

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 927 Session of
2005

INTRODUCED BY RAFFERTY, ORIE, BOSCOLA, CORMAN, D. WHITE,
ERICKSON, FONTANA, PICCOLA, MUSTO, PIPPY, STACK, LOGAN,
WENGER, WOZNIAK AND WONDERLING, OCTOBER 17, 2005

REFERRED TO JUDICIARY, OCTOBER 17, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, eliminating the statute
3 of limitations for certain civil actions and sex offenses.

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

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

8 § 5530.1. Limitation for life of victim.

9 Notwithstanding any other provision of this subchapter except
10 sections 5521 (relating to limitations on foreign claims) and
11 5531 (relating to no limitation), a civil action against a
12 person or other entity for damages resulting from a violation of
13 any of the following provisions of 18 Pa.C.S. (relating to
14 crimes and offenses) may be commenced at any time during the
15 life of the victim if the victim was less than 14 years of age
16 at the time of commission of the criminal offense and the
17 criminal offense was committed on or after the effective date of
18 this section:

Section 3121 (relating to rape).

Section 3122.1 (relating to statutory sexual assault).

Section 3123 (relating to involuntary deviate sexual intercourse).

Section 3124.1 (relating to sexual assault).

Section 3125 (relating to aggravated indecent assault).

Section 4302 (relating to incest).

Section 6312 (relating to sexual abuse of children).

Section 6320 (relating to sexual exploitation of children).

Section 2. Sections 5551 and 5552(b.1) of Title 42 are amended to read:

§ 5551. No limitation applicable.

A prosecution for the following offenses may be commenced at any time:

(1) Murder.

(2) Voluntary manslaughter.

(3) Conspiracy to commit murder or solicitation to commit murder if a murder results from the conspiracy or solicitation.

(4) Any felony alleged to have been perpetrated in connection with a murder of the first or second degree, as set forth in 18 Pa.C.S. § 2502(a) or (b) and (d) (relating to murder).

(5) A violation of 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury) or 3732 (relating to homicide by vehicle) if the accused was the driver of a vehicle involved in an accident resulting in the death of any person.

(6) Any of the following provisions of 18 Pa.C.S.

1 (relating to crimes and offenses) if the victim or
2 complainant was less than 14 years of age at the time of
3 commission of the offense:

4 Section 3121 (relating to rape).

5 Section 3122.1 (relating to statutory sexual
6 assault).

7 Section 3123 (relating to involuntary deviate sexual
8 intercourse).

9 Section 3124.1 (relating sexual assault).

10 Section 3125 (relating to aggravated indecent
11 assault).

12 Section 4302 (relating to incest).

13 Section 6312 (relating to sexual abuse of children).

14 Section 6320 (relating to sexual exploitation of
15 children).

16 § 5552. Other offenses.

17 * * *

18 (b.1) Major sexual offenses.--[A] Except as provided in
19 section 5551(6) (relating to no limitation applicable), a
20 prosecution for any of the following offenses must be commenced
21 within 12 years after it is committed:

22 Section 3121 (relating to rape).

23 Section 3122.1 (relating to statutory sexual
24 assault).

25 Section 3123 (relating to involuntary deviate sexual
26 intercourse).

27 Section 3124.1 (relating to sexual assault).

28 Section 3125 (relating to aggravated indecent
29 assault).

30 Section 4302 (relating to incest).

1 Section 6312 (relating to sexual abuse of children).

2 * * *

3 Section 3. This act shall apply to civil actions instituted
4 after the effective date of this act.

5 Section 4. This act shall take effect immediately.