

House Research Act Summary

CHAPTER: 89

SESSION: 2013 Regular Session

TOPIC: Child Victims Act

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Overview

This bill modifies the existing statute of limitations for civil causes of action for sexual abuse.

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- Subd. 1. Definition.** Changes the definition of sexual abuse to correspond with changes in criminal statutes related to sexual abuse. Adds a definition for “person” meaning a natural person, corporation, limited liability company, partnership, organization, association, or other entity.
- Subd. 2. Limitation period.** Removes the personal injury requirement for damages based on sexual abuse and requires that cases of sexual abuse committed against adults be brought within six years of the alleged abuse. Removes the statute of limitations for sexual abuse cases that are committed against a child under the age of 18. Adds a provision that keeps the statute of limitations as it is under current law, six years for adults and six years after 18 for minors, if the alleged individual abuser is 13 years old or younger. This bill removes the language that a parent’s knowledge of an injury can be imputed to a minor.
- Subd. 3. Applicability.** Simplifies the language related to negligence and removes the term “personal injury” as it relates to damages.
- Subd. 4. Vicarious liability or respondeat superior claims.** Provides that the statute of limitations for claims based on vicarious liability or liability under the doctrine of respondeat superior in an action for damages for sexual abuse in a civil

Section

lawsuit are not changed and must be brought six years from the time of the alleged abuse or six years after a child victim turns 18.

Subd. 5. Title. Provides a title for this bill: the “Child Victims Act.”

Effective Date. This bill applies to any actions that were not time-barred before the effective date and is effective following enactment. The bill provides a window for previously barred cases for sexual abuse against a minor to be brought for three years after the law is enacted; however, the previously barred cases cannot be for claims under respondeat superior or vicarious liability. This window for previously barred cases applies to actions pending prior to or commenced after enactment of this chapter.