

SENATE BILL No. 188

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-11-2-9.

Synopsis: Actions on deposit accounts. Provides that an action upon a deposit account must be commenced not later than two years (instead of six years under current law) after the cause of action accrues.

Effective: July 1, 2024.

Baldwin

January 9, 2024, read first time and referred to Committee on Insurance and Financial Institutions.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

SENATE BILL No. 188

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-11-2-9, AS AMENDED BY P.L.102-2021,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 9. (a) As used in this section, "deposit account"
4 has the meaning set forth in IC 28-9-2-5.

5 (b) **Except as provided in subsection (c)**, an action upon
6 promissory notes, bills of exchange, ~~deposit accounts~~, or other written
7 contracts for the payment of money executed after August 31, 1982,
8 must be commenced within six (6) years after the cause of action
9 accrues. An action upon promissory notes, bills of exchange, ~~deposit~~
10 ~~accounts~~, and other written contracts for the payment of money
11 executed on or after September 19, 1881, and before September 1,
12 1982, must be commenced within ten (10) years after the cause of
13 action accrues. However, all contracts described in this section that
14 have been executed before September 19, 1881, may be enforced
15 within the time only as they have to run, before being barred under the
16 law in effect at the time of their executions limiting the commencement
17 of actions, and not afterward.



1 **(c) An action upon a deposit account must be commenced not**
2 **later than two (2) years after the cause of action accrues.**

