### 2019 Summary of Child Sexual Abuse Statutes of Limitations (SOLs): Introduced, Signed into Law and State Laws by Category

\*available at www.childusa.org/2019sol

Summary of Child Sexual Abuse SOLs in 50 States, the Federal Government and the District of Columbia

September 20, 2019

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#### A. New SOL Reform Laws Going into Effect in 2019

- Alabama Extends the civil SOL for a sex offense against a person under 19 years of age to age 19 plus 6 years. (SB 11) (*Governor Signed into Law on May 30, 2019*).
- Arizona Extends the civil SOL to age 30 and opens a 19-month revival window against people and institutions. (HB 2466) (Governor Signed into Law on May 27, 2019).
- Connecticut Extends the civil SOL for sexual abuse of a victim under age 21 to age 21 plus 30 years. Eliminates the criminal SOL for any felony or misdemeanor offense involving sexual abuse, sexual exploitation or sexual assault of a minor, including risk of injury involving intimate contact with a victim under age 16. Also, extends the criminal SOL for sexual abuse, sexual exploitation or sexual assault of victims age 18, 19, or 20 to age 51 and for sexual assault of a victim age 21 or older to 20 years from the offense for felonies and 10 years from the offense for misdemeanors. (SB 3) (*Governor Signed into Law on June 18, 2019*).
- Illinois Extends the civil SOL by tolling the SOL during the time that victim is subject to fraudulent concealment. (SB 1868) (Governor Signed into Law on August 20, 2019).
- Iowa Extends the criminal SOL for the following felonies and misdemeanors to age of majority (18) plus 15 years: 1st, 2nd, and 3rd degree sexual abuse, incest, and sexual exploitation by a counselor, therapist, or school employee. (SF 589) (Governor Signed into Law on May 16, 2019).
  - Maine Eliminates the criminal SOL for a victim under age 16 for felony and misdemeanor incest, unlawful sexual contact, sexual abuse of a minor, rape and gross sexual assault. Would extend the criminal SOL to 20 years from the offense for a victim age 16 or older for felony unlawful sexual contact or gross sexual assault. (SP 20/LD67) (*Governor Signed into Law on June 27, 2019*).
- Montana **Eliminates** the criminal SOL for felonies and misdemeanors. Extends the civil SOL against perpetrators and institutions to the earlier of age 27 or 3 years after discovery that injury was caused



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by childhood sexual abuse. Opens a 1-year revival **window** on May 7, 2019 against institutions and perpetrators who are alive and have been convicted of or admitted to the abuse. (HB 640) (*Governor Signed into Law on May 7, 2019*).

- Nebraska Eliminates the criminal SOL for felony sex trafficking of a minor and child pornography. (LB 519) (*Governor Signed into Law on May 31, 2019*).
- Nevada
  Eliminates the criminal SOL for a sexual assault arising out of the same facts as a murder. (SB 9) (*Governor Signed into Law on May 16, 2019*). Eliminates the criminal SOL for felony sexual assault where the identity of an accused perpetrator is established by DNA evidence, regardless of victim's age. (AB 142) (*Governor Signed into Law on May 31, 2019*).
- New Jersey Extends the civil SOL for child sex abuse to age 55 or 7 years from discovery, whichever is later, for claims against individuals and public and private institutions. Removes claim presentment requirement for claims against public entities. Opens a 2-year revival **window** on December 1, 2019 for victims abused as minors or adults against perpetrators and institutions. Also, extends the civil SOL for adult sex assault victims to 7 years from the offense or 7 years from discovery, whichever is later. (S477) (*Governor Signed into Law on May 13, 2019*).
- New York
  Extends the criminal SOL for felony to age 28 and misdemeanor to age 25. Extends civil SOL to age 55 for claims against people and institutions. Also, removes 90-day notice of claim requirement for claims against public institutions. Opens a 1-year revival window on August 14, 2019 against perpetrators and institutions. (S 2440) (*Governor Signed into Law on February 14, 2019*). Eliminates the criminal SOL for 1st degree incest and extends the criminal SOL for rape and criminal sexual act in the 2nd degree to age 43 and in the 3rd degree to age 33. (S 6574) (*Governor Signed into Law on September 18, 2019*).
- North Carolina
  Would extend the civil SOL for human trafficking, which includes sexual servitude, of a minor to age of majority (18) plus 10 years or of an adult to 10 years from the offense. (HB 198) (*Governor Signed into Law on July 22, 2019*).





- North Dakota Extends the criminal SOL for felony and misdemeanor sex offenses to 21 years from the offense. (HB 1425) (Governor Signed into Law on March 21, 2019).
- Rhode Island Extends the civil SOL to age of majority (18) plus 35 years and expands the 7-year delayed discovery rule to apply not just to the perpetrator but to all defendants. Also applies new SOL retroactively to claims against the perpetrator only. Expands liability for public entities by making new SOL applicable to them. (H5171 & S315) (Governor Signed into Law on July 1, 2019).
- Tennessee Extends the civil SOL to age 33 with a 3-year delayed discovery rule. Eliminates the criminal SOL for child sex abuse felonies and misdemeanors, with a limitation that if prosecuting after victim is age 43, and victim was at or between ages 13 and 17 at the time of the offense, and victim never reported the offense to another person before reaching age 23, admissible and credible evidence corroborating the charge or similar acts by defendant is required. Also Eliminates the criminal SOL for rape and aggravated rape of an adult if reported within 3 years of the offense. (HB 565) (*Governor Signed into Law on May 24, 2019*).
- Texas Expands the DNA statute and **eliminates** the criminal SOL where DNA has been collected but not yet tested. (HB 8) (*Governor* Signed into Law on June 4, 2019). Extends the civil SOL to age of majority (18) plus 30 years against perpetrators and institutions. (HB 3809) (*Governor Signed into Law on June 14, 2019*).
- Utah Eliminates the criminal SOL for felony human trafficking of a child, which includes trafficking for sexual exploitation of the child. (HB 20) (*Governor Signed into Law, March 21, 2019*). Extends the criminal SOL for felony crimes where the SOL has run as of May 5, 2003 and no charges had been filed, by extending the time from 1 to 4 years that a prosecution must be commenced after a perpetrator has been identified by DNA evidence. (HB 192) (*Governor Signed into Law, March 25, 2019*). Waives governmental immunity for civil claims of negligence or injury resulting from sexual battery against a student by a school employee, in a position of trust, who is criminally charged, that the school knew or should have known was a sex offender. Also, extends the civil SOL for claims against a governmental entity or





its employee to 2 years after a claim arises or discovery of a claim. (HB 311) (*Governor Signed into Law, March 25, 2019*).

