

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senators Hopkins and Gordon**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH THE STATUTE OF LIMITATIONS FOR CIVIL
9 ACTIONS FOR CHILDHOOD SEXUAL ABUSE; AND FOR OTHER
10 PURPOSES."

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12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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14 SECTION 1. (a) Notwithstanding any other statute of limitation or any
15 other provision of law that can be construed to reduce the statutory period
16 set forth in this section, any civil action based on sexual abuse which
17 occurred when the injured person was a minor, but was not discovered until
18 after the injured person reaches the age of majority, shall be brought within
19 three (3) years from the time of discovery of the sexual abuse by the injured
20 party.

21 (b) A claim based on an assertion of more than one act of sexual abuse
22 is not limited to the injured party's first discovery of the relationship
23 between any one of those acts and the injury or condition, but may be based on
24 the injured party's discovery of the effect of the series of acts. It is not
25 necessary for the injured party to establish which act, in a series of acts of
26 childhood sexual abuse, caused the injury or condition that is the subject of
27 the lawsuit.

28 (c) For the purposes of this section:

29 (1) "Childhood Sexual Abuse" means sexual abuse which occurred
30 when the injured person was a minor;

31 (2) "Minor" means a person of less than eighteen (18) years of
32 age;

33 (3) "Time of discovery" means when the injured party discovers
34 the effect of the injury or condition attributable to the childhood sexual
35 abuse.

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SECTION 2. This act is applicable to all actions filed on or after the effective date of the act.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 5. All laws or parts of laws in conflict with this act are hereby repealed.

