

BILL ANALYSIS

C.S.H.B. 3809
By: Goldman
Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that victims of child sexual abuse often repress what happened to them or take years to fully come to terms with the abuse they suffered before they are able to begin to heal. C.S.H.B. 3809 seeks to give victims of child sex abuse more time to bring a civil action against their abusers.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3809 amends the Civil Practice and Remedies Code to increase the statute of limitations for bringing a suit for personal injury arising from certain offenses involving child sexual abuse from 15 years after the day the cause of action accrues to 30 years after that day if the person brings the suit solely against a person or persons who committed the conduct. The bill establishes that in an action for injury that arises from such an offense or from certain other assaultive offenses, the trafficking of persons, or compelling prostitution that did not result in death, the cause of action accrues on the last day that the applicable conduct occurs. The increased statute of limitations applies to a cause of action that accrued before the bill's effective date if the applicable statute of limitations has not expired before the bill's effective date.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3809 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute conditions the extension of the statute of limitations on the person bringing the suit solely against a person or persons who committed the conduct.

The substitute establishes that in an action for an injury arising from certain offenses that did not result in death, the cause of action accrues on the last day that the conduct occurs.