- Vermont
  Eliminates the civil SOL and revives all expired claims against perpetrators and negligent institutions. (HB 330) (Governor Signed into Law on May 28, 2019). Eliminates the criminal SOL for sexual exploitation of a minor. (HB 511) (Governor Signed into Law on May 30, 2019).
- Washington Eliminates the criminal SOL for felony rape, sexual misconduct, child molestation, and sexual exploitation of a minor and extends the criminal SOL to 20 years from the offense for rape and indecent liberties, regardless of victim's age. (SB 5649) (*Governor Signed into Law on April 19, 2019*). Extends the criminal SOL for felony sex offenses by extending when the SOL begins to run to 2 years from identification of perpetrator by DNA, regardless of victim's age. (HB 1166) (*Governor Signed into Law on April 23, 2019*).
- Washington D.C. Eliminates the criminal SOL for felony sexual abuse, child sexual abuse, sexual abuse of a minor, and incest. Extends the civil SOL where victim was under age 35 to age 40 with a 5-year discovery rule. Also, opens a 2-year revival window for victims abused as minors and adults on May 3, 2019. (B22-0021/DC Act 22-593/ L22-0311) (*Law Effective on May 3, 2019*).

Total: Twenty (20) Jurisdictions with SOL Reform Going into Effect





#### B. SOL Reform Bills Passed in 2019

- Alabama Extends the civil SOL for a sex offense against a person under 19 years of age to age 19 plus 6 years. (SB 11) (*Governor Signed into Law on May 30, 2019*).
- Arizona Extends the civil SOL to age 30 and opens a 19-month revival window against people and institutions. (HB 2466) (Governor Signed into Law on May 27, 2019).
- California
  Would extend the civil SOL to age of majority (18) plus 22 years, extend the discovery rule to 5 years and open a 3-year revival window. Would remove claim presentment requirement for claims against local public entities. (AB 218) (*Passed in House and Senate, September 14, 2019*).
- Connecticut Extends the civil SOL for sexual abuse of a victim under age 21 to age 21 plus 30 years. **Eliminates** the criminal SOL for any felony or misdemeanor offense involving sexual abuse, sexual exploitation or sexual assault of a minor, including risk of injury involving intimate contact with a victim under age 16. Also, extends the criminal SOL for sexual abuse, sexual exploitation or sexual assault of victims age 18, 19, or 20 to age 51 and for sexual assault of a victim age 21 or older to 20 years from the offense for felonies and 10 years from the offense for misdemeanors. (SB 3) (*Governor Signed into Law on June 18, 2019*).
- Illinois Extends the civil SOL by tolling the SOL during the time that victim is subject to fraudulent concealment. (SB 1868) (Governor Signed into Law on August 20, 2019).
- Iowa Extends the criminal SOL for the following felonies and misdemeanors to age of majority (18) plus 15 years: 1st, 2nd, and 3rd degree sexual abuse, incest, and sexual exploitation by a counselor, therapist, or school employee. (SF 589) (*Governor Signed into Law on May 16, 2019*).
- Maine
  Eliminates the criminal SOL for a victim under age 16 for felony and misdemeanor incest, unlawful sexual contact, sexual abuse of a minor, rape and gross sexual assault. Would extend the criminal SOL to 20 years from the offense for a victim age 16 or older for felony unlawful sexual contact or gross sexual assault. (SP





#### 20/LD67) (Governor Signed into Law on June 27, 2019).

0	Montana	<b>Eliminates</b> the criminal SOL for felonies and misdemeanors. Extends the civil SOL against perpetrators and institutions to the earlier of age 27 or 3 years after discovery that injury was caused by childhood sexual abuse. Opens a 1-year revival <b>window</b> on May 7, 2019 against institutions and perpetrators who are alive and have been convicted of or admitted to the abuse. (HB 640) ( <i>Governor Signed into Law on May 7, 2019</i> ).
0	Nebraska	<b>Eliminates</b> the criminal SOL for felony sex trafficking of a minor and child pornography. (LB 519) ( <i>Governor Signed into Law on May 31, 2019</i> ).
0	Nevada	<b>Eliminates</b> the criminal SOL for a sexual assault arising out of the same facts as a murder. (SB 9) ( <i>Governor Signed into Law on May 16, 2019</i> ). <b>Eliminates</b> the criminal SOL for felony sexual assault where the identity of an accused perpetrator is established by DNA evidence, regardless of victim's age. (AB 142) ( <i>Governor Signed into Law on May 31, 2019</i> ).
0	New Jersey	Extends the civil SOL for child sex abuse to age 55 or 7 years from discovery, whichever is later, for claims against individuals and public and private institutions. Removes claim presentment requirement for claims against public entities. Opens a 2-year revival <b>window</b> on December 1, 2019 for victims abused as minors or adults against perpetrators and institutions. Also, extends the civil SOL for adult sex assault victims to 7 years from the offense or 7 years from discovery, whichever is later. (S477) ( <i>Governor Signed into Law on May 13, 2019</i> ).
0	New Mexico	Would extend the criminal SOL for the following felonies committed against minors to age 30: abandonment and abuse, criminal sexual contact, and criminal sexual penetration. (SB 55) ( <i>Governor Vetoed on March 16, 2019</i> ).
0	New York	Extends the criminal SOL for felony to age 28 and misdemeanor to age 25. Extends civil SOL to age 55 for claims against people and institutions. Also, removes 90-day notice of claim requirement for claims against public institutions. Opens a 1-year revival <b>window</b>



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on August 14, 2019 against perpetrators and institutions. (S 2440) (Governor Signed into Law on February 14, 2019). Eliminates the

criminal SOL for 1st degree incest and extends the criminal SOL for rape and criminal sexual act in the 2nd degree to age 43 and in the 3rd degree to age 33. (S 6574) (*Governor Signed into Law on September 18, 2019*).

