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Overview

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

Section

1

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 16 years old or younger. This bill removes the language that an adult can sue six years after knowledge of an injury.

Subd. 3. Applicability. Simplifies the language related to negligence.

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 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.”

Section

Effective Date. This bill applies to any suit for conduct occurring the day after 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.