

**SJR79 INTRODUCED**



1 SJR79

2 6Y9TH1Z-1

3 By Senators Coleman, Gudger, Allen, Woods, Beasley,  
4 Smitherman, Livingston, Singleton, Kelley, Figures, Waggoner,  
5 Kitchens, Williams, Chesteen, Jones, Barfoot, Coleman-Madison

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SJR\_\_\_ ESTABLISHING THE ALABAMA LEGISLATIVE STUDY COMMISSION  
ON CHILD SEXUAL ABUSE LAWS AND POLICIES.

WHEREAS, child sexual abuse in all forms is a serious criminal offense and a profound violation of the physical, emotional, and psychological well-being of children of all ages; and

WHEREAS, protecting all children from sexual abuse and exploitation, regardless of age, gender, disability, family circumstance, placement status, or other vulnerability, is a fundamental responsibility of the State of Alabama; and

WHEREAS, acts of child sexual abuse occur across a wide range of relationships and settings, including within families and households, institutional and organizational environments, custodial or state care settings, and through positions of trust or authority charged with the care, supervision, or education of children; and

WHEREAS, child sexual abuse also occurs through peer-on-peer conduct, commercial sexual exploitation, sexual trafficking, online-facilitated exploitation, and the creation or distribution of child sexual abuse material; and

WHEREAS, children with disabilities and other heightened vulnerabilities may face increased risk of sexual abuse and additional barriers to disclosure, protection, and



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29 recovery; and

30 WHEREAS, Alabama law addresses child sexual abuse  
31 through criminal statutes, civil causes of action, mandatory  
32 reporting requirements, and child welfare policies; however,  
33 these laws have developed over time through separate  
34 enactments and may operate inconsistently or incompletely  
35 when viewed as a whole; and

36 WHEREAS, criminal penalties for child sexual abuse  
37 are intended to punish offenders and deter future offenses,  
38 yet practical barriers may exist that affect the  
39 investigation, prosecution, and adjudication of these  
40 crimes, including delayed disclosure by victims, evidentiary  
41 challenges unique to offenses against children, and  
42 complexities associated with digital or exploitation based  
43 offenses; and

44 WHEREAS, civil law provides mechanisms for  
45 accountability and compensation for harm suffered by  
46 victims; however, statutory limitation periods, procedural  
47 requirements, and defenses available under existing law may  
48 limit access to civil remedies, particularly where abuse is  
49 not disclosed until adulthood or involves institutional or  
50 exploitation-based conduct; and

51 WHEREAS, under existing Alabama law, avenues for  
52 civil accountability in cases of child sexual abuse may be  
53 limited in certain circumstances, particularly with respect  
54 to entities or institutions that employ, supervise, or  
55 exercise authority over individuals who commit abuse; and

56 WHEREAS, limitations within current civil liability



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57 frameworks may have the effect of insulating negligent or  
58 enabling conduct from full civil accountability and may  
59 reduce incentives for prevention, reporting, and  
60 institutional safeguards; and

61 WHEREAS, Alabama's statutes of limitations applicable  
62 to civil claims arising from child sexual abuse are  
63 comparatively restrictive and may bar survivors from seeking  
64 redress after the passage of a limited filing period,  
65 regardless of the nature or severity of the abuse or the age  
66 at which disclosure occurs; and

67 WHEREAS, when perpetrators and enabling environments  
68 are not subject to meaningful accountability, individuals  
69 who commit child sexual abuse may be able to avoid detection  
70 or consequences by moving between positions, organizations,  
71 or jurisdictions; and

72 WHEREAS, strengthening accountability for both  
73 perpetrators and enabling conditions is essential to  
74 protecting children, supporting survivors, and preventing  
75 Alabama from becoming a place of refuge for individuals  
76 seeking to evade responsibility for child sexual abuse; and

77 WHEREAS, efforts to improve accountability mechanisms  
78 are intended to protect children and responsible  
79 institutions alike by promoting clear standards, prevention,  
80 transparency, and public trust; and

81 WHEREAS, children who experience sexual abuse often  
82 do not immediately report the abuse due to fear,  
83 manipulation, threats, shame, lack of understanding, loyalty  
84 to the abuser, developmental factors, or the involvement of



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85 trusted adults or institutions, and delayed disclosure is a  
86 well-documented and common outcome of such trauma; and