- North Carolina
  Would extend the civil SOL for human trafficking, which includes sexual servitude, of a minor to age of majority (18) plus 10 years or of an adult to 10 years from the offense. (HB 198) (*Governor Signed into Law on July 22, 2019*).
- North Dakota Extends the criminal SOL for felony and misdemeanor sex offenses to 21 years from the offense. (HB 1425) (Governor Signed into Law on March 21, 2019).
- Rhode Island Extends the civil SOL to age of majority (18) plus 35 years and expands the 7-year delayed discovery rule to apply not just to the perpetrator but to all defendants. Also applies new SOL **retroactively** to claims against the perpetrator only. Expands liability for public entities by making new SOL applicable to them. (H5171 & S315) (*Governor Signed into Law on July 1*, 2019).
- Tennessee Extends the civil SOL to age 33 with a 3-year delayed discovery rule. Eliminates the criminal SOL for child sex abuse felonies and misdemeanors, with a limitation that if prosecuting after victim is age 43, and victim was at or between ages 13 and 17 at the time of the offense, and victim never reported the offense to another person before reaching age 23, admissible and credible evidence corroborating the charge or similar acts by defendant is required. Also Eliminates the criminal SOL for rape and aggravated rape of an adult if reported within 3 years of the offense. (HB 565) (*Governor Signed into Law on May 24, 2019*).
- Texas Expands the DNA statute and **eliminates** the criminal SOL where DNA has been collected but not yet tested. (HB 8) (*Governor Signed into Law on June 4, 2019*). Extends the civil SOL to age of majority (18) plus 30 years against perpetrators and institutions. (HB 3809) (*Governor Signed into Law on June 14, 2019*).
- Utah **Eliminates** the criminal SOL for felony human trafficking of a child, which includes trafficking for sexual exploitation of the child. (HB 20) (*Governor Signed into Law on March 21, 2019*).





Extends the criminal SOL for felony crimes where the SOL has run as of May 5, 2003 and no charges had been filed, by extending the time from 1 to 4 years that a prosecution must be commenced after a perpetrator has been identified by DNA evidence. (HB 192) (*Governor Signed into Law on March 25, 2019*). Waives governmental immunity for civil claims of negligence or injury resulting from sexual battery against a student by a school employee, in a position of trust, who is criminally charged, that the school knew or should have known was a sex offender. Also, extends the civil SOL for claims against a governmental entity or its employee to 2 years after a claim arises or discovery of a claim. (HB 311) (*Governor Signed into Law on March 25, 2019*).

- Vermont
  Eliminates the civil SOL and revives all expired claims against perpetrators and negligent institutions. (HB 330) (Governor Signed into Law on May 28, 2019). Eliminates the criminal SOL for sexual exploitation of a minor. (HB 511) (Governor Signed into Law on May 30, 2019).
- Washington Eliminates the criminal SOL for felony rape, sexual misconduct, child molestation, and sexual exploitation of a minor and extends the criminal SOL to 20 years from the offense for rape and indecent liberties, regardless of victim's age. (SB 5649) (*Governor Signed into Law on April 19, 2019*). Extends the criminal SOL for felony sex offenses by extending when the SOL begins to run to 2 years from identification of perpetrator by DNA, regardless of victim's age. (HB 1166) (*Governor Signed into Law on April 23, 2019*).
- Washington D.C. **Eliminates** the criminal SOL for felony sexual abuse, child sexual abuse, sexual abuse of a minor, and incest. Extends the civil SOL where victim was under age 35 to age 40 with a 5-year discovery rule. Also, opens a 2-year revival **window** for victims abused as minors and adults on May 3, 2019. (B22-0021/DC Act 22-593/L22-0311) (*Law Effective on May 3, 2019*).

Total:

#### Twenty-two (22) Jurisdictions Passed SOL Reform





#### C. SOL Reform Bills Introduced in 2019

- Alabama Extends the civil SOL for a sex offense against a person under 19 years of age to age 19 plus 6 years. Previous version of bill would have extended the civil SOL to 10 years from offense, age 19 plus 10 years, or 10 years from criminal conviction, and add a 10 year delayed discovery rule. (SB 11 & HB 311) (SB 11 Governor Signed into Law on May 30, 2019) (HB 311 Hearing on April 10, 2019).
- Arizona Extends the civil SOL to age 30 and opens a 19-month revival window against perpetrators and institutions. (HB 2466) (*Governor Signed into Law on May 27, 2019*). Would extend the civil SOL to age of majority (18) plus 7 years or 7 years after disclosure to medical or mental health provider. Would also apply to actions for failure to report. (SB 1255) (*Failed in Committee, February 21, 2019*). Amended bill would extend the civil SOL to age of majority (18) plus 12 years and open a 1-year revival window. (SB 1011) (*Failed in House on April 4, 2019*). Would extend the civil SOL for sexual assault of a minor and failure to report to age of majority (18) plus 12 years, and if a defendant is charged with a crime after victim is age 30, would add 1 year from the final disposition of criminal proceeding. (HB 2746).
- California
  Would extend the civil SOL to age of majority (18) plus 22 years, extend the discovery rule to 5 years and open a 3-year revival window. Would remove claim presentment requirement for claims against local public entities. (AB 218) (*Passed in House and Senate, September 14, 2019*).
- Connecticut Extends the civil SOL for sexual abuse of a victim under age 21 to age 21 plus 30 years. Eliminates the criminal SOL for any felony or misdemeanor offense involving sexual abuse, sexual exploitation or sexual assault of a minor, including risk of injury involving intimate contact with a victim under age 16. Also, extends the criminal SOL for sexual abuse, sexual exploitation or sexual assault of victims age 18, 19, or 20 to age 51 and for sexual assault of a victim age 21 or older to 20 years from the offense for felonies and 10 years from the offense for misdemeanors. Previous versions proposed to eliminate the civil SOL and open a 27-month revival window and eliminate or extend the criminal SOL for felony risk of injury to children offense and felony and



misdemeanor sexual assault, regardless of victim's age. Prior amended bill proposed to **retroactively** extend the civil SOL for sexual abuse of a victim under age 21 to age 21 plus 30 years, but exclude the revival **window**. (SB 3) (*Governor Signed into Law on June 18, 2019*). Would **eliminate** the criminal SOL for felony and misdemeanor. (HB 5534). Would **eliminate** the criminal SOL for felony and require school districts to require parents or guardians to watch a sexual assault prevention program. (SB 502). Would extend or **eliminate** the criminal SOL for sexual assault, regardless of victim's age. (HB 6505). Would extend the criminal SOL for sexual assault, regardless of victim's age. (HB 6297 & HB 5221). Would extend the criminal SOL for sexual assault to 10 years from the offense, regardless of victim's age. (SB 913) (*Hearing on April 1, 2019, Passed out of Judiciary Comm., April* 10, 2019).

