery provided that such discovery occurs within 2 years of the date of initial occupancy or use after construction or issuance of the certificate of use and occupancy, whichever is later)	19.2-8, 36-106
—Maintenance of existing buildings	1 year (after discovery of offense)	19.2-8, 36-106
Suits against construction for zoning violation where permit has been issued	15 days (after start of construction if person had no notice of permit issuance)	15.2-2313
BUSINESS CORPORATIONS		
Enforcement of known claims against dissolved corporation	90 days (after notice of denial from corporation)	13.1-746, 13.1-908
Liability of directors for unlawful distribution	2 years	13.1-692
Securities		
—Criminal Prosecution	3 years	13.1-520
—Generally	2 years (after violation if no written offer to repay has been made)	13.1-522
State Corporation Commission		
—Appeal of decision	4 months	12.1-39
Virginia Antitrust Act		
—Civil penalty under 59.1-9.15	4 years	59.1-9.14(a)
—Recovery of damages under 59.1-9.12(b) or 59.1-9.15(b)	4 years (after cause of action accrues or within 1 year after any action or proceeding under 59.1-9.15, whichever is later)	59.1-9.14(b)
BUSINESS OPPORTUNITY SALES ACT	3 years	59.1-269
CEMETERIES		
Damage to adjacent land from establishment of cemetery	1 year	57-26C
CHILDREN		
Paternity		
—Child resulting from assisted conception	2 years (after discovery of child's birth or when reasonably it should have been discovered)	20-158
Support of dependent children		
—Appeal of hearing officer's decision	10 days	63.1-268.1
—Appeal of order to withhold and deliver property of debtor	10 days	63.2-1929
Surrogate Mothers		
—Actions against brokers	5 years (after date of contract)	20-165
—Challenges to presumption resulting from assisted conception	2 years (after birth of child)	20-163
COMMERCIAL CODE		
Bank deposits and collections		

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
—Discovery and reporting of unauthorized signature or alteration	1 year (after statement from bank)	8.4-406
—Action to enforce obligation, duty, or right	3 years	8.4-111
Bulk sales	1 year (after date of the bulk sale unless sale was concealed, in which case, within earlier of 1 year after discovery of sale or 1 year after sale should have been discovered)	8.6A-110
Contracts for sale of goods	4 years (by the original agreement the parties may reduce the period to not less than 1 year but may not extend it. Action after terminated action must be within period or 6 months after action)	8.2-725(1)
Contracts generally [See CONTRACTS]		
Leases		
—Action for default	4 years	8.2A-506
Letters of credit		
—Action to enforce right or obligation (effective 1/1/98)	1 year (after expiration date of relevant letter or 1 year after cause of action accrues, whichever occurs later)	8.5A-115
Negotiable Instruments		
—Accepted draft other than certified check	6 years (after due date if due date is stated or after date of acceptance if payable on demand)	8.3A-118(f)
—Breach of warranty	3 years	8.3A-118(g)
—Certificate of Deposit	6 years (see statutes for circumstances that commence running of limitations period)	8.3A-118.1; 8.3A-118(e)
—Deposit account	6 years (see statutes for circumstances that commence running of limitations period)	8.3A-118.1; 8.3A-118(e)
—Conversion of an instrument, money had and received, or like action based on conversion	3 years	8.3A-118(g)
—Enforcement of obligation of acceptor of certified check or issue of teller's check, cashier's check, or traveler's check	3 years (after demand for payment)	8.3A-118(d)
—Note payable at definite time	6 years (after due date or accelerated due date if accelerated)	8.3A-118(a)
—Note payable on demand	6 years (after demand; if no demand is made, action is barred if neither principal nor interest has been paid for 10 years)	8.3A-118(b)
—Other obligation, duty, or right arising under title	3 years	8.3A-118(g)

