

South Dakota Codified Laws

Title 15. Civil Procedure

Chapter 15-2. Limitation of Actions Generally (Refs & Annos)

SDCL § 15-2-13

15-2-13. Contract obligation or liability--Statutory liability--Trespass--Personal property--Injury to noncontract rights--Fraud--Setting aside corporate instrument

Currentness

Except where, in special cases, a different limitation is prescribed by statute, the following civil actions other than for the recovery of real property can be commenced only within six years after the cause of action shall have accrued:

- (1) An action upon a contract, obligation, or liability, express or implied, excepting those mentioned in §§ 15-2-6 to 15-2-8, inclusive, and subdivisions 15-2-15(3) and (4);
- (2) An action upon a liability created by statute other than a penalty or forfeiture; excepting those mentioned in subdivisions 15-2-15(3) and (4);
- (3) An action for trespass upon real property;
- (4) An action for taking, detaining, or injuring any goods or chattels, including actions for specific recovery of personal property;
- (5) An action for criminal conversation or for any other injury to the rights of another not arising on contract and not otherwise specifically enumerated in §§ 15-2-6 to 15-2-17, inclusive;
- (6) An action for relief on the ground of fraud, in cases which heretofore were solely cognizable by the court of chancery;
- (7) An action to set aside any instrument executed in the name of a corporation on the ground that the corporate charter had expired at the time of the execution of such instrument.

Credits

Source: SDC 1939, § 33.0232 (4); SL 1941, ch 151; SL 1945, ch 144; SL 1945, ch 145, § 1; SL 1947, ch 153, § 2; SL 1953, ch 198, § 1.

S D C L § 15-2-13, SD ST § 15-2-13

Current through 2020 Session Laws, Executive Order 20-30 and Supreme Court Rule 20-03