87 WHEREAS, as a result of delayed disclosure, statutes  
88 of limitations and related doctrines may have the effect of  
89 barring otherwise meritorious claims before victims are able  
90 to understand, process, or report the abuse they suffered;  
91 and

92 WHEREAS, certain legal doctrines and statutory  
93 frameworks may provide protections or immunities to  
94 institutions or entities that employ, supervise, or  
95 otherwise exercise authority over individuals who commit  
96 acts of child sexual abuse, which may have the unintended  
97 consequence of reducing institutional accountability; and

98 WHEREAS, a lack of clear or consistent accountability  
99 mechanisms may allow patterns of abuse to go undetected,  
100 unreported, or unaddressed across family, institutional,  
101 custodial, online, or exploitation contexts, thereby  
102 enabling continued harm to children; and

103 WHEREAS, survivors of child sexual abuse often  
104 experience long-term and lifelong consequences, including,  
105 but not limited to, post-traumatic stress disorder,  
106 depression, anxiety, substance abuse, difficulty forming  
107 relationships, impaired educational or employment outcomes,  
108 and increased risk of future victimization; and

109 WHEREAS, the long-term effects of child sexual abuse  
110 extend beyond individual victims and families and impose  
111 significant social costs, including impacts on public health  
112 systems, mental health services, the criminal justice



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113 system, and workforce participation; and

114 WHEREAS, effective prevention, detection, and  
115 response to all forms of child sexual abuse require  
116 coordination among law enforcement, prosecutors, child  
117 welfare agencies, schools, health care providers, child  
118 advocacy centers, technology platforms, and community  
119 organizations; and

120 WHEREAS, other states have undertaken comprehensive  
121 legislative reviews of their criminal and civil laws  
122 relating to child sexual abuse, including statutes of  
123 limitations, reporting requirements, institutional  
124 responsibility, exploitation offenses, and victim support  
125 systems, in order to evaluate whether existing laws  
126 adequately protect children and serve the public interest;  
127 and

128 WHEREAS, this body recognizes the importance of  
129 examining Alabama's current legal framework in a deliberate  
130 and thorough manner to better understand how criminal  
131 penalties, civil remedies, reporting laws, institutional  
132 responsibilities, and exploitation-related offenses operate  
133 collectively in practice; and

134 WHEREAS, a legislative study commission provides an  
135 appropriate forum to gather information, receive testimony,  
136 review data, compare approaches adopted in other states, and  
137 identify potential gaps or unintended consequences within  
138 existing law across all forms and contexts of child sexual  
139 abuse; now therefore,



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140 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
141 HOUSES THEREOF CONCURRING, That there is established the  
142 Alabama Legislative Study Commission on Child Sexual Abuse  
143 Laws and Policies.

144 (a) The commission shall consist of the following  
145 members:

146 (1) Two members of the Senate appointed by the  
147 President Pro Tempore of the Senate, one of whom shall serve  
148 as cochair.

149 (2) One member of the Senate appointed by the  
150 minority leader.

151 (3) Two members of the House of Representatives  
152 appointed by the Speaker of the House of Representatives,  
153 one of whom shall serve as cochair.

154 (4) One member of the House of Representatives  
155 appointed by the minority leader.

156 (5) The Attorney General, or his or her designee.

157 (6) The Director of the Department of Human  
158 Resources, or his or her designee.

159 (7) The Commissioner of the Department of Public  
160 Health, or his or her designee.

161 (8) The Administrative Director of Courts, or his or  
162 her designee.

163 (9) One district attorney appointed by the Alabama  
164 District Attorneys Association.

165 (10) One representative of a statewide law  
166 enforcement association appointed by the Governor.



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167 (11) One representative of a child advocacy  
168 organization appointed by the Governor.

169 (12) One licensed mental health professional with  
170 experience treating survivors of child sexual abuse  
171 appointed by the Governor.

172 (13) One attorney with experience representing  
173 survivors of child sexual abuse in civil matters appointed  
174 by the Governor.

175 (14) One survivor of child sexual abuse.

176 (15) One survivor advocate appointed by the Governor.

177 (16) One individual from the state at large appointed  
178 by the Lieutenant Governor.

179 (b) An individual who has been investigated or  
180 convicted of child sexual abuse, or an individual who is  
181 employed by a person who has been investigated or convicted  
182 of child sexual abuse, shall not be eligible to be appointed  
183 as a member of the commission.

