

SENATE BILL 238

D3

9lr0678

By: **Senators Kelley, Brochin, Exum, Harrington, and Lenett**

Introduced and read first time: January 23, 2009

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 relating
4 to child sexual abuse; authorizing claims for damages to be filed under this Act
5 for a certain period of time for certain claims that would otherwise be barred
6 under certain circumstances; providing for a delayed effective date; providing
7 for the termination of certain provisions of this Act; and generally relating to
8 child sexual abuse.

9 BY repealing and reenacting, with amendments,
10 Article – Courts and Judicial Proceedings
11 Section 5–117
12 Annotated Code of Maryland
13 (2006 Replacement Volume and 2008 Supplement)

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

16 **Article – Courts and Judicial Proceedings**

17 5–117.

18 (a) In this section, “sexual abuse” has the meaning stated in § 5–701 of the
19 Family Law Article.

20 (b) An action for damages arising out of an alleged incident or incidents of
21 sexual abuse that occurred while the victim was a minor shall be filed within [7] **32**
22 years of the date that the victim attains the age of majority.

23 SECTION 2. AND BE IT FURTHER ENACTED, That any claim for damages
24 arising out of an alleged incident or incidents of sexual abuse that occurred while the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 victim was a minor that would otherwise be barred as of January 1, 2010, solely
2 because the statute of limitations specified in § 5-117(b) of the Courts and Judicial
3 Proceedings Article in effect before the enactment of this Act has expired, is revived
4 under this Act, and a cause of action may be commenced within 2 years of January 1,
5 2010.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 January 1, 2010. Section 2 of this Act shall remain effective for a period of 2 years and,
8 at the end of December 31, 2012, with no further action required by the General
9 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.