

2SHB 1618 - H AMD 126

By Representative Walsh

NOT ADOPTED 03/03/2023

1 On page 1, beginning on line 7, after "(1)" strike all material  
2 through "(2)" on page 2, line 19 and insert "All claims or causes of  
3 action based on intentional conduct brought by any person for  
4 recovery of damages for injury suffered as a result of childhood  
5 sexual abuse shall be commenced within the later of the following  
6 periods:

7 (a) Within (~~three years of the act alleged to have caused the~~  
8 ~~injury or condition~~) 20 years of the victim reaching the age of 18  
9 years;

10 (b) Within three years of the time the victim discovered or  
11 reasonably should have discovered that the injury or condition was  
12 caused by said act; or

13 (c) Within three years of the time the victim discovered that  
14 the act caused the injury for which the claim is brought:

15 PROVIDED, That the time limit for commencement of an action  
16 under this section is tolled for a child until the child reaches the  
17 age of eighteen years.

18 (2) The victim need not establish which act in a series of  
19 continuing sexual abuse or exploitation incidents caused the injury  
20 complained of, but may compute the date of discovery from the date  
21 of discovery of the last act by the same perpetrator which is part  
22 of a common scheme or plan of sexual abuse or exploitation.

23 (3) The knowledge of a custodial parent or guardian shall not be  
24 imputed to a person under the age of eighteen years.

25 (4) For purposes of this section, "child" means a person under  
26 the age of eighteen years.

27 (5)"

EFFECT: Restores, with one modification, the current statute of limitations for civil actions based on childhood sexual abuse. Modifies one of the time periods used for determining when the statute of limitations begins to run and requires a civil action to be commenced within 20 years of the victim reaching the age of 18 years, instead of within three years of the act alleged to have caused the injury.

--- END ---