

- SUBJECT:** Increasing civil statute of limitations related to certain child sex offenses
- COMMITTEE:** Judiciary and Civil Jurisprudence — committee substitute recommended
- VOTE:** 9 ayes — Leach, Farrar, Y. Davis, Julie Johnson, Krause, Meyer, Neave, Smith, White
- 0 nays
- WITNESSES:** For — Chris Kaiser, Texas Association Against Sexual Assault; Becky Leach (*Registered, but did not testify*: Aimee Arrambide, NARAL Pro-Choice Texas Foundation; Amelia Casas, Texas Criminal Justice Coalition; Steve Bresnen and Amy Bresnen, Texas Family Law Foundation; Joshua Houston, Texas Impact; Delma Limones; Susan Motley; Marci Purcell)
- Against — None
- BACKGROUND:** Civil Practices and Remedies Code ch. 16 establishes statutes of limitation for bringing certain types of lawsuits. Under sec. 16.0045, suits for personal injury must be brought within 15 years from the date the action accrues if the injury arises from certain sex crimes committed against children. The crimes listed in the section include sexual assault of a child, aggravated sexual assault of a child, continuous sexual abuse of a young child, trafficking a child and causing the child to be involved in certain sex crimes, compelling prostitution of a child, and indecency with a child.
- Concerns have been raised that child victims of sex crimes may take longer than the time frames in current law to come to terms with the crime and be able to speak about it and bring a civil lawsuit.
- DIGEST:** CSHB 3809 would allow suits for personal injury to be brought up to 30 years after the day the cause of action accrued if the injury arose from conduct involving the offenses against children listed in Civil Practices and Remedies Code sec. 16.0045 and the person brought the lawsuit solely against a person or persons who committed the conduct.

The bill would establish that the cause of action for bringing suits relating to child sex offenses and other sex offenses listed in Civil Practices and Remedies Code sec. 16.0045 accrued on the last day that the conduct violating the Penal Code occurred. This provision would apply to causes of action that accrued on or after the bill's effective date.

The bill would take effect September 1, 2019. The 30-year time frame for bringing suits would apply to causes of action that accrued on or after the effective date or to causes of action that accrued before the effective date, if the limitations period had not expired before the bill's effective date.