- Florida
  Would extend the civil SOL to age 55. (HB 53). Would eliminate the criminal SOL for sexual battery. (SB 170). Would eliminate the criminal SOL for 2nd, and 3rd degree felony sexual battery. (HB 395 & SB 130) (*Failed, May 3, 2019*). Would eliminate the criminal SOL for 1st, 2nd, and 3rd degree felony sexual battery, regardless of victim's age. (HB 165) (*Failed, May 3, 2019*). Would extend the criminal SOL for first and second-degree felony sexual battery of a victim age 16 or older to age of majority (18) plus 15 years. (SB 606 & HB 83) (*SB 606 Withdrawn from Consideration, March 21, 2019*) (*HB 83 Failed, May 3, 2019*).
- Georgia Would extend the civil SOL to age 55, extend the delayed discovery rule to 4 years, and open a 2-year revival **window**. (HB 418 & SB 228). Would extend the civil SOL to age 38, extend the delayed discovery rule to 4 years, and open a 1-year revival **window**. (HB 479). Would **eliminate** the criminal SOL for felony and misdemeanors against victims under age 16. (HB 258).

Hawaii
 Would eliminate the civil SOL. Senate amendment changes the effective date from January 28, 2081 to "upon its approval". (HB 18) (*Passed in House, March 1, 2019, Amended Bill Passed in Senate, April 9, 2019, House Disagrees with Amendment, April 11, 2019, House Deferred, April 26, 2019*). Would extend the civil SOL to age of majority (18) plus 22, and add a 10-year delayed discovery rule. Amended bill eliminates the civil SOL. (SB 1035) (*Passed in Senate, March 5, 2019*). Would extend the civil SOL to





age of majority (18) plus 22, and add a 10-year delayed discovery rule. (HB 482). Would **eliminate** the criminal SOL for sex trafficking and promoting prostitution, regardless of victim's age. (HB 486, HB 233 & SB 478) (*HB 233 Hearing on February 11, 2019, Judiciary Comm. Deferred on February 13, 2019*) (*HB 486 Amended to Exclude SOL Elimination, Passed in Senate, April 9, 2019*).

- Illinois Extends the civil SOL by tolling the SOL during the time that victim is subject to fraudulent concealment. Previous version proposed extending the civil SOL by tolling the SOL for 5 years if the perpetrator holds a position of trust, authority, or supervision and he/she conceals a cause of action from the victim. (SB 1868) (*Governor Signed into Law on August 20, 2019*).
- Indiana
  Would open a 3-year revival window. Amended bill excludes revival window and instead urges Legislative Counsel to assign the study of civil SOL to a summer committee. (SB 219) (*Passed* in Senate, February 20, 2019).
- Iowa Extends the criminal SOL for the following felonies and 0 misdemeanors to age of majority (18) plus 15 years: 1st, 2nd, and 3rd degree sexual abuse, incest, and sexual exploitation by a counselor, therapist, or school employee. (SF 589, HB 729/HSB 237 & SB 405) (SF 589 Governor Signed into Law on May 16, 2019) (HB 729 Substituted with SF 589 and Withdrawn, April 23, 2019). Would eliminate the criminal SOL for the following felonies and misdemeanors: 1st, 2nd, and 3rd degree sexual abuse, incest, sexual exploitation by a counselor, therapist, or school employee, other sexual offenses, kidnapping, and human trafficking. (SF 92). Would eliminate the criminal SOL for felony and misdemeanor sexual offenses against minors and extend the criminal SOL for sexual abuse of non-minors, kidnapping and human trafficking to 3 years from identification of perpetrator by DNA. (SF 487). Would eliminate the civil SOL for future conduct, extend the civil SOL to 5 years from effective date for prior conduct, and toll the civil SOL to age of majority (18) plus one year for actions against municipalities. (SF 189).
- Kansas Would eliminate the civil SOL. (HB 2306).
  - Would **eliminate** the criminal SOL for misdemeanor sexual offenses, including but not limited to, sexual abuse, pornography,



Kentucky

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and attempted human trafficking. Would also **eliminate** the civil SOL. (HB 101 & HB 102).

• Louisiana Would extend the criminal SOL for felony sex offenses when the victim is under age 17 by adding a 15-year extension to the current SOL of 30 years from age of majority (18) if new and material evidence is discovered before the 30-year SOL expires. Would also extend the criminal SOL for felony sex offenses when the victim is age 17 or older to 10 years with a 15-year extension if new and material evidence is discovered before the 10 year SOL expires. (HB 268) (*Passed in House, May 23, 2019, Passed out of Senate Comm., June 4, 2019*).

Maine
 Eliminates the criminal SOL for a victim under age 16 for felony and misdemeanor incest, unlawful sexual contact, sexual abuse of a minor, rape and gross sexual assault. Would extend the criminal SOL to 20 years from the offense for a victim age 16 or older for felony unlawful sexual contact or gross sexual assault. (SP 20/LD67) (*Governor Signed into Law on June 27, 2019*). Would eliminate the criminal SOL for Class D or Class E crime involving incest, unlawful sexual contact, sexual abuse of a minor, rape or gross sexual assault, if victim is under age 16 at the time of crime. Would also eliminate the criminal SOL for Class A, Class B and Class C crime listed above, regardless of victim's age. (HP 257/LD332) (*Failed, March 28, 2019*).

Maryland
 Would eliminate the civil SOL. Amended bill adds 2-year revival window. (HB 687) (*Passed in House 136-2, March 18, 2019, Senate Hearing on March 28, 2019, Failed in Senate Judiciary Comm. 5-5, April 3, 2019*). Amended bill would extend the civil SOL to age of majority (18) plus 40 years and open a 2-year revival window. Further amended bill removes provisions relating to SOLs and revival and only relates to violence against pregnant women. (SB 561) (*Signed into Law on May 13, 2019*).

- Massachusetts Would **eliminate** the criminal SOL for rape and indecent assault and battery. (S.980 & H.3309). Would **eliminate** the criminal SOL if there is DNA evidence. (S.991). Would extend the civil SOL for negligent supervision when the person who sexually abused the minor is deceased. (S.920).
- Minnesota Would eliminate the criminal SOL for felony sexual offenses, regardless of victim's age. (HF 480, SF 731, SF 2521 & HF 734).





