



2020 South Dakota Legislature

House Bill 1196

Introduced by: **Representative** Bordeaux

1 **An Act to authorize the revival of certain civil claims.**

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

3 **Section 1.** That § 26-10-25 be AMENDED:

4 **26-10-25. Civil actions for damages--Childhood sexual abuse--Limitations.**

5 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
 7 within three years of the act alleged to have caused the injury or condition, or three years
 8 of the time the victim discovered or reasonably should have discovered that the injury or
 9 condition was caused by the act, whichever period expires later. ~~However, no person who~~
 10 ~~has reached the age of forty years may recover damages from any person or entity other~~
 11 ~~than the person who perpetrated the actual act of sexual abuse.~~

12 **Section 2.** Any civil action for damages resulting from childhood sexual abuse that is barred
 13 because the applicable statute of limitations had expired is revived until July 1, 2022.