

By: Leach

H.B. No. 3533

A BILL TO BE ENTITLED

AN ACT

relating to elimination of limitations periods for suits for personal injury arising from certain offenses against a child.

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

SECTION 1. Section 16.003(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) Except as provided by Sections 16.010, 16.0031, ~~and~~ 16.0045, and 16.0046, a person must bring suit for trespass for injury to the estate or to the property of another, conversion of personal property, taking or detaining the personal property of another, personal injury, forcible entry and detainer, and forcible detainer not later than two years after the day the cause of action accrues.

SECTION 2. Section 16.0045(c), Civil Practice and Remedies Code, is amended to read as follows:

(c) In an action for injury resulting in death arising as a result of conduct described by Subsection ~~[(a) or]~~ (b), the cause of action accrues on the death of the injured person.

SECTION 3. Section 16.0045(a), Civil Practice and Remedies Code, is redesignated as Section 16.0046, Civil Practice and Remedies Code, and amended to read as follows:

Sec. 16.0046. NO LIMITATIONS PERIOD. ~~[(a)]~~ A person may ~~[must]~~ bring a suit for personal injury at any time ~~[not later than 30 years after the day the cause of action accrues]~~ if the injury

1 arises as a result of conduct that violates:

2 (1) Section 22.011(a)(2), Penal Code (sexual assault  
3 of a child);

4 (2) Section 22.021(a)(1)(B), Penal Code (aggravated  
5 sexual assault of a child);

6 (3) Section 21.02, Penal Code (continuous sexual abuse  
7 of young child or disabled individual);

8 (4) Section 20A.02(a)(7)(A), (B), (C), (D), or (H) or  
9 Section 20A.02(a)(8), Penal Code, involving an activity described  
10 by Section 20A.02(a)(7)(A), (B), (C), (D), or (H) or sexual conduct  
11 with a child trafficked in the manner described by Section  
12 20A.02(a)(7), Penal Code (certain sexual trafficking of a child);

13 (5) Section 43.05(a)(2), Penal Code (compelling  
14 prostitution by a child); or

15 (6) Section 21.11, Penal Code (indecenty with a  
16 child).

17 SECTION 4. (a) The changes in law made by this Act apply  
18 only to a cause of action that accrues on or after the effective  
19 date of this Act.

20 SECTION 5. This Act takes effect September 1, 2023.