(HF 480 & HF 734 Hearing on March 13, 2019).

- Mississippi
  Would eliminate the criminal SOL for sexual battery. (SB 2377 & SB 2035). Would eliminate the civil SOL. (HB 1379) (All Bills Failed in Committee, February 5, 2019).
- Missouri
  Would extend the criminal SOL for the remaining sexual offenses that the SOL has not already been eliminated for, to 10 years from the offense if victim reported it within 3 years, or 3 years from the offense if victim did not report it, regardless of victim's age. (HB 760).
- Montana Eliminates the criminal SOL for felonies and misdemeanors. 0 Extends the civil SOL against perpetrators and institutions to the earlier of age 27 or 3 years after discovery that injury was caused by childhood sexual abuse. Opens a 1-year revival window against institutions and perpetrators who are alive and have been convicted of or admitted to the abuse. (HB 640) (Governor Signed into Law on May 7, 2019). Would eliminate the criminal SOL for felony and misdemeanor sex offenses. (HB 109) (Hearing on January 16, 2019 and Failed, April 25, 2019). Would eliminate the civil SOL. (HB 202) (Hearing on January 18, 2019 and Failed, April 25, 2019). Would extend the civil SOL to age of majority (18) plus 20 years. (HB 188) (Hearing on January 22, 2019 and Failed, April 25, 2019). Would extend the criminal SOL for the following felonies to age of majority (18) plus 20 years for minor victims and 10 years after the offense for victims age 18 and older: incest, aggravated sexual intercourse without consent, promoting prostitution, aggravated promoting prostitution, sexual servitude and patronizing victim of sexual servitude. (HB 701) (Failed, April 25, 2019).
- Nebraska
  Eliminates the criminal SOL for felony sex trafficking of a minor and child pornography (LB 519) (Governor Signed into Law on May 31, 2019). Would eliminate the criminal SOL for felony sex trafficking of a minor. (LB 516) (Provisions of LB516 amended into LB 519, May 31, 2019). Would eliminate the civil SOL against the perpetrator, and extend the civil SOL against others to age 21 plus 12 years, regardless of victim's age. (LB 249) (Hearing on February 22, 2019).
  - NevadaEliminates the criminal SOL for a sexual assault arising out of the<br/>same facts as a murder. As, introduced bill would have extended<br/>the criminal SOL to 20 years from the offense for sex trafficking



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or any crime committed during or in furtherance of a sexual assault or sex trafficking, regardless of victim's age. Amended bill removed criminal extension for sex trafficking and instead only **eliminates** criminal SOL for a sexual assault arising out of the same facts as a murder. (SB 9) (*Governor Signed into Law on May 16, 2019*). **Eliminates** the criminal SOL for felony sexual assault where the identity of an accused perpetrator is established by DNA evidence, regardless of victim's age. (AB 142) (*Governor Signed into Law on May 31, 2019*). Would **eliminate** the civil and criminal SOLs for felony, gross misdemeanor, and misdemeanor sexual abuse of a minor and sexual assault, regardless of victim's age. Amended bill expands victims' rights but excludes SOL provisions. (SB 368) (*Governor Signed into Law on June 5, 2019*).

- New Jersey
  Extends the civil SOL for child sex abuse to age 55 or 7 years from discovery, whichever is later, for claims against individuals and public and private institutions. Opens a 2-year revival window against perpetrators and institutions. Also, extends the civil SOL for adult sex assault victims to 7 years from the offense or 7 years from discovery, whichever is later. (S477 & A3648) (S477 Governor Signed into Law on May 13, 2019) (A3648 Substituted by S477, March 25, 2019). Would eliminate the civil SOL. (A4544 & A1162). Would extend the criminal SOL for sexual contact and endangering the welfare of a child to age of majority (18) plus 10 years, with a 2-year delayed discovery rule. (S1506).
- New Mexico Would extend the criminal SOL for the following felonies committed against minors to age 30: abandonment and abuse, criminal sexual contact, and criminal sexual penetration. Previous version of bill provided for **elimination** of the criminal SOL, but it was amended to age 30. (SB 55) (*Governor Vetoed on March 16, 2019*). Would extend the civil SOL by adding a 3-year delayed discovery rule. (SB 125) (*Senate Postponed Indefinitely, January 17, 2019*).
- New York
  Extends the criminal SOL for felony to age 28 and misdemeanor to age 25. Extends civil SOL to age 55 for claims against people and institutions. Also, removes 90-day notice of claim requirement for claims against public institutions. Opens a 1-year revival window on August 14, 2019 against perpetrators and institutions. (S 2440) (*Governor Signed into Law on February 14, 2019*). Eliminates the criminal SOL for 1st degree incest and extends the criminal SOL for rape and criminal sexual act in the 2nd degree to



age 43 and in the 3rd degree to age 33. (S 6574) (Governor Signed into Law on September 18, 2019). Would extend the criminal SOL for remaining sexual offenses that SOL has not already been eliminated for to age of majority (18) plus 15 years for sexual offenses, and extend the civil SOL for childhood sexual abuse or exploitation to 15 years from the offense. (A2723). Would eliminate the criminal SOL for remaining sexual offenses that SOL has not already been eliminated for and extend the civil SOL to age 50. (S1328). Would eliminate the criminal SOL for remaining sexual offenses that SOL has not already been eliminated for. (S952). Would extend the criminal SOL for felony sex offenses to age 28 and misdemeanor sex offenses to age 25. Would extend the civil SOL for sex offenses to age 23 plus 5 years, and open a 1-year revival window. (A1175). Would eliminate the criminal SOL for felony sex offenses, expand the categories of defendants criminally liable, extend the civil SOL to age of majority (18) plus 6 years, and open a 3-year revival window. (A3842). Would open a 1-year revival window for sexual assault of an infant. (AB 6935). Would eliminate the civil SOL for actions based on incest and use of a child in a sexual performance. Would eliminate the criminal SOL for felony sexual offenses, 1st, 2nd and 3rd degree incest, and use of a child in a sexual performance. (AB 6507).

