

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 73

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

AN ACT

RELATING TO LIMITATIONS ON ACTIONS; EXTENDING THE STATUTE OF
LIMITATIONS ON ACTIONS FOR DAMAGES DUE TO CHILDHOOD SEXUAL
ABUSE; TEMPORARILY REVIVING CERTAIN TIME-BARRED ACTIONS FOR
DAMAGES DUE TO CHILDHOOD SEXUAL ABUSE.

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-
fourth birthday; or~~

.231485.2

underscoring material = new
[bracketed material] = delete

1 ~~(2) three years from the date that a person~~
2 ~~first disclosed the person's childhood sexual abuse to a~~
3 ~~licensed medical or mental health care provider in the context~~
4 ~~of receiving health care from the provider] the person's fifty-~~
5 ~~eighth birthday if the action is against a private person;~~
6 ~~provided that such an action may not be commenced, pursuant to~~
7 ~~this subsection, against the state, a political subdivision of~~
8 ~~the state or a public employee acting within the scope of the~~
9 ~~employee's duties.~~

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. An action for damages pursuant to Subsection A
22 of this section that is time-barred prior to the effective date
23 of this 2025 act is retroactively revived and may be commenced
24 during the period of three consecutive years beginning on the
25 effective date of this 2025 act."