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
—Unaccepted draft	3 years (after dishonor or 10 years after date of draft, whichever period expires first)	8.3A-118(c)
COMPUTERS		
Action for injury under Virginia Computer Crimes Act	5 years (after last act or 2 years after plaintiff discovers or reasonably should have discovered last act, whichever is earlier)	8.01-40.1
Breach of a contract for computer information	Later of 4 years, or 1 year after breach was or should have been discovered, but no later than 5 years	59.1-508.4
Criminal prosecutions under Computer Crimes Act	5 years (after last act or 1 year after existence of illegal act and the identities of offenders are discovered)	19.2-8
CONDOMINIUMS		
Action for breach of warranty against structural defects	5 years	55-79.79
Action to challenge amendments	1 year	55-79.71
Criminal prosecutions	3 years	19.2-8
Suit to enforce lien for unpaid easement	36 months (from time the memorandum of lien was filed)	55-79.84
CONSUMER PROTECTION		
Individual action under Virginia Consumer Protection Act	2 years	59.1-204.1
CONSTRUCTION		
Damages arising out of defective or unsafe condition of improvements to property	5 years	8.01-250
CONTRACTS		
Accounts between merchants	5 years	8.01-246(3)
Action upon a recognizance	10 years	8.01-246(1)
Contract claims against the Commonwealth		
—Action when claim is disallowed	3 years	8.01-255
—Presentment of claim to comptroller or other authority	5 years	8.01-255
Contract for computer information [See COMPUTERS]		
Contracts in writing where not covered by other specific statute	5 years	8.01-246(2)
Recognizance of bail in civil suit	3 years	8.01-246(1)
Settlement of partnership accounts	5 years	8.01-246(3)
State & Local Government [See STATE & LOCAL GOVERNMENT]		
Unwritten contracts (express or implied)	3 years	8.01-246(4)

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
COURTS		
Appeals		
—Conviction of misdemeanor or traffic violation in circuit court	5 or 9 months (trial de novo must be held within 5 months from conviction if accused held in custody, or 9 months from conviction if recognized for appearance in court)	19.2-243
—Injunctions, bill of review to final decree	6 months (after decree)	8.01-623
—Trial of felon, where General District Court found probable cause and the defendant has been held in custody	5 months (from finding of probable cause, or from date of arrest where there was an indictment or presentment but the defendant has not been arrested)	19.2-243
—Trial of felon, where General District Court found probable cause and the defendant has <i>not</i> been held in custody	9 months (from finding of probable cause, or from date of arrest where there was an indictment or presentment but the defendant has not been arrested)	19.2-243
Enforcement of judgments		
—Generally	20 years	8.01-251(A)
—Judgments entered in General District Court	10 years (after date of judgment)	16.1-94.1
—Judgments from another state or country	20 years	8.01-251(A)
—Liens on lands conveyed by debtor	10 years	8.01-251(C)
—When lien of <i>feri facias</i> on estate of debtor not capable of being levied ceases	1 year (from return day of the execution or from final determination of the amount owed)	8.01-505
Jurors		
—Presentation of request for payment of allowance	2 years (after service)	17.1-623
Recovery by Commonwealth and locality of court costs and penalties other than fines	20 years	19.2-341
Witnesses		
—Entry of witness for appearance at term	60 days (from end of term—no entry for witness against party recovering cost after execution has issued for such party)	17.1-616
—Payment out of state treasury	2 years (after service)	17.1-615
CREDIT		
Actions pursuant to Equal Credit Opportunity Act	2 years	59.1-21.23(e)
Actions under Virginia Credit Services Businesses Act	2 years (from date liability arises or 2 years from discovery of misrepresentation where misrepresentation is material to establishment of defendant's liability)	59.1-335.11
Usury [See USURY]		

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
CRIMINAL PROSECUTIONS		
Abortion		
—Attempt to produce	2 years	19.2-8
Adoption		
— Placement without license	1 year	19.2-8
Appeals [See COURTS]		
Building code violations [See BUILDING CODE]		
Business Opportunities Sales Act violations	3 years	59.1-269
Campaign Finance Disclosure Act of 2006 violation [See ELECTIONS]		
Computer crimes	5 years (after last act or 1 year after existence of illegal act and the identity of offenders are discovered)	18.2-152.9
Condominium code violations	3 years	19.2-8
False statements for unemployment compensation	3 years	19.2-8
Forfeiture in drug case	3 years (from date of discovery by Commonwealth of last act giving rise to action for forfeiture)	19.2-386.1
Fraudulent tax return or statement by corporate officer	5 years	58.1-452
General Assembly Conflicts of Interest Act violation	First of 1 year from date Attorney General has actual knowledge of the violation, or 5 years from date of violation	30-128
Malfeasance in office (nonfelonious)	2 years	19.2-8
Misdemeanors	1 year	19.2-8
Petit larceny	5 years	19.2-8
Toxic substance discharge	3 years	19.2-8
Wild birds, wild animals, and freshwater fish		
—Illegal sales or purchases	3 years	19.2-8
DECEDENTS' ESTATES		
Affecting bona fide purchaser of real estate		
—Where intestacy is involved	1 year	64.1-96.1
—Where later will is involved	1 year	64.1-96
—Where purchaser is without notice of devise	1 year	64.1-95
Claim of succession based on relationship of child born out of wedlock		
—Action seeking adjudication of parenthood	1 year (after death of parent)	64.1-5.1

