

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

781T0309

## HOUSE BILL NO. 1218

Introduced by: Representatives Hickey, Blake, Deelstra, Elliott, Fargen, Feinstein, Gibson, Greenfield, Haggar, Hubbel, Iron Cloud III, Jensen, Killer, Kirschman, Kopp, Liss, Magstadt, Miller, Moser, Munsterman, Nelson (Stace), Olson (Betty), Schaefer, Stricherz, Tulson, Van Gerpen, Venner, and Willadsen and Senators Nygaard, Begalka, Buhl, and Frerichs

1 FOR AN ACT ENTITLED, An Act to rescind the statute of limitations for any civil cause of  
2 action arising out of childhood sexual abuse.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 26-10-25 be amended to read as follows:

5 26-10-25. ~~Any civil action based on intentional conduct brought by any person for recovery~~  
6 ~~of damages for injury suffered as a result of childhood sexual abuse shall be commenced within~~  
7 ~~three years of the act alleged to have caused the injury or condition, or three years of the time~~  
8 ~~the victim discovered or reasonably should have discovered that the injury or condition was~~  
9 ~~caused by the act, whichever period expires later. However, no person who has reached the age~~  
10 ~~of forty years may recover damages from any person or entity other than the person who~~  
11 ~~perpetrated the actual act of sexual abuse.~~ No statute of limitations applies to a civil cause of  
12 action based on intentional conduct and brought by any person for recovery of damages for an  
13 injury suffered by the person from any act of childhood sexual abuse.