North Carolina Would extend the civil SOL for human trafficking, which includes 0 sexual servitude, of a minor to age of majority (18) plus 10 years and of an adult to 10 years from the offense. (SB 200 & HB 198) (HB 198 Governor Signed into Law on July 22, 2019). Would extend the criminal SOL for misdemeanor crimes of abuse to 10 years, extend the civil SOL to age 50 and open a 1-year revival window. Senate amended bill removes civil SOL extension and revival window. House amended bill adds civil SOL extension to age 38 and 2-year revival window. (SB 199) (Passed in Senate, April 10, 2019, Amended Bill Passed in House, July 31, 2019, Senate Failed to Concur, August 6, 2019). Would extend the civil SOL to age 38 and open a 2-year revival window. Previous version provided for SOL extension to age 45 and with a 1-year revival window. (HB 37) (Passed in House, June 19, 2019). Would extend the criminal SOL for misdemeanor crimes of abuse to 10 years, extend the civil SOL to age 50 and open a 1-year revival window. (HB 596).





- North Dakota Extends the criminal SOL for felony and misdemeanor sex offenses to 21 years from the offense. (HB 1425) (Governor Signed into Law on March 21, 2019).
- Ohio Would retroactively revive and eliminate the civil SOL for claims against a state university by victims of any age who were sexually abused by a university physician between January 1, 1978 and December 31, 2000. (HB 249) (*House Civil Justice Comm. Hearing on September 10, 2019*). Would eliminate the civil SOL for rape against the perpetrator regardless of victim's age and eliminate the criminal SOL for rape, regardless of victim's age. (SB 162 & HB 279).
- Oregon Would eliminate the criminal SOL for felony sex offenses, regardless of victim's age, if a defendant is identified based on DNA analysis. (HB 3073) (*Failed in Committee, June 30, 2019*).
- Pennsylvania Would eliminate the civil SOL for sexual abuse of minors and 0 adults and would open a 2-year revival window for all victims. regardless of age at time of offense. Would expand civil liability by providing exceptions to government and sovereign immunity for sexual abuse claims. Would eliminate the criminal SOL for trafficking, sexual servitude, rape, statutory sexual assault, involuntary deviate sexual intercourse, sexual assault, institutional sexual assault, aggravated indecent assault and incest. (SB 540). Would open a 2-year revival window by amending the Pennsylvania Constitution to provide for the window. (HB 963) (Passed in House, April 10, 2019). Would eliminate the criminal SOL for felonies of trafficking, involuntary servitude, rape, statutory sexual assault, involuntary deviate sexual intercourse, sexual assault, institutional sexual assault, aggravated indecent assault and incest. Would extend the criminal SOL for other felony and misdemeanor sexual offenses to age 55. Would extend the criminal SOL for institutional sexual assault to 12 years from the offense, regardless of victim's age. Would also extend the civil SOL to age 55 and expand liability for government institutions by providing exceptions to the laws of government immunity and limitations on damages. (HB 962) (Passed in House, April 10, 2019).
- Rhode Island Extends the civil SOL to age of majority (18) plus 35 years and expands the 7-year delayed discovery rule to apply not just to the perpetrator but to all defendants. Also applies new SOL





**retroactively** to claims against the perpetrator only. Expands liability for public entities by making new SOL applicable to them. Previous version included a 3-year revival **window**. (H5171 & S315) (*Governor Signed into Law on July 1*, 2019). Would **eliminate** the criminal SOL for 2nd and 3rd degree sexual assault. (H5515) (*Comm. recommended measure be held for further study, March 12, 2019*).

• South Dakota Would open a 2-year revival window. (HB 1269) (Judiciary Comm. Failed 4-6 and deferred to 41st legislative day, February 11, 2019).

Tennessee Extends the civil SOL to age 33 with a 3-year delayed discovery rule. Eliminates the criminal SOL for child sex abuse felonies and misdemeanors, with a limitation that if prosecuting after victim is age 43, and victim was at or between ages 13 and 17 at the time of the offense, and victim never reported the offense to another person before reaching age 23, admissible and credible evidence corroborating the charge or similar acts by defendant is required. Also eliminates the criminal SOL for rape and aggravated rape of an adult if reported within 3 years of the offense. Previous versions of the bill proposed to eliminate the criminal SOL for child sex abuse felonies and misdemeanors. Would eliminate the criminal SOL for rape and aggravated rape of an adult if reported within 3 years of the offense and to extend the civil SOL to age 48, with a 3-year delayed discovery rule. Amended bills decreased civil SOL from age 48 to age 33. Further amended bill eliminates criminal SOL for rape and aggravated rape, regardless of victim's age, and rape of a child and aggravated rape of a child, if reported within three years of the offense. Would also eliminate the criminal SOL for child sex abuse felonies and misdemeanors, with a requirement that if prosecuted after victim is age 43, admissible and credible evidence corroborating the charge is required. Further amended bill adopted by House and Senate Conference Committee. (HB 565 & SB 1252) (HB 565 Governor Signed into Law on May 24, 2019) (SB 1252 Substituted by HB 565). Would eliminate the criminal SOL for rape and aggravated rape and rape and aggravated rape of a child. (SB 368, HB 286, SB 592 & HB 112) (SB 368 Passed out of Judiciary Comm. 9-0, February 19, 2019). Would eliminate the criminal and civil SOL for felony child sexual abuse offenses. (HB 660 & SB 545). Would eliminate the criminal SOL for some sexual offenses when



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reported to law enforcement within 3 years of offense. (SB 18 & HB 285). Would extend the criminal SOL to age 43 for some sexual offenses when not reported to law enforcement within 3 years. (SB 18, HB 285, HB 140 & SB 1131). Would extend the civil SOL by adding a 5-year delayed discovery rule. (SB 954 & HB 1035). Would **eliminate** the civil SOL and extend the criminal SOL for felony sex offenses to age of majority (18) plus 25 years. (HB 309 & SB 169) (*Withdrawn, February 6, 2019*).

Texas Expands the DNA statute and eliminates the criminal SOL where 0 DNA has been collected but not yet tested. (HB 8) (Governor Signed into Law on June 4, 2019). Extends the civil SOL to age of majority (18) plus 30 years. Amended bill limits the civil SOL extension to claims against a perpetrator only. Senate Committee amended bill to remove perpetrator only language so that amended SOL applies to claims against non-perpetrators also. (HB 3809) (Governor Signed into Law on June 14, 2019). Would toll the criminal SOL if there is DNA evidence. (SB 735). Would extend the criminal SOL to age of majority (18) plus 20 years for trafficking and sexual performance by a child. (HB 1073) (Hearing on April 29, 2019). Would extend the criminal SOL for abandoning or endangering a child to age of majority (18) plus 10 vears. (HB 442) (Passed in House, Mav 7, 2019).

