



SYNOPSIS:

Under existing law, a civil action for an injury arising from a sex offense to a victim with certain disabilities must be brought within six years of the termination of the victim's disability.

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

A BILL  
TO BE ENTITLED  
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§6-2-8

(a) (1) If ~~anyone~~an individual is entitled to: (i) commence any of the actions enumerated in this chapter~~;~~ (ii)



~~to~~ make an entry on land; or (iii) enter a defense founded on the title to real property ~~is~~, and, at the time the right accrues, ~~is~~ is below ~~the age of~~ 19 years of age, or ~~insane of~~ unsound mind, he or she shall have three years, or the period allowed by law for the commencement of an action if it ~~be~~ is less than three years, after the termination of the disability to commence ~~an~~ the action, make entry, or defend.

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

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

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

(2)a. Notwithstanding subdivision (1), in an action against the actual alleged perpetrator of a sex offense as described in Section 15-20A-5, an individual shall have the greater of the following to commence an action under this subsection: (i) 20 years after the termination of the disability; or (ii) two years after the criminal conviction or



57 guilty plea of the alleged perpetrator.

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

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

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

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

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

74 Section 2. This act shall become effective on October  
75 1, 2025.