

REFERENCE TITLE: **medical malpractice; statute of limitations**

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2157

Introduced by
Representative Diaz

AN ACT

AMENDING SECTION 12-542, ARIZONA REVISED STATUTES; AMENDING TITLE 12, CHAPTER 5, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-558.04; RELATING TO LIMITATIONS OF ACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-542, Arizona Revised Statutes, is amended to
3 read:

4 12-542. Injury to person; injury when death ensues; injury to
5 property; conversion of property; forcible entry
6 and forcible detainer; two year limitation

7 Except as provided in section 12-551, ~~there~~ THE FOLLOWING ACTIONS
8 shall be commenced and prosecuted within two years after the cause of
9 action accrues, and not afterward, ~~the following actions:~~

10 1. For injuries done to the person of another ~~including causes of~~
11 ~~action for medical malpractice as defined in section 12-561.~~

12 2. For injuries done to the person of another when death ensues
13 from such injuries, which action shall be considered as accruing at the
14 death of the party injured.

15 3. For trespass for injury done to the estate or the property of
16 another.

17 4. For taking or carrying away the goods and chattels of another.

18 5. For detaining the personal property of another and for
19 converting such property to one's own use.

20 6. For forcible entry or forcible detainer, which action shall be
21 considered as accruing at the commencement of the forcible entry or
22 detainer.

23 Sec. 2. Title 12, chapter 5, article 3, Arizona Revised Statutes,
24 is amended by adding section 12-558.04, to read:

25 12-558.04. Medical malpractice actions; five year limitation

26 A CAUSE OF ACTION FOR MEDICAL MALPRACTICE AS DEFINED IN SECTION
27 12-561 SHALL BE COMMENCED AND PROSECUTED WITHIN FIVE YEARS AFTER THE CAUSE
28 OF ACTION ACCRUES, AND NOT AFTERWARD.