

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 73

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

AN ACT

RELATING TO LIMITATIONS ON ACTIONS; ELIMINATING THE STATUTE OF
LIMITATIONS ON ACTIONS FOR DAMAGES DUE TO CHILDHOOD SEXUAL
ABUSE; APPLYING THE ELIMINATION OF THE STATUTE OF LIMITATIONS
ON ACTIONS FOR DAMAGES DUE TO CHILDHOOD SEXUAL ABUSE
RETROACTIVELY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 37-1-30 NMSA 1978 (being Laws 1993,
Chapter 136, Section 1, as amended) is amended to read:

"37-1-30. ACTION FOR DAMAGES DUE TO CHILDHOOD SEXUAL
ABUSE--LIMITATION ON ACTIONS.--

A. An action for damages based on personal injury
caused by childhood sexual abuse [~~shall be commenced by a
person before the latest of the following dates:~~

~~(1) the first instant of the person's twenty-~~

1 ~~fourth birthday; or~~

2 ~~(2) three years from the date that a person~~
3 ~~first disclosed the person's childhood sexual abuse to a~~
4 ~~licensed medical or mental health care provider in the context~~
5 ~~of receiving health care from the provider] may be commenced at~~
6 ~~any time if the action is against a private individual,~~
7 ~~corporation, business trust, estate, trust, partnership,~~
8 ~~limited liability company, association, joint venture or any~~
9 ~~commercial or nonpublic legal entity.~~

10 B. As used in this section, "childhood sexual
11 abuse" means conduct that, if prosecuted in a criminal matter,
12 would constitute a violation of:

13 (1) Section 30-9-11 NMSA 1978, regarding
14 criminal sexual penetration of a minor;

15 (2) Section 30-9-13 NMSA 1978, regarding
16 criminal sexual contact of a minor; or

17 (3) the Sexual Exploitation of Children Act.

18 C. The provisions of Section 37-1-8 NMSA 1978 and
19 any statutes of limitation therein shall not apply to causes of
20 action for childhood sexual abuse.

21 D. This section is retroactive and applies to all
22 actions not currently pending based on childhood sexual abuse
23 regardless of the date of the childhood sexual abuse and
24 regardless of whether any statute of limitations on such
25 actions expired prior to the effective date of this 2025 act."