SB18

UYKKDDD-2

By Senator Coleman

RFD: Judiciary

First Read: 06-Feb-24

PFD: 17-Jan-24

A BILL

TO BE ENTITLED

AN ACT

Relating to commencement of actions; to provide a limited exception to the statute of limitations for certain actions for injury that result from a sex offense against a minor for the purposes of filing a claim against the bankruptcy estate of a congressionally chartered organization; and to provide for retroactive effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Notwithstanding Section 6-2-8, Code of Alabama 1975, if an individual entitled to commence any of the actions enumerated in Chapter 2 of Title 6, Code of Alabama 1975, is, at the time the right accrued, below 19 years of age, an action for injury may be commenced by or on behalf of the injured individual at any time, notwithstanding any then applicable statute of limitation, if all of the following are true:

(1) The injury upon which the action is based arises from a sex offense as described in Section 15-20A-5, Code of Alabama 1975.

(2) The action is barred due to the expiration of the statute of limitations period described in Section 6-2-8, Code

of Alabama 1975.

(3) The action is for purposes of making a claim or claims in a bankruptcy proceeding that was initiated on February 18, 2020.

(4) The claim or claims is against the bankruptcy estate of a congressionally chartered organization.

(b) An action brought under subsection (a) may only be commenced against an entity seeking bankruptcy protection as provided in subsection (a) and not against any other person or entity.

(c) This section shall apply retroactively to sex offenses that occurred prior to the effective date of this act, irrespective of any statute of limitation in effect at the time the offense occurred.

(d) This section shall expire and be repealed on December 31, 2026.

Section 2. This act shall become effective immediately.

Senate

Read for the first time and referred 06-Feb-24
to the Senate committee on Judiciary

Read for the second time and placed 21-Feb-24
on the calendar:
0 amendments

Read for the third time and passed 27-Feb-24
as amended
Yeas 34
Nays 0
Abstains 0

Patrick Harris,
Secretary.