

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 534

(SENATE AUTHORS: LATZ, Cohen, Goodwin and Hoffman)

DATE	D-PG	OFFICIAL STATUS
02/18/2013	276	Introduction and first reading Referred to Judiciary
03/05/2013		Comm report: To pass as amended Second reading Author stricken Limmer

1.1 A bill for an act
 1.2 relating to civil actions; changing the limitation period for civil actions involving
 1.3 sexual abuse; amending Minnesota Statutes 2012, section 541.073.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2012, section 541.073, is amended to read:

1.6 **541.073 ACTIONS FOR DAMAGES DUE TO SEXUAL ABUSE; SPECIAL**
 1.7 **PROVISIONS.**

1.8 Subdivision 1. **Definition.** As used in this section:

1.9 (1) "sexual abuse" means conduct described in sections 609.342 to ~~609.345~~
 1.10 609.3451; and

1.11 (2) "person" includes the definition given in section 645.44.

1.12 Subd. 2. **Limitations period.** (a) An action for damages based on ~~personal injury~~
 1.13 ~~caused by sexual abuse~~; (1) must be commenced within six years of the time the plaintiff
 1.14 ~~knew or had reason to know that the injury was caused by the sexual abuse alleged~~
 1.15 sexual abuse in the case of alleged sexual abuse of an individual 18 years or older; and
 1.16 (2) may be commenced at any time in the case of alleged sexual abuse of an individual
 1.17 under the age of 18.

1.18 (b) The plaintiff need not establish which act in a continuous series of sexual abuse
 1.19 acts by the defendant caused the injury.

1.20 (c) ~~The knowledge of a parent or guardian may not be imputed to a minor.~~

1.21 ~~(d)~~ (c) This section does not affect the suspension of the statute of limitations during
 1.22 a period of disability under section 541.15.

1.23 Subd. 3. **Applicability.** This section applies to an action for damages commenced
 1.24 against a person ~~who caused the plaintiff's personal injury either by (1) committing sexual~~

2.1 ~~abuse against the plaintiff, or (2) negligently permitting sexual abuse against the plaintiff~~
2.2 ~~to occur, corporation, organization, or other entity that is a cause of the plaintiff's damages.~~

2.3 Subd. 4. **Title.** This section may be cited as the "Child Victims Act."

2.4 **EFFECTIVE DATE.** This act is effective the day following final enactment and
2.5 applies to actions pending on or commenced on or after that date.