184 (c) (1) Appointments shall be made within 30 days  
185 after the effective date of this resolution.

186 (2) The commission shall hold its initial meeting on  
187 the call of the cochairs within 45 days after the final  
188 appointment is made.

189 (3) A majority of the members shall constitute a  
190 quorum for the transaction of business.

191 (4) Meetings of the commission shall be conducted in  
192 accordance with the Alabama Open Meetings Act, Chapter 25A  
193 of Title 36, Code of Alabama 1975. All meetings shall be  
194 open to the public and notice shall be provided as required



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195 by law. Meetings may be conducted in person, by video  
196 conference, or in a hybrid format. The requirement that  
197 meetings be open to the public shall be satisfied if members  
198 of the public are provided contemporaneous access to observe  
199 the proceedings through physical attendance or live  
200 electronic means, including video stream or publicly  
201 accessible video conference.

202 (5) No member of the commission may participate in  
203 deliberations or recommendations concerning a matter in  
204 which the member has a direct financial interest.

205 (6) The commission shall meet at the call of the  
206 chairs, but shall meet no fewer than five times.

207 (d) The commission shall study and evaluate Alabama's  
208 criminal and civil laws, policies, and practices relating to  
209 child sexual abuse in all forms and contexts, including the  
210 following:

211 (1) Sexual abuse of a child within a family or  
212 household environment.

213 (2) Sexual abuse of a child in institutional or  
214 organizational settings, including schools, religious  
215 organizations, youth-serving organizations, athletic  
216 programs, and similar entities.

217 (3) Sexual abuse of a child by a person in a position  
218 of trust or authority, including educators, clergy, coaches,  
219 caregivers, foster parents, medical providers, and other  
220 adults entrusted with the care or supervision of children.

221 (4) Child-on-child sexual abuse.

222 (5) Sexual trafficking of a child.



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223           (6) Commercial sexual exploitation of children,  
224 including the exchange of sexual activity for money, goods,  
225 services, shelter, or other things of value.

226           (7) Online-facilitated child sexual abuse and  
227 exploitation, including grooming, coercion, sextortion,  
228 luring, and exploitation through digital or social media  
229 platforms.

230           (8) The production, possession, or distribution of  
231 child sexual abuse material.

232           (9) Sexual abuse of children in custodial or state  
233 care settings, including foster care, juvenile justice  
234 facilities, detention, residential treatment, and group  
235 homes.

236           (10) Sexual abuse of children with disabilities or  
237 other heightened vulnerabilities.

238           (11) Criminal statutes, penalties, and procedural  
239 provisions.

240           (12) Civil causes of action, statutes of limitations,  
241 and institutional liability standards.

242           (13) Mandatory reporting laws and compliance  
243 mechanisms.

244           (14) Institutional responsibilities and  
245 accountability frameworks.

246           (15) Access to victim services, mental health care,  
247 and survivor support systems.

248           (16) Barriers to investigation, prosecution, civil  
249 recovery, and victim support.

250           (17) Comparative approaches adopted in other states.



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251 (18) Any other matter the commission deems relevant  
252 to protecting children and supporting survivors.

253 (e) The commission shall submit a written report of  
254 its findings and recommendations and shall present any  
255 proposed legislation to the Governor, the President Pro  
256 Tempore of the Senate, and the Speaker of the House of  
257 Representatives no later than November 1, 2026. Upon filing  
258 its report with the Legislature, the study commission shall  
259 stand dissolved and discharged of any future duties and  
260 responsibilities.

261 (f) The Legislative Services Agency shall provide  
262 administrative and clerical support to the commission. State  
263 agencies shall cooperate with and provide information  
264 requested by the commission to the extent permitted by law.

265 (g) Legislative members shall be entitled to their  
266 regular legislative compensation and travel reimbursement  
267 for attending meetings of the commission in accordance with  
268 applicable law. Nonlegislative members shall serve without  
269 compensation but may be reimbursed for reasonable and  
270 necessary expenses from funds available to the commission,  
271 subject to applicable state travel policies.

272 (h) Pursuant to Section 36-14-17.1, Code of Alabama  
273 1975, the study commission shall provide to the Secretary of  
274 State a notice of all meetings, the name of each member  
275 serving on the study commission, and a copy of the final  
276 report and other documents produced throughout the duration  
277 of the study commission.