

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**

**No. 326**      Session of  
2007

INTRODUCED BY RAFFERTY, ORIE, BOSCOLA, FONTANA, ERICKSON,  
TARTAGLIONE, RHOADES, WONDERLING, MUSTO, ARMSTRONG, CORMAN,  
WAUGH, COSTA, REGOLA, PICCOLA, PIPPY, STACK AND MELLOW,  
MARCH 12, 2007

REFERRED TO JUDICIARY, MARCH 12, 2007

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

1 this section:

2 Section 3121 (relating to rape).

3 Section 3122.1 (relating to statutory sexual assault).

4 Section 3123 (relating to involuntary deviate sexual  
5 intercourse).

6 Section 3124.1 (relating to sexual assault).

7 Section 3125 (relating to aggravated indecent assault).

8 Section 4302 (relating to incest).

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

10 Section 6320 (relating to sexual exploitation of  
11 children).

12 Section 2. Section 5551 of Title 42 is amended to read:

13 § 5551. No limitation applicable.

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

16 (1) Murder.

17 (2) Voluntary manslaughter.

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

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

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

30 (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 Section 3. Section 5552(b.1), amended July 7, 2006 (P.L.378,  
17 No.81), is amended to read:

18 § 5552. Other offenses.

19 \* \* \*

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

24 Section 3121 (relating to rape).

25 Section 3122.1 (relating to statutory sexual  
26 assault).

27 Section 3123 (relating to involuntary deviate sexual  
28 intercourse).

29 Section 3124.1 (relating to sexual assault).

30 Section 3125 (relating to aggravated indecent

1           assault).

2                   Section 4302 (relating to incest).

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

4           \* \* \*

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

7           Section 5. This act shall take effect immediately.