

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1756 Session of
2001

INTRODUCED BY L. I. COHEN, BEBKO-JONES, BELARDI, BROWNE,
CAPPELLI, COLEMAN, CORRIGAN, DALEY, EGOLF, FRANKEL, HORSEY,
JAMES, MELIO, SCRIMENTI, SHANER, STEELMAN, STERN, THOMAS,
TIGUE AND TRELLO, JUNE 13, 2001

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 13, 2001

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for childhood
3 sexual abuse.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated Statutes
7 is amended by adding a section to read:

8 § 5539. Childhood sexual abuse.

9 (a) General rule.--A civil action for the recovery of
10 damages arising from alleged childhood sexual abuse where the
11 victim was under 18 years of age at the time the alleged offense
12 was committed must commence within 12 years after the victim
13 attains 18 years of age.

14 (b) Elements.--For purposes of this section, childhood
15 sexual abuse shall consist of sexual activity between a victim
16 and an adult where the person bringing the civil action had
17 engaged in one or more of the following activities:

1 (1) Sexual intercourse, which includes penetration,
2 however slight, of any body part or object into the sex organ
3 of another.

4 (2) Deviate sexual intercourse, which includes sexual
5 intercourse per os or per anus.

6 (3) Indecent contact, which includes any touching of the
7 sexual or other intimate parts of the person for the purpose
8 of arousing or gratifying sexual desire in either person.

9 (4) Obscene or pornographic photographing, filming or
10 depiction, prostitution or any form of sexual exploitation
11 under circumstances which indicate that the victim's
12 physical, mental, emotional or psychological health or
13 welfare is harmed or threatened.

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