

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 118

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

Lisa Curtis

AN ACT

RELATING TO CIVIL ACTIONS; PROVIDING THAT AN ACTION FOR DAMAGES FOR PERSONAL INJURY CAUSED BY CERTAIN SEX OFFENSES AGAINST A CHILD SHALL BE COMMENCED BEFORE THE CHILD REACHES THE AGE OF FIFTY.

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.--

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

(1) the first instant of the person's [~~twenty-fourth~~] fiftieth birthday; or

underscored material = new
[bracketed material] = delete

underscoring material = new
~~[bracketed material] = delete~~

1 (2) three years from the date of the time that
2 a person knew or had reason to know of the childhood sexual
3 abuse and that the childhood sexual abuse resulted in an injury
4 to the person, as established by competent medical or
5 psychological testimony.

6 B. As used in this section, "childhood sexual
7 abuse" means behavior that, if prosecuted in a criminal matter,
8 would constitute a violation of:

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

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

13 (3) the Sexual Exploitation of Children Act."

14 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
15 provisions of this act is July 1, 2012.