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
Distribution of estate		
—Suit against legatee or distributee for refund	5 years	64.1-179
Elective share of survivor	6 months (from the time of the admission of the will to probate or the time of the qualification of an administrator on an intestate estate, whichever is later—effective January 1, 1991. See 64.1-14 relative to extension of time)	64.1-13
Enforcement of bequests and legacies	20 years	8.01-254
Personal action against representative		
—Accrual of action after death	(Before expiration of applicable period or within 2 years after qualification of representative, whichever comes later)	8.01-229
—Accrual of action before death	(Before expiration of applicable period or within 1 year after qualification of representative, whichever comes later)	8.01-229
Personal action by representative	(Before expiration of applicable period or within 1 year after qualification of representative, whichever comes later)	8.01-229
Proceeding to construe conditions of spouse's survivorship	12 months (from death of testator or grantor)	64.1-66.2
Reopening judgment against administrator of person erroneously presumed dead	3 months (after revocation of letters)	64.1-114
Uniform Trust Code [See TRUSTS]		
Wills		
—Bill to impeach or establish a will	1 year (64.1-90 provides for 1 year from after minor comes of age or person of unsound mind is restored to sanity. 2 years for person who resides out of state or who shall have been preceded against by order or publication)	64.1-89
—Probate		
—Appeal of order of clerk	6 months (after entry of order)	64.1-78
DEFAMATION	1 year	8.01-247.1
DISABLED PERSONS		
Remedy for violation of chapter	1 year	51.5-46
— Filing notice of claim	180 days	51.5-46
DISPUTE RESOLUTION PROCEEDINGS		
Vacation of orders and agreements	2 years (after mediated agreement is entered into, or, if predicated on fraud, after grounds are discovered or reasonably should have been discovered)	8.01-576.12

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
DIVORCE		
Action based on adultery, sodomy, or buggery	5 years	20-94
DRUG DEALER LIABILITY ACT		
Action by parent on behalf of minor child	2 years (after child's 18th birthday)	8.01-227.7
ELECTIONS		
Petition for recount	10 days from certification of result	24.2-801
Violation of Campaign Finance Disclosure Act of 2006	1 year from discovery but no more than 3 years from violation	24.2-953, 19.2-8
EMPLOYMENT DISCRIMINATION		
Action by employee under Virginia Human Rights Act	300 days from discharge, or, if complaint filed, 90 days from date the Council or local human rights agency rendered a final disposition on complaint	2.2-2639
EXTRAORDINARY WRITS		
Habeas Corpus		
—Petition by nondeath penalty prisoner	2 years	8.01-654
—Petition by prisoner sentenced to death	60 days	8.01-654.1
—Petition other than one challenging criminal conviction or sentence	1 year	8.01-654
Mandamus		
—on behalf of prisoner	1 year	8.01-644.1
FIDUCIARIES		
Action upon bond or against fiduciaries	10 years	8.01-245
Decedents' Estates [See DECEDENTS' ESTATES]		
FINES AND PENALTIES		
Proceedings to recover fines and penalties imposed by circuit court	20 years	19.2-341
Proceedings to recover fines and penalties imposed by general district court	10 years	19.2-341
FRANCHISES		
Action to recover damages under Retail Franchise Act	4 years	13.1-571
Criminal prosecutions		
Petroleum Products Franchise Act		
—Civil action for violation	2 years	59.1-21.12
GAMBLING		
Recovery of money or property lost in gaming	3 months	11-15
GROUND WATER		
Criminal prosecution under act	3 years (from discovery of act)	62.1-270