Eliminates the criminal SOL for felony human trafficking of a Utah child, which includes trafficking for sexual exploitation of the child. (HB 20) (Governor Signed into Law on March 21, 2019). Extends the criminal SOL for felony crimes where the SOL has run as of May 5, 2003 and no charges had been filed, by extending the time from 1 to 4 years that a prosecution must be commenced after a perpetrator has been identified by DNA evidence. (HB 192) (Governor Signed into Law on March 25, 2019). Waives governmental immunity for civil claims of negligence or injury resulting from sexual battery against a student by a school employee, in a position of trust, who is criminally charged, that the school knew or should have known was a sex offender. Also, extends the civil SOL for claims against a governmental entity or its employee to 2 years after a claim arises or discovery of a claim. (HB 311) (Governor Signed into Law on March 25, 2019).

 Vermont
 Eliminates the civil SOL and revives all expired claims against perpetrators and negligent institutions. Previous version had a 2year revival window for claims against perpetrators and/or



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institutions. (HB 330) (*Governor Signed into Law on May 28, 2019*). Eliminates the criminal SOL for sexual exploitation of a minor. Previous version also eliminated criminal SOL for lewd and lascivious conduct with a minor. (HB 511) (*Governor Signed into Law on May 28, 2019*).

- Virginia
  Would extend the criminal SOL for misdemeanors to age of majority (18) plus 5 years. (HB 2525). Would eliminate the civil SOL. (HB 1888). Would extend the criminal SOL for misdemeanors to age of majority (18) plus 20 years. Amended bill would extend the criminal SOL for misdemeanors committed by adults to age of majority (18) plus 5 years. (SB 1484).
- Eliminates the criminal SOL for felony rape, sexual misconduct, Washington 0 child molestation, and sexual exploitation of a minor and extends the criminal SOL to 20 years from the offense for rape and indecent liberties, regardless of victim's age. (SB 5649 & HB 1231) (SB 5649 Governor Signed into Law on April 19, 2019) (HB 1231 Passed in House, March 6, 2019, Senate Hearings on March 28 and April 2, 2019, Passed out of Senate Law and Justice Comm., April 2, 2019). Extends the criminal SOL for felony sex offenses by extending when the SOL begins to run to 2 years from identification of perpetrator by DNA, regardless of victim's age. (HB 1166) (Governor Signed into Law on April 23, 2019). Would eliminate the criminal SOL for felony sex offenses against minors and rape, regardless of victim's age. (HB 1234) (Hearing on January 22, 2019).
- Washington D.C.
  Eliminates the criminal SOL for felony sexual abuse, child sexual abuse, sexual abuse of a minor, and incest. Extends the civil SOL where victim was under age 35 to age 40 with a 5-year discovery rule. Also, opens a 2-year revival window. (B22-0021/DC Act 22-593) (*Law Effective on May 3, 2019*).
- Wisconsin Would **eliminate** the civil SOL and open a 3-year revival **window** for claims against perpetrators, government and private organizations. (SB 381).

**Total:** 

Forty (40) Jurisdictions Considering SOL Reform in 2019





### D. Jurisdictions with No Criminal SOL (for at least some crimes)

0	Alabama	None for victims abused when they were under 16
0	Alaska	None for victims abused when they were under 18 (felony charge)
0	Arizona	None for victims abused when they were under 15 or under 18 if the abuser is a parent, guardian, teacher or priest
0	Arkansas	None (as of 2013)
0	California	None for felony sex offenses
0	Colorado	None for felony child sexual offenses
0	Connecticut	None for class A felonies and for any offense involving sexual abuse, sexual exploitation or sexual assault of a minor, including risk of injury involving intimate contact with a victim under age 16.
0	Delaware	None
0	Florida	None for 1st degree sexual battery (defined by Fla. Stat. § 794.011) for victims abused when they were under 18
0	Georgia	None for (1) trafficking a person for sexual servitude; (2) cruelty to children in the first degree; (3) rape; (4) aggravated sodomy; (5) child molestation or aggravated child molestation; (6) enticing a child for indecent purposes; or (7) incest.
0	Hawaii	None for 1st and 2nd degree sexual assault, and continuous sexual assault of a minor under 14
0	Idaho	Elimination for felony sex abuse and lewd conduct with a child
0	Illinois	None
0	Indiana	None if offense committed with threats or use of deadly force (class A)
0	Kansas	None for rape
0	Kentucky	None for felonies
0	Louisiana	None for prosecutions of crimes for that are punishable by death or life imprisonment, including aggravated rape and forcible rape





- Maine None for victim under 16 for felony and misdemeanor incest; unlawful sexual contact; sexual abuse of a minor; rape or gross sexual assault, formerly denominated as gross sexual misconduct.
- Maryland None for felonies
- Massachusetts None where victim under 16 (after +27 years DNA or other corroborating evidence needed)
- Michigan None 1st degree crimes.
- Minnesota None if DNA evidence preserved
- Mississippi
  None if (1) victim was abused during ages 14-16 and offender is 3 years older; (2) victim was abused under 14 and offender 2 years older; (3) victim was abused under 18 and abuser is in a position of authority or trust; or (4) involving touching or handling of children for lustful purposes
- Missouri Murder, forcible rape, attempted forcible rape, forcible sodomy, attempted forcible sodomy, or any class A felony
- o Montana None
- Nebraska
  None for 1st or 2nd degree sexual assault for victim of any age, or 3rd degree when victim was abused under the age of 16, felony sex trafficking of a minor and child pornography
- Nevada None for sexual assault if DNA or arising out of the same facts as a murder
- New Jersey None for sexual assault or aggravated sexual assault
- New Mexico None for 1st degree felonies
- New York None for 1st degree felonies
- North Carolina None

