
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1947 Session of
2015

INTRODUCED BY MARSICO AND PETRARCA, APRIL 4, 2016

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 4, 2016

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in limitation of time,
3 further providing for infancy, insanity or imprisonment, for
4 no limitation applicable and for other offenses.

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

7 Section 1. Section 5533(b)(2)(i) of Title 42 of the
8 Pennsylvania Consolidated Statutes is amended to read:

9 § 5533. Infancy, insanity or imprisonment.

10 * * *

11 (b) Infancy.--

12 * * *

13 (2) (i) If an individual entitled to bring a civil
14 action arising from childhood sexual abuse is under 18
15 years of age at the time the cause of action accrues, the
16 individual shall have a period of [12] 32 years after
17 attaining 18 years of age in which to commence an action
18 for damages regardless of whether the individual files a
19 criminal complaint regarding the childhood sexual abuse.

1 * * *

2 Section 2. Section 5551 of Title 42 is amended by adding a
3 paragraph to read:

4 § 5551. No limitation applicable.

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

7 * * *

8 (7) An offense under any of the following provisions of
9 18 Pa.C.S. (relating to crimes and offenses) if the victim
10 was under 18 years of age at the time of the offense:

11 Section 3011(b) (relating to trafficking in individuals).

12 Section 3012 (relating to involuntary servitude) as it
13 relates to sexual servitude.

14 Section 3121 (relating to rape).

15 Section 3122.1 (relating to statutory sexual assault).

16 Section 3123 (relating to involuntary deviate sexual
17 intercourse).

18 Section 3124.1 (relating to sexual assault).

19 Section 3124.2 (relating to institutional sexual
20 assault).

21 Section 3125 (relating to aggravated indecent assault).

22 Section 4302 (relating to incest).

23 Section 3. Section 5552(b.1) and (c) (3) of Title 42 are
24 amended to read:

25 § 5552. Other offenses.

26 * * *

27 (b.1) Major sexual offenses.--[A] Except as provided in
28 section 5551(7) (relating to no limitation applicable), a
29 prosecution for any of the following offenses under Title 18
30 must be commenced within 12 years after it is committed:

1 Section 3121 (relating to rape).

2 Section 3122.1 (relating to statutory sexual assault).

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

5 Section 3124.1 (relating to sexual assault).

6 Section 3124.2(a) and (a.2) (relating to institutional
7 sexual assault).

8 Section 3125 (relating to aggravated indecent assault).

9 Section 4302 (relating to incest).

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

11 (c) Exceptions.--If the period prescribed in subsection (a),
12 (b) or (b.1) has expired, a prosecution may nevertheless be
13 commenced for:

14 * * *

15 (3) Any sexual offense committed against a minor who is
16 less than 18 years of age any time up to the later of the
17 period of limitation provided by law after the minor has
18 reached 18 years of age or the date the minor reaches 50
19 years of age. As used in this paragraph, the term "sexual
20 offense" means a crime under the following provisions of
21 Title 18 (relating to crimes and offenses):

22 [Section 3011(b) (relating to trafficking in
23 individuals).

24 Section 3012 (relating to involuntary servitude) as
25 it relates to sexual servitude.

26 Section 3121 (relating to rape).

27 Section 3122.1 (relating to statutory sexual
28 assault).

29 Section 3123 (relating to involuntary deviate sexual
30 intercourse).

1 Section 3124.1 (relating to sexual assault).

2 Section 3125 (relating to aggravated indecent
3 assault).]

4 Section 3126 (relating to indecent assault).

5 Section 3127 (relating to indecent exposure).

6 [Section 4302 (relating to incest).]

7 Section 4304 (relating to endangering welfare of
8 children).

9 Section 6301 (relating to corruption of minors).

10 Section 6312(b) (relating to sexual abuse of
11 children).

12 Section 6320 (relating to sexual exploitation of
13 children).

14 * * *

15 Section 4. The amendment or addition of 42 Pa.C.S. §§
16 5533(b)(2)(i), 5551(7) and 5552(b.1) and (c)(3) shall not be
17 applied to revive an action which has been barred by an existing
18 statute of limitations on the effective date of this section.

19 Section 5. This act shall take effect in 60 days.