

1 SB11
2 199253-4
3 By Senator Coleman-Madison
4 RFD: Judiciary
5 First Read: 05-MAR-19
6 PFD: 01/15/2019

1 SB11

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4 ENROLLED, An Act,

5 Relating to commencement of actions; to amend
6 Section 6-2-8, Code of Alabama 1975, to provide for the
7 statute of limitations for civil actions involving a sex
8 offense.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 6-2-8, Code of Alabama 1975, is
11 amended to read as follows:

12 "§6-2-8.

13 "(a) If anyone entitled to commence any of the
14 actions enumerated in this chapter, to make an entry on land
15 or enter a defense founded on the title to real property is,
16 at the time the right accrues, below the age of 19 years, or
17 insane, he or she shall have three years, or the period
18 allowed by law for the commencement of an action if it be less
19 than three years, after the termination of the disability to
20 commence an action, make entry, or defend. No disability shall
21 extend the period of limitations so as to allow an action to
22 be commenced, entry made, or defense made after the lapse of
23 20 years from the time the claim or right accrued. Nothing in
24 this section shall be interpreted as denying any imprisoned
25 person the right to commence an action enumerated in this

1 chapter and to make any proper appearances on his or her
2 behalf in such actions.

3 "(b) If anyone entitled to commence any of the
4 actions enumerated in this chapter is, at the time the right
5 accrues, below the age of 19 years, or insane, and the injury
6 upon which the action is based arises from a sex offense as
7 described in Section 15-20A-5, he or she shall have six years
8 after the termination of the disability to commence the
9 action.

10 ~~"(b) (c)~~ (c) When both disabilities coexist at the time
11 the claim accrued, the limitation does not attach until both
12 are removed.

13 ~~"(c) (d)~~ (d) A disability which did not exist when a
14 claim accrued does not suspend the operation of the limitation
15 unless the contrary is expressly provided."

16 Section 2. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB11
Senate 02-APR-19
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed 30-MAY-19

Senate concurred in House amendment 30-MAY-19

By: Senator Coleman-Madison