

SB43 INTRODUCED



1 SB43
2 ZQ962WK-1
3 By Senator Coleman (Constitutional Amendment)
4 RFD: Judiciary
5 First Read: 13-Jan-26
6 PFD: 08-Jan-26

1
2
3
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.

17
18
19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

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."



SB43 INTRODUCED

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

PROPOSED AMENDMENT

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

Section 95.1

(a) The Legislature makes the following findings:

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

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

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

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

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



SB43 INTRODUCED

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

(6) This authorization is necessary to:

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

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

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

d. Hold perpetrators of childhood sexual abuse accountable.

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

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

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

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

d. Not revive any claim that has been finally



SB43 INTRODUCED

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



SB43 INTRODUCED

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

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

Proposed by Act ____."

This description shall be followed by the following language:

"Yes() No()."

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