

SENATE BILL 68

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HB 326/94 - JPR

2003 Regular Session
3lr0443

By: **Senators Kelley, Britt, Conway, Exum, Forehand, Gladden, Grosfeld,
Hollinger, Hughes, Jones, Kramer, Lawlah, Ruben, Stone, and
Teitelbaum**

Introduced and read first time: January 20, 2003
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions - Child Sexual Abuse - Statute of Limitations**

3 FOR the purpose of extending the statute of limitations in certain civil actions
4 relating to child sexual abuse; providing for the construction and application of
5 this Act; defining a certain term; and generally relating to child sexual abuse.

6 BY adding to
7 Article - Courts and Judicial Proceedings
8 Section 5-117
9 Annotated Code of Maryland
10 (2002 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Courts and Judicial Proceedings**

14 5-117.

15 (A) IN THIS SECTION, "SEXUAL ABUSE" HAS THE MEANING STATED IN § 5-701
16 OF THE FAMILY LAW ARTICLE.

17 (B) AN ACTION FOR DAMAGES ARISING OUT OF AN ALLEGED INCIDENT OR
18 INCIDENTS OF SEXUAL ABUSE THAT OCCURRED WHILE THE VICTIM WAS A MINOR
19 SHALL BE FILED WITHIN 12 YEARS OF THE LATER OF:

20 (1) THE VICTIM'S 21ST BIRTHDAY; OR

21 (2) THE DATE ON WHICH THE VICTIM KNEW OR REASONABLY SHOULD
22 HAVE KNOWN THAT THE ALLEGED ABUSE WAS ACTIONABLE.

23 (C) THIS SECTION MAY NOT BE CONSTRUED TO PRECLUDE A COURT FROM
24 APPLYING ANY OTHER APPLICABLE EXCEPTION TO THE RUNNING OF THE
25 APPLICABLE STATUTE OF LIMITATIONS.

1 (D) THIS SECTION SHALL APPLY TO ANY ACTION COMMENCED ON OR AFTER
2 OCTOBER 1, 2003, INCLUDING ANY ACTION THAT WOULD HAVE BEEN BARRED BY THE
3 APPLICATION OF THE PERIOD OF LIMITATION APPLICABLE BEFORE OCTOBER 1, 2003.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
5 effect October 1, 2003.