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
HEALTH		
Action for fraudulently obtaining or attempting to obtain excess benefits	6 years (from date violation was committed, or 3 years from the date when official of the Commonwealth knew or should have known of violation, but not more than 10 years)	32.1-312
Action to recoup excess payments received without intent to violate law	6 years (from date violation was committed, or 3 years from the date when official of the Commonwealth knew or should have known of violation, but not more than 10 years)	32.1-313
INDUSTRIAL COMMISSION		
Birth-Related Neurological Injury Compensation Act		
—Claims under chapter	10 years (after birth of infant)	38.2-5013
Workers' compensation [See WORKERS' COMPENSATION]		
INSULTING WORDS	1 year	8.01-247.1
INSURANCE		
Action challenging validity of or arising out of any act under article governing conversion of MHC to Stock Holding Company	30 days (from date when plan of MHC conversion becomes effective)	38.2-1005.1:13
Birth-Related Neurological Injury Compensation Act		
—Claims under chapter	10 years (after birth of infant)	38.2-5013
Disclosure of personal or privileged information		
—Individual remedies	2 years (from date of discovery or date when discovery should have been made)	38.2-617
Equity owners of domestic stock insurers		
—Suits to recover profits from unfair use of information	2 years (after profit realized)	38.2-214
Group accident and sickness policies		
—Required policy provision establishing limit	3 years (from which proof of loss was to have been filed)	38.2-3540
Group life policies		
—Minimum period to which policies may limit actions	1 year	38.2-3338
Individual life policies		
—Minimum period to which policies may limit actions	1 year	38.2-3316
Industrial life policies		
—Minimum period to which policies may limit actions	1 year	38.2-3354

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
Policies generally		
—Minimum period to which policies may limit actions	1 year	38.2-314
Workers' compensation [See WORKERS' COMPENSATION]		
JUDGMENTS		
Enforcement of district court judgments	10 years	16.1-94.1
Enforcement of judgments	20 years	8.01-251
Petition for rehearing when rendered on publication notice	2 years (after date of judgment or 1 year after copy of judgment was served)	8.01-322, 8.01-575
Setting aside default judgment for fraud on court	2 years	8.01-428
JUDICIAL SALES		
Suits to disturb title of purchaser	1 year	8.01-113
LANDLORD AND TENANT		
Distress action for rent	5 years	55-230
Reentry		
—Payment of rent in arrears to regain possession	1 year (from publication)	55-247
—Payment of rent or filing of bill in equity to obtain relief against forfeiture	1 year (from execution)	55-240
—Suit against person in possession by reentry	2 years (from date of possession)	55-248
LIBEL	1 year	8.01-247.1
LIENS		
Enforcement of judgment on lands conveyed by debtor	10 years	8.01-251(C)
General contractor or other lien claimant filing of memorandum on lien	90 days (from the last day of the month in which he last performs labor or furnishes material, but in no event later than 90 days from the time such activity is completed or otherwise terminated)	43-4
Lien of <i>feri facias</i> on estate of debtor not capable of being levied against	1 year (from return day of the execution or from final determination of the amount owed)	8.01-505
Mechanic's or materialman's lien		
—Suit to enforce	6 months (from when memorandum of claim was recorded, or 60 days from when work was terminated, whichever occurred later)	43-17
Property [See PROPERTY]		
Taxation [See TAXATION]		
MEDICAL MALPRACTICE [SEE TORTS]		

