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SYNOPSIS:

Under existing law, anyone entitled to commence a civil action based on an injury involving a sex offense against an individual 19 years of age or younger has until six years after the individual turns 19 to commence the action.

This bill would provide an exception to the statute of limitations for a civil action for injury resulting from certain sex offenses against a minor, provided the action is for purposes of making a claim against the bankruptcy estate of a congressionally chartered organization and the bankruptcy proceedings were initiated on February 18, 2020.

This bill would also provide for retroactive effect.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to commencement of actions; to provide a limited exception to the statute of limitations for certain actions for injury that result from a sex offense against a minor for the purposes of filing a claim against the



29 bankruptcy estate of a congressionally chartered organization;  
30 and to provide for retroactive effect.

31 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

32 Section 1. (a) Notwithstanding Section 6-2-8, Code of  
33 Alabama 1975, if an individual entitled to commence any of the  
34 actions enumerated in Chapter 2 of Title 6, Code of Alabama  
35 1975, is, at the time the right accrued, below 19 years of  
36 age, an action for injury may be commenced by or on behalf of  
37 the injured individual at any time, notwithstanding any then  
38 applicable statute of limitation, if all of the following are  
39 true:

40 (1) The injury upon which the action is based arises  
41 from a sex offense as described in Section 15-20A-5, Code of  
42 Alabama 1975.

43 (2) The action is barred due to the expiration of the  
44 statute of limitations period described in Section 6-2-8, Code  
45 of Alabama 1975.

46 (3) The action is for purposes of making a claim or  
47 claims in a bankruptcy proceeding that was initiated on  
48 February 18, 2020.

49 (4) The claim or claims is against the bankruptcy  
50 estate of a congressionally chartered organization.

51 (b) An action brought under subsection (a) may only be  
52 commenced against an entity seeking bankruptcy protection as  
53 provided in subsection (a) and not against any other person or  
54 entity.

55 (c) This section shall apply retroactively to sex  
56 offenses that occurred prior to the effective date of this



57 act, irrespective of any statute of limitation in effect at  
58 the time the offense occurred.

59 (d) This section shall expire and be repealed on  
60 December 31, 2026.

61 Section 2. This act shall become effective immediately.