

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 183

Session of
1985

INTRODUCED BY GREENLEAF, O'CONNELL, FISHER, SHUMAKER, HOWARD,
KRATZER, SALVATORE, WENGER, HELFRICK, ANDREZESKI, HOPPER,
O'PAKE AND ROCKS, JANUARY 22, 1985

AS AMENDED ON SECOND CONSIDERATION, FEBRUARY 5, 1985

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, extending the limitation
3 periods in ~~civil and~~ criminal cases where the victim is a
4 child. <—

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. SECTION 5554 OF Title 42 of the Pennsylvania
8 Consolidated Statutes is amended ~~by adding sections~~ to read: <—

9 ~~§ 5537. Victim of child abuse.~~ <—

10 ~~An action to recover damages for injuries to the person as a~~
11 ~~result of child abuse may be commenced at any time before the~~
12 ~~victim reaches 18 years of age or as set forth elsewhere in this~~
13 ~~subchapter.~~

14 ~~§ 5555. Victim of child abuse.~~

15 ~~A prosecution for any offense relating to child abuse may be~~
16 ~~commenced at any time before the victim reaches 18 years of age~~
17 ~~or as set forth elsewhere in this subchapter.~~

18 § 5554. TOLLING OF STATUTE. <—

1 EXCEPT AS PROVIDED BY SECTION 5553(E) (RELATING TO
2 DISPOSITION OF PROCEEDINGS WITHIN TWO YEARS), THE PERIOD OF
3 LIMITATION DOES NOT RUN DURING ANY TIME WHEN:

4 (1) THE ACCUSED IS CONTINUOUSLY ABSENT FROM THIS
5 COMMONWEALTH OR HAS NO REASONABLY ASCERTAINABLE PLACE OF
6 ABODE OR WORK WITHIN THIS COMMONWEALTH; [OR]

7 (2) A PROSECUTION AGAINST THE ACCUSED FOR THE SAME
8 CONDUCT IS PENDING IN THIS COMMONWEALTH[.]; OR

9 (3) A CHILD IS UNDER 18 YEARS OF AGE, WHERE THE CRIME
10 INVOLVES INJURIES TO THE PERSON OF THE CHILD CAUSED BY THE
11 WRONGFUL ACT, OR NEGLIGENCE, OR UNLAWFUL VIOLENCE, OR NEGLIGENCE
12 OF THE CHILD'S PARENTS OR BY A PERSON RESPONSIBLE FOR THE
13 CHILD'S WELFARE, OR ANY INDIVIDUAL RESIDING IN THE SAME HOME
14 AS THE CHILD, OR A PARAMOUR OF THE CHILD'S PARENT.

15 Section 2. This act shall take effect in 60 days.