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
MONEY		
Suit to recover money or valuables in illegal currency dealing, trade, or business	1 year (from payment)	6.1-330.52
MOTOR VEHICLE WARRANTY ACT		
Action under chapter	Within the lemon law rights period (from date of original delivery; or, where consumer makes good faith effort to settle without satisfactory results, 12 months from final action by manufacturer or within the lemon law rights period, whichever is longer)	59.1-207.16
NAME		
Unauthorized use	20 years (after death of person whose name is used)	8.01-40
PARTIES SERVED BY PUBLICATION		
Petition to have case reheard	2 years (after rendition of the judgment, decree, or order for which petitioner did not appear, but if petitioner is served with copy of the judgment, decree, or order during the 2 year period, then within 1 year of such service)	8.01-322
PATERNITY [SEE CHILDREN]		
PERSONAL INJURY		
Asbestos	(no action may be brought more than 2 years after death of person)	8.01-249(4)
Generally	2 years	8.01-243(A)
PETROLEUM PRODUCTS FRANCHISE ACT		
Civil action for violation	2 years	59.1-21.12
PICTURES OR PORTRAITS		
Unauthorized use	20 years (after death of person whose picture or portrait is used)	8.01-40
PRISONERS		
Action relating to conditions of confinement	Later of 1 year after action accrues or 6 months after administrative remedies exhausted, whichever occurs later	8.01-243.2
Appeal of involuntary admission of mentally ill prisoner	10 days	53.1-40.4
Habeas Corpus [See EXTRAORDINARY WRITS]		
Mandamus [See EXTRAORDINARY WRITS]		
PROFESSIONS AND OCCUPATIONS		
Complaint against regulant	3 years	54.1-307.1

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
PROPERTY		
Bill in equity to repeal land grant by Commonwealth	10 years (from date of grant)	8.01-238
Breach of condition subsequent or termination of determinable fee simple interest	10 years	8.01-255.1
Condominiums		
—Action for breach of warranty against structural defects	5 years	55-79.79
Cooperatives		
—Suit by purchaser of real estate cooperative interest for breach of warranty of quality	6 years (the parties may agree to reduce the limitations period to not less than 2 years)	55-491
Enforcement of deeds of trust, mortgages, and liens for unpaid purchase money		
—When no maturity date is given, for deeds of trust other than credit line deeds of trust described in 55-58.2	20 years (after date of the deed of trust, mortgage, or other lien, provided that 1 year from death of any party in interest shall be excluded)	8.01-242
—When no maturity date is given, for credit line deeds of trust described in 55-58.2	40 years (after date of the deed of trust, provided that 1 year from the death of any party in interest shall be excluded)	8.01-242
—Generally	10 years (from time when original obligation becomes due and payable according to its terms)	8.01-241
Entry on or action to recover land	15 years (and not more than 25 years in case of disability)	8.01-236, 8.01-237
Fiduciaries		
—Suit to repeal	10 years	8.01-238
Implied warranties on new homes		
—Action for breach	2 years	55-70.1
Injury to property	5 years	8.01-243(B)
Judicial Sales		
—Suits to disturb title of purchaser	1 year	8.01-113
Landlord and tenant [See LANDLORD AND TENANT]		
Liens for water, sewer, or sidewalk assessments	10 years (from recordation of deed, for lands conveyed for value, and within 20 years from docketing of assessment)	8.01-240
Mechanic's or materialman's lien		
—Suit to enforce	6 months (from when memorandum of claim was recorded, or 60 days from when work was terminated, whichever occurred later)	43-17
Motion for new execution after loss of property sold under indemnity bond	5 years	8.01-255.2

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
Museums, action to recover property loaned to	5 years (from receipt by museum of written communication concerning the property or any display of interest by the lender in the item as recorded by museum employee)	55-210.32
Property Owners' Association Act		
—Suit to enforce liens	36 months (from time memorandum of lien was filed)	55-516
Real Estate Time-Share Act proceedings	2 years	55-383
Recordation of loaned goods or chattels	5 years	55-87
Recovery of ground rents	10 years	8.01-239
Sales by trustees		
—Objections to irregularities in advertising sales	15 years	55-24
Subdivided Land Sales Act		
—Enforcement of liens	1 year (from time memorandum of lien was filed)	55-344
Suit to avoid conveyances, etc., which are not on consideration deemed valuable in law	5 years (from recordation, or, if not recorded, within 5 years same was or should have been discovered)	8.01-253
Unclaimed property		
—Actions challenging treasurer's decision	3 years	55-210.22
—Action when treasurer fails to act on claim	3 years	55-210.22
—Enforcement of chapter by administrator	5 years (from date holder filed report in which property or dispute concerning property was identified or should have been identified; or 10 years in cases of fraud)	55-210.17
Unlawful entry or detainer	3 years	8.01-236
Virginia Real Estate Cooperative Act		
—Actions to challenge amendments	1 year	55-453
—Actions to enforce liens	3 years (after assessment becomes due)	55-472
—Breach of express or implied warranties	6 years (but parties may agree to reduce period to not less than 2 years)	55-491
Virginia Real Estate Time-Share Act		
—Suits challenging accuracy of offering or validity of contract	2 years	55-383
Virginia Residential Property Disclosure Act		
—Actions brought under	1 year	55-524
PUBLIC SAFETY		
Action for overtime compensation by law enforcement, fire protection, and EMT employee	2 years (from date compensation was due, or 3 if willful)	9.1-705

