

PROPOSED AMENDMENT

HB 1047 # 3

DIGEST

Bankruptcy participation. Permits a person to bring an action based on sexual abuse of a child before July 1, 2025, under certain circumstances.

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 34-11-2-4, AS AMENDED BY P.L.44-2013,
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 4. (a) An action for:
5 (1) injury to person or character;
6 (2) injury to personal property; or
7 (3) a forfeiture of penalty given by statute;
8 must be commenced within two (2) years after the cause of action
9 accrues.
10 **(b) Except as provided in subsections (c) and (d),** an action for
11 injury to a person that results from the sexual abuse of a child must be
12 commenced within the later of:
13 (1) seven (7) years after the cause of action accrues; or
14 (2) four (4) years after the person ceases to be a dependent of the
15 person alleged to have performed the sexual abuse.
16 **(c) An action for injury to a person that:**
17 **(1) results from the sexual abuse of a child;**
18 **(2) is barred due to the expiration of the statute of limitations**
19 **period described in subsection (b); and**
20 **(3) is brought against a congressionally chartered**
21 **organization that was incorporated before June 16, 1916;**
22 **may be commenced in accordance with subsection (d).**
23 **(d) An action described in subsection (c) may be commenced**
24 **before July 1, 2025, by a person who, before January 1, 2024,**
25 **participated in a bankruptcy proceeding or bankruptcy settlement**
26 **that:**
27 **(1) was initiated on February 18, 2020; and**

1 **(2) involved the organization described in subsection (c)(3)."**
2 Page 2, delete lines 1 through 7.
 (Reference is to HB 1047 as reprinted January 17, 2024.)