

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0666.01 Bart Miller x2173

SENATE BILL 12-069

---

SENATE SPONSORSHIP

Tochtrop,

HOUSE SPONSORSHIP

Gardner B.,

---

Senate Committees  
Judiciary

House Committees

---

A BILL FOR AN ACT

101 CONCERNING THE STATUTORY TIME LIMIT FOR COMMENCING CERTAIN  
102 CIVIL ACTIONS.

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill requires all actions to recover a debt for care given or delivered, services rendered, money lent, money paid, money had and received, goods sold and delivered, or open or book account or account stated to be commenced within 6 years after the cause of action accrues.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

---

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 13-80-103.5, **amend**  
3 (1) (a); and **add** (2) as follows:

4 **13-80-103.5. General limitation of actions - six years.** (1) The  
5 following actions shall be commenced within six years after the cause of  
6 action accrues and not thereafter:

7 (a) All actions to recover a liquidated debt or an unliquidated,  
8 determinable amount of money due to the person bringing the action,  
9 INCLUDING ALL ACTIONS TO RECOVER A DEBT FOR CARE GIVEN OR  
10 DELIVERED, SERVICES RENDERED, MONEY LENT, MONEY PAID, MONEY HAD  
11 AND RECEIVED, GOODS SOLD AND DELIVERED, OPEN OR BOOK ACCOUNT OR  
12 ACCOUNT STATED; all actions for the enforcement of rights set forth in  
13 any instrument securing the payment of or evidencing any debt; and all  
14 actions of replevin to recover the possession of personal property  
15 encumbered under any instrument securing any debt; except that actions  
16 to recover pursuant to section 38-35-124.5 (3), C.R.S., shall be  
17 commenced within one year;

18 (2) IF AN ACTION IS BROUGHT TO DISPUTE OR CHALLENGE THE  
19 REASONABLENESS OF ANY AMOUNT SOUGHT PURSUANT TO PARAGRAPH (a)  
20 OF SUBSECTION (1) OF THIS SECTION, SUCH ACTION SHALL NOT RENDER  
21 THE AMOUNT SOUGHT UNLIQUIDATED OR UNDETERMINABLE FOR THE  
22 PURPOSES OF SAID PARAGRAPH (a).

23 **SECTION 2. Act subject to petition - effective date.** This act  
24 takes effect at 12:01 a.m. on the day following the expiration of the  
25 ninety-day period after final adjournment of the general assembly (August  
26 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2012 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.