

2018 -- H 7753

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LC005041
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY

Introduced By: Representatives McEntee, Tanzi, Craven, Knight, and O'Brien

Date Introduced: February 28, 2018

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 **9-1-51. Limitation on actions based on sexual abuse or exploitation of a child.**

4 (a) All claims or causes of action ~~based on intentional conduct~~ brought by any person for
5 recovery of damages for injury suffered as a result of ~~childhood~~ sexual abuse ~~shall~~ may be
6 commenced ~~within seven (7) years of the act alleged to have caused the injury or condition, or~~
7 ~~seven (7) years of the time the victim discovered or reasonably should have discovered that the~~
8 ~~injury or condition was caused by the act, whichever period expires later~~ at any time.

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

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

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

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

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would eliminate the statute of limitations for injuries suffered as a result of
2 sexual abuse by any person including a child.

3 This act would take effect upon passage.

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