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
SECURITIES		
Criminal prosecutions	3 years	13.1-520
Recovery of loss because of illegal currency dealing	1 year (after payment)	6.1-330.52
STATE & LOCAL GOVERNMENT		
Appeal when claim against county is disallowed	30 days (from decision if present, or from notice if not present. In no case will the appeal be taken after a lapse of 6 months from date of decision)	15.2-1246
Bond issues		
—Contesting issuance	30 days (after filing of authorizing resolution or ordinance)	15.2-2653
—Contesting validity of proposed bond issue	30 days (from filing of ordinance or resolution authorizing issuance of bonds)	15.2-2627
—Contesting validity of proposed bond issue under Virginia Water and Waste Authorities Act	30 days (after filing)	15.2-5126
Claims against state		
—Allowance made by court order	2 years	2.2-815(b), 2.2-816
Compensation board		
—Appeal of decision	45 days	15.2-1636.9
Condemnation		
—Contesting counties' taking possession prior to condemnation	30 days	15.2-1905
Conflicts of interest		
—General Assembly Conflicts of Interest Act	1 year (from time attorney general has actual knowledge of violation or 5 years from date of violation, whichever event first occurs)	30-128
—Generally	1 year (from time attorney general or Commonwealth's attorney has actual knowledge of violation or 5 years from date of violation, whichever comes first)	2.2-3125
Department of Transportation—suit against by contractor	1 year (from receipt of decision of commissioner of the Department of Transportation; claimant must first have exhausted the review process provided by 33.1-386; 33.1-192 applies to contracts entered into prior to July 1, 1976)	33.1-192.1
Escheats		
—Recovery of money paid into state treasury	120 days (from date of sale)	55-200
Notice to cities and towns of claim for damages	6 months	15.2-209
Recovery by county of illegal claims paid	2 years (after entry of order)	15.2-1245
Subdivision and site plans		

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
—Appeal of vacation of interest granted as condition of approval	30 days	15.2-2270
—Appeal of vacation of plat before sale of lot therein	30 days	15.2-2271
Tort claims against the Commonwealth		
—Commencement of action	18 months (from filing of notice of claim)	8.01-195.7
—Filing notice of claim	1 year	8.01-195.6; 8.01-195.7
Virginia Human Rights Act		
—Complaints to commission	180 days	2.2-2636
Virginia Public Procurement Act		
—Ineligibility of bidder, offeror, or contractor	10 days (after notice of refusal)	2.2-4357
—Nonresponsibility of bidder	10 days (after notice of decision)	2.2-4359
—Withdrawal of bid	10 days (after notice of decision)	2.2-4358
Zoning		
—Appeal of adoption	30 days	15.2-2285
—Appeals to board	30 days	15.2-2311
—Change, modification, or reversal where person aggrieved changed position based on decision	60 days	15.2-2311
STATE CORPORATION COMMISSION		
Petition for writ of supersedeas	4 months (from date of final finding, order, or judgment)	12.1-41
SURROGATE MOTHERS [SEE CHILDREN]		
TAXATION		
Application to court for correction of erroneous or improper assessment of taxes	3 years (or, if later, one year after tax commissioner's decision on a process exemption under 58.1-1821)	58.1-1825
Assessment of tax administered by Department of Taxation	3 years (after filing return or 6 years after the date when return was due but not filed; if a false or fraudulent return is filed with intent to evade payment, an assessment may made at any time)	58.1-1812
Collection of state taxes generally	20 years (from date of assessment)	58.1-1802.1
Evading or defeating tax	3 years	19.2-8
Failure to make return		
—Generally	3 years	19.2-8
—Income tax	5 years	58.1-348
Failure to pay tax	3 years	19.2-8
False or fraudulent statements, documents, or returns		
—Generally	3 years	19.2-8

