

PROPOSED AMENDMENT

HB 1047 # 1

DIGEST

Statute of limitations. Provides that an action for injury to a person that results from the sexual abuse of a child, that has expired under the current statute of limitations, may be commenced at any time against certain entities seeking bankruptcy protections.

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 34-11-2-4, AS AMENDED BY P.L.44-2013,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2024]: Sec. 4. (a) An action for:
6 (1) injury to person or character;
7 (2) injury to personal property; or
8 (3) a forfeiture of penalty given by statute;
9 must be commenced within two (2) years after the cause of action
10 accrues.
11 **(b) Except as provided in subsection (c), an action for injury to a**
12 **person that results from the sexual abuse of a child must be**
13 **commenced within the later of:**
14 (1) seven (7) years after the cause of action accrues; or
15 (2) four (4) years after the person ceases to be a dependent of the
16 person alleged to have performed the sexual abuse.
17 **(c) An action for injury to a person that:**
18 **(1) results from the sexual abuse of a child; and**
19 **(2) is barred due to the expiration of the statute of limitations**
20 **period described in subsection (b);**
21 **may be commenced by or on behalf of the injured person, at any**
22 **time, in a bankruptcy proceeding that was initiated on February**
23 **18, 2020, for a congressionally chartered organization. An action**
24 **brought under this subsection may only be commenced against an**
25 **entity seeking bankruptcy protection and not against any other**
26 **person or entity. This subsection expires June 30, 2026."**

- 1 Renumber all SECTIONS consecutively.
(Reference is to HB 1047 as introduced.)