

HB108 INTRODUCED



1 HB108
2 QNLBZ54-1
3 By Representative Givens
4 RFD: Judiciary
5 First Read: 13-Jan-26
6 PFD: 06-Jan-26



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4 SYNOPSIS:

5 Under existing law, a civil action for an injury
6 arising from a sex offense to a victim with certain
7 disabilities, including being under the age of
8 majority, must be brought within six years of the
9 termination of the victim's disability.

10 This bill would further provide for the statute
11 of limitations for a civil action for an injury arising
12 from a sex offense when the action is brought against
13 the actual alleged perpetrator of the sex offense.

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16 A BILL

17 TO BE ENTITLED

18 AN ACT

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20 Relating to commencement of actions; to amend Section
21 6-2-8, Code of Alabama 1975; to further provide for the
22 statute of limitations for civil actions involving certain sex
23 offenses.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 6-2-8, Code of Alabama 1975, is
26 amended to read as follows:

27 "§6-2-8

28 (a) (1) If ~~anyone~~an individual is entitled to: (i)



29 commence any of the actions enumerated in this chapterr; (ii)
30 ~~to~~ make an entry on land; or (iii) enter a defense founded on
31 the title to real propertyis, and at the time the right
32 accruesr is below ~~the age of~~ 19 years of age, or ~~insane of~~
33 unsound mind, he or she shall have three years, or the period
34 allowed by law for the commencement of an action if it ~~be is~~
35 less than three years, after the termination of the disability
36 to commence ~~an the~~ action, make entry, or defend.

37 (2) No disability shall extend the period of
38 limitations so as to allow an action to be commenced, entry
39 made, or defense made after the lapse of 20 years from the
40 time the claim or right accrued.

41 (3) Nothing in this section shall be interpreted as
42 denying any imprisoned ~~person~~ individual the right to commence
43 an action enumerated in this chapter and to make any proper
44 appearances on his or her behalf in such actions.

45 (b) (1) If ~~anyone~~ an individual entitled to commence any
46 of the actions enumerated in this chapter ~~is~~, at the time the
47 right accruesr is below ~~the age of~~ 19 years of age, or
48 ~~insane of~~ unsound mind, and the injury upon which the action is
49 based arises from a sex offense as described in Section
50 15-20A-5, he or she shall have six years after the termination
51 of the disability to commence the action.

52 (2)a. Notwithstanding subdivision (1), in an action
53 against the actual alleged perpetrator of a sex offense as
54 described in Section 15-20A-5, an individual shall have the
55 greater of the following to commence an action under this
56 subsection: (i) 20 years after the termination of the



57 disability; or (ii) two years after the criminal conviction or
58 guilty plea of the alleged perpetrator.

59 b. Either time period shall toll during any criminal
60 prosecution of the underlying offense. The tolling shall begin
61 on the date of indictment, presentment, or information.

62 c. An action may be commenced pursuant to this
63 subdivision regardless of the age of the plaintiff at the time
64 the action is commenced.

65 d. This subdivision shall not apply to an action
66 against any party other than the alleged perpetrator of a sex
67 offense, without regard to the doctrine of respondeat superior
68 or any other form of vicarious liability.

69 (c) When both disabilities coexist at the time the
70 claim accrued, the limitation does not attach until both are
71 removed.

72 (d) A disability ~~which~~that did not exist when a claim
73 accrued does not suspend the operation of the limitation
74 unless the contrary is expressly provided."

75 Section 2. This act shall become effective on October
76 1, 2026.