

HOUSE BILL 69

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Marianna Anaya

AN ACT

RELATING TO LIMITATIONS ON CIVIL ACTIONS BASED ON CHILDHOOD SEXUAL ABUSE; EXTENDING THE TIME PERIOD TO COMMENCE AN ACTION BASED ON CHILDHOOD SEXUAL ABUSE; PROVIDING THAT SECTION 37-1-30 NMSA 1978 (BEING LAWS 1993, CHAPTER 136, SECTION 1, AS AMENDED) IS THE ONLY STATUTORY TIME OR PROCEDURAL LIMITATION ON COMMENCING AN ACTION BASED ON CHILDHOOD SEXUAL ABUSE; PROVIDING THAT ACTIONS BASED ON CHILDHOOD SEXUAL ABUSE THAT ARE BARRED ON OR BEFORE JULY 1, 2026 ARE RETROACTIVELY REVIVED AND THAT THOSE ACTIONS MAY BE COMMENCED NO LATER THAN JUNE 30, 2029.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 37-1-30 NMSA 1978 (being Laws 1993, Chapter 136, Section 1, as amended) is amended to read:

"37-1-30. ACTION FOR DAMAGES DUE TO CHILDHOOD SEXUAL
ABUSE--LIMITATION ON ACTIONS.--

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1 A. An action for damages based on personal injury
2 caused by childhood sexual abuse shall be commenced by a person
3 before the latest of the following dates:

4 (1) the first instant of the person's [twenty-
5 fourth] fifty-eighth birthday; or

6 (2) three years from the date that a person
7 first disclosed the person's childhood sexual abuse to a
8 licensed medical or mental health care provider in the context
9 of receiving health care from the provider.

10 B. As used in this section, "childhood sexual
11 abuse" means conduct that, if prosecuted in a criminal matter,
12 would constitute a violation of:

13 (1) Section 30-9-11 NMSA 1978, regarding
14 criminal sexual penetration of a minor;

15 (2) Section 30-9-13 NMSA 1978, regarding
16 criminal sexual contact of a minor; or

17 (3) the Sexual Exploitation of Children Act.

18 [C. The provisions of Section 37-1-8 NMSA 1978 and
19 any statutes of limitation therein shall not apply to causes of
20 action for childhood sexual abuse.]

21 C. The limitation provided in Subsection A of this
22 section is the only statutory time or procedural limitation on
23 commencing an accrued action for damages based on personal
24 injury caused by childhood sexual abuse, regardless of whether
25 the action is against a private person or public entity.

1 D. An action for damages based on personal injury
2 caused by childhood sexual abuse that is barred on or before
3 July 1, 2026 due to a statutory time or procedural limitation
4 is retroactively revived and may be commenced no later than
5 June 30, 2029."

6 SECTION 2. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2026.

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