

2025 -- H 5909 SUBSTITUTE A

LC001948/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY --
CAUSES OF ACTION

Introduced By: Representatives McEntee, Shekarchi, Caldwell, Knight, Spears, Fogarty,
Ajello, Donovan, Kazarian, and Casimiro
Date Introduced: February 28, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Section 9-1-51 of the General Laws in Chapter 9-1 entitled "Causes of
Action" is hereby amended to read as follows:

9-1-51. Limitation on actions based on sexual abuse or exploitation of a child.

(a)(1) All claims or causes of action brought against a ~~perpetrator-defendant~~ party by any
person for recovery of damages for injury suffered as a result of sexual abuse, including alleging
negligent supervision of a person that sexually abused a minor, or that the defendant's conduct
caused or contributed to the childhood sexual abuse by another person to include, but not be limited
to, wrongful conduct, negligence or default in supervision, hiring, employment, training,
monitoring, or failure to report and/or the concealment of sexual abuse of a child shall be
commenced within the later to expire of:

- (i) Thirty-five (35) years of the act alleged to have caused the injury or condition; or
- (ii) Seven (7) years from the time the victim discovered or reasonably should have
discovered that the injury or condition was caused by the act.

Provided, however, that the time limit or commencement of such an action under this
section shall be tolled for a child until the child reaches eighteen (18) years of age. For the purposes
of this section, "sexual abuse" shall have the same meaning as in subsection (e) of this section.

(2) ~~All claims or causes~~ A claim or cause of action ~~brought against a non-perpetrator
defendant by any person alleging negligent supervision of a person that sexually abused a minor,~~

1 ~~or that the non-perpetrator defendant's conduct caused or contributed to the childhood sexual abuse~~
2 ~~by another person to include, but not be limited to, wrongful conduct, neglect or default in~~
3 ~~supervision, hiring, employment, training, monitoring, or failure to report and/or the concealment~~
4 ~~of sexual abuse of a child shall be commenced within the later to expire of:~~

5 ~~(i) Thirty five (35) years of the act or acts alleged to have caused an injury or condition to~~
6 ~~the minor; or~~

7 ~~(ii) Seven (7) years from the time the victim discovered or reasonably should have~~
8 ~~discovered that the injury or condition was caused by the act.~~

9 ~~Provided, however, that the time limit or commencement of such an action under this~~
10 ~~section shall be tolled for a child until the child reaches eighteen (18) years of age.~~

11 ~~For purposes of this section "sexual abuse" shall have the same meaning as in subsection~~
12 ~~(e) of this section.~~

13 ~~(3) As to a perpetrator defendant, any claim or cause of action based on conduct of sexual~~
14 ~~abuse may be commenced within the time period enumerated in subsections (a)(1)(i) and (a)(1)(ii)~~
15 ~~regardless if the claim was time barred under previous version of the general laws.~~

16 ~~(4) Except as provided in subsection (a)(3) herein, any claim or cause of action based on~~
17 ~~conduct of sexual abuse or conduct that caused or contributed to sexual abuse, if the action is not~~
18 ~~otherwise time barred under previous version of the general laws on the effective date of this~~
19 ~~section, may be commenced within the time period enumerated in subsections (a)(1) and (a)(2) of~~
20 ~~this section~~ based on conduct of sexual abuse or conduct that caused or contributed to sexual abuse,
21 including alleging negligent supervision of a person that sexually abused a minor or that the
22 defendant's conduct caused or contributed to the childhood sexual abuse by another person to
23 include, but not be limited to wrongful conduct, negligence or default in supervision, hiring,
24 employment, training, monitoring, or failure to report and/or the concealment of sexual abuse of a
25 child regardless if the claims were time-barred under previous versions of the general laws on the
26 effective date of this section, may be commenced within the time period enumerated in subsections
27 (a)(1)(i) and (a)(1)(ii) of this section.

28 (3) Any action dismissed solely as a result of the previous statute of limitations for child
29 sexual abuse may be revived by this section.

30 (4) Notwithstanding any other law, a cause of action for damages that involves sexual
31 conduct or sexual contact with a child, including alleging negligent supervision of a person that
32 sexually abused a minor, or that the defendant's conduct caused or contributed to the childhood
33 sexual abuse by another person to include, but not be limited to wrongful conduct, negligence or
34 default in supervision, hiring, employment, training, monitoring, or failure to report and/or the

concealment of sexual abuse of a child, and that would be time barred because of an applicable statute of limitations may be revived and may be commenced by no later than June 30, 2027.

(b) The victim need not establish which act in a series of continuing sexual abuse or exploitation incidents caused the injury complained of, but may compute the date of discovery from the date of the last act by the same ~~perpetrator~~ defendant which is part of a common scheme or plan of sexual abuse or exploitation.

(c) The knowledge of a custodial parent or guardian shall not be imputed to a person under the age of eighteen (18) years.

(d) For purposes of this section, "child" means a person under the age of eighteen (18) years.

(e) As used in this section, "sexual abuse" means any act committed by the defendant against a complainant who was less than eighteen (18) years of age at the time of the act and which act would have been a criminal violation of chapter 37 of title 11.

SECTION 2. Chapter 9-1 of the General Laws entitled "Causes of Action" is hereby amended by adding thereto the following section:

9-1-59. Severability.

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this chapter, which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

SECTION 3. This act shall take effect on July 1, 2025.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY --
CAUSES OF ACTION

1 This act would amend what is considered sexual abuse for purposes of limitations on
2 actions based on sexual abuse or exploitation of a child and would amend the provisions for when
3 a cause of action may be brought.

4 This act would take effect on July 1, 2025.

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