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
—Income tax	5 years	58.1-348, 58.1-452
Forest products tax		
—Application for correction of assessment	1 year (from December 31 of the year in which the assessment was made)	58.1-1622
Local taxes		
—Appeal of assessments for local improvements	30 days	15.2-2410
—Appeal of correction by locality	6 months	58.1-3982
—Application to commissioner of revenue or other official for correction of assessment		
—Generally	3 years (from last day of tax year for which assessment was made or within 1 year from the date of the assessment, or within 1 year from the date of the tax commissioner's final determination under 58.1-3703.1A5, whichever is later)	58.1-3980A
—Involuntarily satisfied erroneous assessment	1 year	58.1-3980B
—Unpaid tangible personal property tax	(any time during which assessment is collectible)	58.1-3980B
—Application to circuit court for correction of assessment	3 years (from last day of tax year for which assessment was made or within 1 year from the date of the assessment, whichever is later)	58.1-3984
—Claims by parties in interest in proceedings for sale of real estate	90 days (from notice of proceedings)	58.1-3967
—Contesting real property assessments in county manager plan counties	1 year (from December 31 of year in which assessment is made)	15.2-717
—Enforcement of lien for taxes on real estate	20 years	58.1-3341
—Enforcement of real property taxes by sale	20 years (after December 31 of the year for which taxes were assessed)	58.1-3940B
—Presentation of warrants	2 years (from date of drawing)	58.1-3134
—Refunds of taxes erroneously paid	3 years (from last day of tax year for which such taxes were paid)	58.1-3990
—Where not otherwise provided	5 years (following December 31 of the year for which taxes were assessed)	58.1-3940A
Motor fuel tax		
—Application for refund generally	1 year from date of sale	58.1-2261
—Application to commission for correction	30 days (from date of assessment)	58.1-2281
—Assessment generally	3 years	58.1-2285
—Claim for taxes erroneously or illegally collected	1 year	58.1-2260

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
Orders to repay overpayments of insurance license tax	3 years	58.1-2526
Petition to correct taxes assessed by state corporation commission	1 year	58.1-2030
Protective claim for refund of state taxes		
—Appeal of tax commissioner’s decision	1 year	58.1-1824
Public service corporations		
—Application to correct erroneous local assessment ratio	3 months	58.1-2670.1
Refund of withholding overpayments	2 years	58.1-479
Retail sales and use tax		
—Assessment of tax	3 years (from date on which taxes became due and payable or 6 years if false or fraudulent return to evade taxes or failure to file return)	58.1-634
State taxes		
—Conversion of trust taxes	5 years	58.1-1816
Unemployment compensation		
—Establishment of liability for taxes	3 years (prior to January 1 of the year in which suit or proceeding is instituted. Section does not apply in case of willful attempt to defeat or evade payment)	60.2-514
Assessment of tax	Unless otherwise provided, 3 years (or 6 years for false or fraudulent return to evade taxes or failure to file return)	58.1-104
Virginia Fraud Against Taxpayers Act	6 years (from date violation was committed, or 3 years from the date when official of the Commonwealth knew or should have known of violation but not more than 10 years)	8.01-216.9
TORTS		
Action by parent or guardian for medical expenses or loss of services of minor	5 years	8.01-243(B)
Claims against Commonwealth		
—Commencement of action	18 months (from filing of notice of claim)	8.01-195.7
—Filing notice of claim	1 year	8.01-195.6; 8.01-195.7
Claims against counties, cities, and towns		
—Filing notice of claim	6 months	15.2-209
Defamation	1 year	8.01-247.1
Fraud	2 years	8.01-243(A)
Improvements to real property, claims resulting from [See CONSTRUCTION]		
Injury to property	5 years	8.01-243(B)

