

# HOUSE BILL No. 1061

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-11-2-13.

**Synopsis:** Statute of limitations. Provides that a civil action based on an allegation of childhood sexual abuse may be brought at any time. Revives an action based on an allegation of childhood sexual abuse that is time barred and permits the action to be brought before January 1, 2007.

**Effective:** July 1, 2004.

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**Dickinson, Orentlicher, Budak**

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January 20, 2004, read first time and referred to Committee on Judiciary.

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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

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**HOUSE BILL No. 1061**



A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 34-11-2-13 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2004]: **Sec. 13. (a) As used in this section, "childhood sexual  
4 abuse" means sexual conduct (as defined in IC 35-42-4-4) involving  
5 a child less than eighteen (18) years of age and an adult at least  
6 eighteen (18) years of age.**

7 **(b) A civil action based on an allegation of childhood sexual  
8 abuse may be brought at any time.**

9 SECTION 2. [EFFECTIVE JULY 1, 2004] **IC 34-11-2-13, as  
10 added by this act, applies to causes of action accruing after June  
11 30, 2004.**

12 SECTION 3. [EFFECTIVE JULY 1, 2004] **(a) This SECTION  
13 applies only to an action that:**

- 14 **(1) is based on an allegation of childhood sexual abuse; and**
- 15 **(2) was barred before July 1, 2004, because it was not**
- 16 **commenced within the time allowed by the statute of**
- 17 **limitations applying before IC 34-11-2-13, as added by this**



- 1           **act.**
- 2           **(b) An action described in subsection (a) is revived and may be**
- 3           **brought before January 1, 2007.**
- 4           **(c) This SECTION expires January 2, 2007.**

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