

SB93 INTRODUCED



1 SB93
2 FN1P555-1
3 By Senator Chambliss
4 RFD: Judiciary
5 First Read: 13-Feb-24



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SYNOPSIS:

Under existing law, anyone entitled to commence a civil action based on an injury involving a sex offense against an individual 19 years of age or younger has until six years after the individual turns 19 to commence the action.

This bill would provide an exception to the statute of limitations for a civil action for injury resulting from certain sex offenses against a minor, provided the action is for purposes of making a claim against the bankruptcy estate of a congressionally chartered organization and the bankruptcy proceedings were initiated on February 18, 2020.

This bill would also provide for retroactive effect.

A BILL
TO BE ENTITLED
AN ACT

Relating to commencement of actions; to provide a limited exception to the statute of limitations for certain actions for injury that result from a sex offense against a minor for the purposes of filing a claim against the



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29 bankruptcy estate of a congressionally chartered organization;
30 and to provide for retroactive effect.

31 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

32 Section 1. (a) Notwithstanding Section 6-2-8, Code of
33 Alabama 1975, if an individual entitled to commence any of the
34 actions enumerated in Chapter 2 of Title 6, Code of Alabama
35 1975, is, at the time the right accrued, below 19 years of
36 age, an action for injury may be commenced by or on behalf of
37 the injured individual at any time, notwithstanding any then
38 applicable statute of limitation, if all of the following are
39 true:

40 (1) The injury upon which the action is based arises
41 from a sex offense as described in Section 15-20A-5, Code of
42 Alabama 1975.

43 (2) The action is barred due to the expiration of the
44 statute of limitations period described in Section 6-2-8, Code
45 of Alabama 1975.

46 (3) The action is for purposes of making a claim or
47 claims in a bankruptcy proceeding that was initiated on
48 February 18, 2020.

49 (4) The claim or claims is against the bankruptcy
50 estate of a congressionally chartered organization.

51 (b) An action brought under subsection (a) may only be
52 commenced against an entity seeking bankruptcy protection as
53 provided in subsection (a) and not against any other person or
54 entity.

55 (c) This section shall apply retroactively to sex
56 offenses that occurred prior to the effective date of this



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57 act, irrespective of any statute of limitation in effect at
58 the time the offense occurred.

59 (d) This section shall expire and be repealed on
60 December 31, 2026.

61 Section 2. This act shall become effective immediately
62 following its passage and approval by the Governor, or its
63 otherwise becoming law.