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
Libel	1 year	8.01-247.1
Medical malpractice		
—Due date for review panel opinions	6 months (from designation of panel, but judge may extend period for 90 days on showing of extraordinary circumstances)	8.01-581.7:1
—Foreign object with no therapeutic value left in body	2 years (or 1 year from time object is discovered or reasonably should have been discovered up to a maximum of 10 years from time of injury)	8.01-243(C)
—Fraud, concealment, or misrepresentation preventing discovery of injury	2 years (or 1 year from time injury is discovered or reasonably should have been discovered up to a maximum of 10 years from time of injury)	8.01-243(C)
—Minors	2 years (if minor is less than 8 years of age, he shall have until his 10th birthday, except as provided in 8.01-243(C))	8.01-243.1
Personal action for which no other limitation is specified	2 years (for actions occurring after 6/30/95; prior limit was 1 year)	8.01-248
Personal injuries	2 years	8.01-243(A)
Slander	1 year	8.01-247.1
Wrongful death	2 years	8.01-244
TOXIC SUBSTANCES		
Discharge, emission, or dumping	3 years	19.2-8
TRADE SECRETS		
Action for misappropriation under Unfair Trade Practices Act	3 years (after discovery)	59.1-340
TRUSTS		
Action against trustee by beneficiary		
— Where beneficiary was sent a report disclosing existence of potential claim for breach of trust and informing beneficiary of time for commencing proceeding	1 year (from date report sent)	55-550.05(A)
—Where beneficiary was not sent a report disclosing existence of potential claim for breach of trust and informing beneficiary of time for commencing proceeding	5 years (from removal, resignation, or death of trustee; termination of beneficiary's interest; or termination of trust, whichever occurs first)	55-550.05(C)
Action for fraud in connection with trust	2 years (after discovery of fraud, but not more than 5)	55-550.05(D)
Contesting validity of revocable trust	Earlier of 2 years from settlor's death or 6 months from receipt of proper notice from trustee	55-546.04
UNEMPLOYMENT COMPENSATION		
Establishment of liability for taxes	3 years (prior to January 1 of the year in which suit or proceeding is instituted; section does not apply in case of willful attempt to defeat or evade payment)	60.2-514

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
UNIFORM CUSTODIAL TRUST ACT		
Claims for accounting or breach of duty where final accounting or statement fully disclosed the matter	2 years	55-34.16
Claims for accounting or breach of duty where there is not a final accounting or statement fully disclosing the matter	3 years	55-34.16
Claims to recover for fraud, misrepresentation, or concealment	5 years (after termination of the custodial trust)	55-34.16
USURY		
Recovery of excess interest paid	2 years (from last scheduled payment or from date of payment in full, whichever is earlier)	6.1-330.57
VIRGINIA FAIR HOUSING LAW		
Enforcement by private parties	2 years (aggrieved may bring suit no later than 180 days after conclusion of administrative process or not later than 2 years after the occurrence)	36-96.18
VIRGINIA HUMAN RIGHTS ACT		
Action by employee for employment discrimination	180 days (from discriminatory event)	2.2-2636
VIRGINIA PROCUREMENT ACT		
Action on payment bond	1 years (after person performed labor or supplied material)	2.2-4341
Action on performance bond	1 year (5 years if the public body is the Department of Transportation)	2.2-4340
WATER		
State Water Control Law		
—Criminal prosecution	3 years (after discovery of offense)	62.1-44.32
WILLS		
Decedents' Estates [See DECEDENTS' ESTATES]		
WORKERS' COMPENSATION		
Accidents generally	2 years	65.2-601
Appeal of commissioner's award	30 days (from date of award)	65.2-706
Death generally	2 years	65.2-601
Filing for incapacity after permanent loss	1 year (after date compensation was last due)	65.2-501
Occupational diseases		
—Asbestosis	2 years (after diagnosis)	65.2-406A(3)
—Byssinosis	2 years (after diagnosis or 7 years from date of last injurious exposure, whichever occurs first)	65.2-406A(2)

AREA OF LAW	LIMITATIONS PERIOD	STATUTE
—Change in condition	3 years (from date compensation was last paid, except that claim for asbestosis must be made within 2 years from date diagnosis of advanced stage is made)	65.2-406C
—Coal miner’s pneumoconiosis	3 years (after diagnosis or 5 years from date of last injurious exposure, whichever occurs first)	65.2-406A(1)
—Death	3 years (after death)	65.2-406B
—Diseases attributable to 9/11 attack on the Pentagon	2 years (after diagnosis)	65.2-406A(5)
—HIV (AIDS)	2 years (after positive test)	65.2-406A(4)
—Other	2 years (after diagnosis or 5 years from date of last injurious exposure, whichever occurs first)	65.2-406A(6)
WRONGFUL DEATH	2 years	8.01-244