



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 1947

PRINTERS NO. 3163

PRIME SPONSOR: Marsico

### COST / (SAVINGS)

FUND	FY 2015/16	FY 2016/17
General Fund	See "Fiscal Impact" below.	

**SUMMARY:** House Bill 1947 amends the Judicial Code concerning the statutes of limitations for childhood sexual abuse. It would take effect in 60 days.

**ANALYSIS:** Under current law, an individual may bring a civil action for sexual abuse committed when the individual was under the age of 18 years for a period of 12 years after attaining the age of 18. House Bill 1947 would increase that to a period of 32 years after attaining the age of 18, and this change will apply retroactively.

House Bill 1947 adds to the list of criminal offenses for which no statute of limitations applies, a list of sexual offenses when committed against a child under 18 years old. It also adds institutional sexual assault to the list of major sexual offenses for which a criminal prosecution must be commenced within 12 years after it is committed.

This legislation also waives sovereign and governmental immunity for child sexual abuse if the conduct caused injury to the plaintiff and the state or local agency acted with gross negligence.

**FISCAL IMPACT:** The extension of the statute of limitations for criminal prosecutions of certain sexual offenses provided for in this legislation could have a fiscal impact on the Commonwealth by increasing the number of people convicted and sentenced for these crimes, but it is not possible to estimate those future costs at this time.

In addition, enactment of this legislation could have a fiscal impact on Commonwealth and local governments by exposing them to civil lawsuits concerning child sexual abuse that are currently barred based on sovereign immunity. However, this would depend on the number of suits that result in damages, and the size of those damage awards, both of which are impossible to predict at this time.

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House Appropriations Committee (R)

**DATE:** April 12, 2016

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*