

2014 SESSION

INTRODUCED

14103203D

HOUSE BILL NO. 398

Offered January 8, 2014

Prefiled January 3, 2014

A BILL to amend and reenact § 8.01-230 of the Code of Virginia, relating to accrual of right of action; discovery.

Patron—Fariss

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-230 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-230. Accrual of right of action.

~~In~~ Except where otherwise provided under § 8.01-233, subsection C of § 8.01-243, subsection C of § 8.01-245, § 8.01-249 or 8.01-250, or any other statute, in every action for which a limitation period is prescribed, the right of action shall be deemed to accrue and the prescribed limitation period shall begin to run from the:

1. From the date the injury is sustained or, if the injury is not reasonably discoverable on the date the injury is sustained, from the date the injury or damage is discovered or, in the exercise of due diligence, reasonably should have been discovered in the case of injury to the person or damage to property; when; or

2. When the breach of contract occurs in actions ~~ex contractu~~ and not when the resulting damage is discovered; except where the relief sought is solely equitable or where otherwise provided under § 8.01-233, subsection C of § 8.01-245, §§ 8.01-249, 8.01-250 or other statute in actions *ex contractu*.

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