

By: Thompson

H.B. No. 1355

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the statute of limitations for suits alleging sexual
3 abuse.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 16.0045, Civil Practice and Remedies
6 Code, is amended by amending Subsection (a) and adding Subsection
7 (d) to read as follows:

8 (a) Subject to Subsection (d), a [A] person must bring suit
9 for personal injury not later than five years after the day the
10 cause of action accrues if the injury arises as a result of conduct
11 that violates:

12 (1) Section 22.011, Penal Code (sexual assault); or

13 (2) Section 22.021, Penal Code (aggravated sexual
14 assault).

15 (d) If a person could not reasonably discover an injury
16 arising from the conduct described by Subsection (a) on the day the
17 cause of action accrued, including emotional or psychological
18 injury, the person must bring suit for damages arising from the
19 injury not later than five years after the earlier of:

20 (1) the date the person discovered the injury; or

21 (2) the date the person should reasonably have
22 discovered the injury.

23 SECTION 2. This Act takes effect September 1, 2003, and
24 applies only to a cause of action arising from an injury that could

1 not reasonably have been discovered before September 1, 2003. An
2 action arising from an injury that could reasonably have been
3 discovered before September 1, 2003, is governed by the law
4 applicable to the action immediately before the effective date of
5 this Act, and that law is continued in effect for that purpose.