

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 868

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Timothy Macko

AN ACT

RELATING TO CIVIL ACTIONS; EXTENDING THE STATUTE OF  
LIMITATIONS ON CIVIL DAMAGES FOR 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

(2) [~~three~~] ten years from the date of the  
time that a person knew or had reason to know of the childhood

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = del ete

1 sexual abuse and that the childhood sexual abuse resulted in  
2 an injury to the person, as established by competent medical  
3 or psychological testimony.

4 B. As used in this section, "childhood sexual  
5 abuse" means behavior that, if prosecuted in a criminal  
6 matter, would constitute a violation of:

7 (1) Section 30-9-11 NMSA 1978, regarding  
8 criminal sexual penetration [~~of a minor~~];

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

11 (3) the Sexual Exploitation of Children Act. "