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- Oregon None for some felonies if DNA exists
- Rhode Island None for 1st degree sexual assault, and 1st and 2nd degree child molestation
- South Carolina None
- South Dakota None for class A, B, and C felonies; all child rape &





forcible rape

Total:		Forty-six (46) Jurisdictions Eliminated Criminal SOL
0	Federal Government	None
0	Washington D.C.	None for felony sexual abuse, child sexual abuse, sexual abuse of a minor, and incest.
0	Wyoming	None
0	Wisconsin	None for 1st degree sexual assault, or repeated class A or B felony offenses against the same child
0	West Virginia	None for sexual assault, 1st degree sexual abuse, sexual abuse by parent, guardian, custodian, or person in a position of trust to child
0	Washington	None for felony rape, sexual misconduct, child molestation, and sexual exploitation of a minor
0	Virginia	None for felonies
0	Vermont	None for aggravated sexual assault and sexual exploitation of a minor
0	Utah	None for rape of a child, object rape of a child, sodomy on a child, sexual abuse of a child, aggravated sexual abuse of a child, human trafficking of a child
0	Texas	None for most sex crimes against young children
0	Tennessee	None for child sex abuse felonies and misdemeanors







#### E. Jurisdictions with No Civil SOL (for at least some claims)

- Alaska None for felony sex abuse of a minor and felony sexual assault (as of 2001), unlawful exploitation of a minor (as of 2003), and felony sex trafficking or felony human trafficking (as of 2013). Applies to claims arising after the effective dates and to non-expired claims arising before. (*Alaska Stat. Ann. § 09.10.065*).
- Connecticut None if events forming the civil claim led to conviction of first-degree aggravated sexual assault or sexual assault. Applies to any cause of action arising from an incident committed prior to, on or after May 23, 2002. (*Conn. Gen. Stat. § 52-577e*).
- Delaware None for action based on sexual abuse of a minor by an adult. Effective as of July 10, 2007 and also applies to non-expired claims arising before that date. (*Del. Code Ann. tit. 10, § 8145*).
- Florida None for sexual battery offenses committed against victims under 16 years old. Effective as of July 1, 2010 and also applies to non-expired claims arising before that date. (*Fla. Stat. Ann. § 95.11*).
- Illinois None for action based on childhood sexual abuse. Effective as of January 1, 2014 and also applies to non-expired claims arising before that date. (*IL ST CH 735 § 5/13-202.2*).
- Maine None for action based on sexual contact or sexual act with a minor. Effective as of April 7, 2000 and also applies to non-expired claims arising before that date. (*Me. Rev. Stat. tit. 14, § 752-C*).
- Minnesota None for action based on sexual abuse of a minor. Effective as of May 25, 2013 and also applies to non-expired claims arising before that date. (*Minn. Stat. § 541.073 (b)*).
- Nebraska None for action based on sexual assault of a child against a perpetrator. Effective as of August 24, 2017 and also applies to non-expired claims arising before that date. (*Neb. Rev. St. § 25-228*).





		minor against a perpetrator. Effective as of March 23, 2015. ( <i>Utah Code § 78B-2-308</i> ).
0	Vermont	None for action based on childhood sexual abuse. Effective as of July 1, 2019 and it is fully retroactive, applying to all claims arising before or on or after that date. ( <i>Vt. Stat. Ann. tit. 12, § 522</i> ).
Total:		Ten (10) States Eliminated Civil SOL





### F. Jurisdictions that Revived Expired Civil SOL (window for set period of time, up to certain age or fully retroactive)

0	Arizona	(2019-20) 19-month revival <b>window</b> opened on May 27, 2019 for expired claims against perpetrators, private organizations and government and will close on December 31, 2020 - open. ( <i>HB 2466 Effective May 27, 2019</i> ).
0	California	(2003) 1-year window revived SOL against private organizations only - closed. ( <i>Cal. Civ. Proc. Code</i> § 340.1)
0	Connecticut	(2002) Revives SOL up to age 48 against perpetrators, private organizations and government. ( <i>Conn. Gen. Stat. § 52-577d</i> ).
0	Delaware	(2007-09) 2-year window revived SOL against perpetrators, private organizations and government - closed. ( <i>Del. Code tit. 10, § 8145</i> ). (2010-12) Added 2-year window for healthcare providers because original window did not apply to claims against them - closed. ( <i>Del. Code tit. 18, § 6856</i> ).
0	Georgia	(2015-17) 2-year window revived SOL against perpetrator only - closed. ( <i>Ga. Code § 9-3-33.1</i> ).
0	Hawaii	(2012-14) 2-year window revived SOL against perpetrators, private organizations and government. (2014-16) Extended window for another 2 years. (2018-20) Extended window to be open until April 24, 2020 - open. ( <i>Haw. Rev. Stat. § 657-1.8</i> ).
0	Massachusetts	(2014) Revives SOL up to age 53 against perpetrators only. ( <i>Mass. Gen. Laws ch. 260, § 4C</i> ).
0	Michigan	(2018) 90-day window revived SOL for victims of Larry Nassar only - closed. ( <i>Mich. Comp. Laws § 600.5851b</i> ).
0	Minnesota	(2013-16) 3-year window revived SOL against perpetrators and private organizations - closed. ( <i>Minn. Stat. § 541.073, 2013 Minn. Sess. Law Serv. Ch. 89 (H.F. 681)</i> ).
0	Montana	(2019-20) 1-year window opened on May 7, 2019 for expired claims against perpetrators and private organizations - open. ( <i>Mont. Code § 27-2-216 Effective May 7, 2019</i> ).





(2019-21) 2-year window will open on December 1, 2019 for • New Jersey expired claims against perpetrators, private organizations and government. Window applies to child sex abuse victims and those sexually assaulted as adults. (S477 Effective May 13, 2019). New York (2019-20) 1-year window will open on August 14, 2019 for expired  $\cap$ clams against perpetrators, private organizations and government. (N.Y. C.P.L.R. 214-g Effective February 14, 2019). (2010) Revives SOL up to age 40 against perpetrators and private Oregon 0 organizations. (O.R.S. § 12.117). Rhode Island (2019) Revives SOL up to age 53 against perpetrator only. (*RI ST* § 0 9-1-51 Effective July 1, 2019). (2016) Revives SOL up to age 53 and with a 3-year window for Utah 0 expired claims against perpetrator only - closed. (Utah Code § 78B-2-308). Vermont (2019) Revives all expired claims against perpetrators, private 0 organizations and government. (H.330 Effective May 28, 2019). Washington D.C. (2019-21) 2-year window for expired claims against perpetrators 0 and private organizations opened on May 3, 2019 - open. Window applies to all child sex abuse victims up to age 40 and, in some circumstances, older victims and those sexually assaulted as adults. (L22-0311 Effective May 3, 2019). Total Seventeen (17) Jurisdictions Revived Expired Civil SOLs



