

## HB121 INTRODUCED



1      HB121  
2      L5FP7AY-1  
3      By Representative Givens    (Constitutional Amendment)  
4      RFD: Judiciary  
5      First Read: 13-Jan-26  
6      PFD: 06-Jan-26



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4     SYNOPSIS:

5                 Under the Constitution of Alabama of 2022, the  
6     Legislature has no power to revive any right or remedy  
7     which may have become barred by lapse of time or by  
8     statute.

9                 This bill would propose an amendment to the  
10    Constitution of Alabama of 2022, to allow the  
11    Legislature to revive any time-barred civil claim  
12    arising from child sexual abuse.

13                 This bill would allow the Legislature to create  
14    procedures relating to such claims.

15                 This bill would also provide legislative  
16    findings.

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19                     A BILL  
20                     TO BE ENTITLED  
21                     AN ACT

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23                 Relating to child sexual abuse; to add Section 95.1 to  
24    the Constitution of Alabama of 2022, to authorize the  
25    Legislature to revive civil claims relating to child sexual  
26    abuse and provide procedures relating to such claims; to  
27    provide legislative findings; and to define the term "child  
28    sexual abuse."



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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30           Section 1. The following amendment to the Constitution  
31 of Alabama of 2022, is proposed:

### 32           PROPOSED AMENDMENT

33           Section 95.1 is added to the Constitution of Alabama of  
34 2022, to read as follows:

35           Section 95.1

36           (a) The Legislature makes the following findings:

37           (1) Child sexual abuse is a pervasive and devastating  
38 crime that inflicts lifelong harm on survivors and causes  
39 lasting damage to families and communities. Studies  
40 demonstrate that approximately one in five girls and one in 13  
41 boys in the United States experience sexual abuse during  
42 childhood.

43           (2) Approximately one-third of victims never disclose  
44 their abuse to anyone, ever. The remaining two-thirds  
45 typically delay disclosure until adulthood, often decades  
46 after the abuse occurred.

47           (3) Delayed disclosure is a well-documented and  
48 predictable consequence of childhood sexual abuse.

49           (4) The current legal barriers prevent survivors of  
50 child sexual abuse from pursuing civil claims, such as  
51 statutes of limitation and claim-presentation deadlines,  
52 undermine the pursuit of truth and accountability and deny  
53 survivors meaningful access to justice.

54           (5) Accordingly, an amendment to the Constitution of  
55 Alabama of 2022, is necessary to authorize the Legislature, by  
56 general law, to revive any civil right or remedy arising from



57 child sexual abuse, notwithstanding any statute of  
58 limitations, statute of repose, notice-of-claim requirement,  
59 or other procedural or temporal bar.

60 (6) This authorization is necessary to:

61 a. Ensure that the laws of Alabama reflect modern  
62 scientific understanding of trauma and delayed disclosures;

63 b. Provide survivors of child sexual abuse a fair  
64 opportunity to be heard and to seek redress;

65 c. Promote accountability and protect children from  
66 abuse in the future; and

67 d. Hold perpetrators of childhood sexual abuse  
68 accountable.

69 (b) (1) Notwithstanding Section 95 of the Constitution  
70 of Alabama of 2022, the Legislature, by general law, may  
71 revive any civil claim arising from child sexual abuse,  
72 including claims that are otherwise time-barred by a statute  
73 of limitations, statute of repose, notice-of-claim or  
74 claim-presentation requirement, or any other temporal  
75 condition precedent. A general law enacted pursuant to this  
76 subsection may:

77 a. Be retroactive and revive claims that were barred  
78 before, on, or after January 1, 2027;

79 b. Include provisions regarding venue, confidentiality,  
80 protective orders, records handling, and the rights and  
81 defenses of parties;

82 c. Authorize actions against public or private  
83 individuals or entities;

84 d. Not revive any claim that has been finally

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85 adjudicated on the merits or that has been released by a  
86 signed settlement agreement for which consideration has been  
87 paid; and

88 e. Not disturb any final judgment.

89 (2) For the purposes of this section, "child sexual  
90 abuse" refers to conduct of a sexual nature directed at an  
91 individual under 19 years of age which is, or would be,  
92 punishable under the criminal laws of this state, including,  
93 but not limited to, attempts, solicitations, and other  
94 non-contact sexual exploitation.

95 (c) Nothing in this section authorizes the revival of  
96 criminal prosecutions or alters constitutional protection  
97 applicable to criminal proceedings.

98 Upon ratification of this constitutional amendment, the  
99 Code Commissioner shall number and place this amendment as  
100 appropriate in the constitution omitting this instructional  
101 paragraph and may make the following nonsubstantive revisions:  
102 change capitalization, hierarchy, spelling, and punctuation  
103 for purposes of style and uniformity; correct manifest  
104 grammatical, clerical, and typographical errors; revise  
105 internal or external citations and cross-references; harmonize  
106 language; and translate effective dates.

107 END OF PROPOSED AMENDMENT

108 Section 2. An election upon the proposed amendment  
109 shall be held in accordance with Sections 284 and 285 of the  
110 Constitution of Alabama of 2022, and the election laws of this  
111 state. The appropriate election official shall assign a ballot  
112 number for the proposed constitutional amendment on the

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113 election ballot and shall set forth the following description  
114 of the substance or subject matter of the proposed  
115 constitutional amendment:

116 "Proposing an amendment to the Constitution of Alabama  
117 of 2022, to authorize the Legislature, by general law, to  
118 revive any time-barred civil claims relating to child sexual  
119 abuse.

120 Proposed by Act \_\_\_\_."

121 This description shall be followed by the following  
122 language:

123 "Yes( ) No( )."

124 Section 3. The proposed amendment shall become valid as  
125 a part of the Constitution of Alabama of 2022, when approved  
126 by a majority of the qualified electors voting thereon.