

**SENATE BILL No. 271**

By Committee on Federal and State Affairs

2-23

1 AN ACT concerning civil actions; relating to limitations on actions;  
2 extending the time to file a claim for damages caused by childhood  
3 sexual abuse; amending K.S.A. 2020 Supp. 60-523 and repealing the  
4 existing section.  
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2020 Supp. 60-523 is hereby amended to read as  
8 follows: 60-523. (a) ~~No~~ An action for recovery of damages suffered as a  
9 result of childhood sexual abuse ~~shall may~~ be commenced ~~more than three~~  
10 ~~years after the date the person attains 18 years of age or more than three~~  
11 ~~years from the date the person discovers or reasonably should have~~  
12 ~~discovered that the injury or illness was caused by childhood sexual abuse,~~  
13 ~~whichever occurs later at any time.~~

14 (b) As used in this section:

15 (1) "Injury or illness" includes psychological injury or illness, whether  
16 or not accompanied by physical injury or illness.

17 (2) "Childhood sexual abuse" includes any act committed against the  
18 person ~~which act~~ that occurred when the person was under the age of 18  
19 years and ~~which act~~ that would have been a violation of any of the  
20 following:

21 (A)(1) Indecent liberties with a child as defined in K.S.A. 21-3503,  
22 prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2020 Supp. 21-5506(a), and  
23 amendments thereto; (B)(2) aggravated indecent liberties with a child as  
24 defined in K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of~~ K.S.A.  
25 2020 Supp. 21-5506(b), and amendments thereto; (C)(3) aggravated  
26 criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or  
27 ~~subsection (b) of~~ K.S.A. 2020 Supp. 21-5504(b), and amendments thereto;  
28 (D)(4) enticement of a child as defined in K.S.A. 21-3509, prior to its  
29 repeal; (E)(5) indecent solicitation of a child as defined in K.S.A. 21-3510,  
30 prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2020 Supp. 21-5508(a), and  
31 amendments thereto; (F)(6) aggravated indecent solicitation of a child as  
32 defined in K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of~~ K.S.A.  
33 2020 Supp. 21-5508(b), and amendments thereto; (G)(7) sexual  
34 exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or  
35 K.S.A. 2020 Supp. 21-5510, and amendments thereto; or (H)(8)  
36 aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or

1 ~~subsection (b) of K.S.A. 2020 Supp. 21-5604(b), and amendments thereto;~~  
2 or any prior laws of this state of similar effect at the time the act was  
3 committed.

4 ~~(c) Discovery that the injury or illness was caused by childhood~~  
5 ~~sexual abuse shall not be deemed to have occurred solely by virtue of the~~  
6 ~~person's awareness, knowledge or memory of the acts of abuse. The person~~  
7 ~~need not establish which act in a series of continuing sexual abuse~~  
8 ~~incidents caused the injury or illness complained of, but may compute the~~  
9 ~~date of discovery from the date of discovery of the last act by the same~~  
10 ~~perpetrator which is a part of a common scheme or plan of sexual abuse.~~

11 ~~(d) This section shall be applicable to:~~

12 ~~(1) any action commenced on or after July 1, 1992, including any~~  
13 ~~action which that would be barred by application of the period of~~  
14 ~~limitation applicable prior to July 1, 1992;~~

15 ~~(2) any action commenced prior to July 1, 1992, and pending on July~~  
16 ~~1, 1992.~~

17 Sec. 2. K.S.A. 2020 Supp. 60-523 is hereby repealed.

18 Sec. 3. This act shall take effect and be in force from and after its  
19 publication in the statute book.