

House Bill 2

By: Representatives Spencer of the 180th, Oliver of the 82nd, Brockway of the 102nd, Evans of the 42nd, Rakestraw of the 19th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 9-3-33.1 of the Official Code of Georgia Annotated, relating to
2 actions for childhood sexual abuse, so as to change provisions relating to the revival of
3 certain claims; to provide for related matters; to provide for an effective date; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 9-3-33.1 of the Official Code of Georgia Annotated, relating to actions for
8 childhood sexual abuse, is amended by revising subsection (d) as follows:

9 "(d)(1) For a period of ~~two~~ four years following July 1, 2015, plaintiffs of any age who
10 were time barred from filing a civil action for injuries resulting from childhood sexual
11 abuse due to the expiration of the statute of limitations in effect on June 30, 2015, shall
12 be permitted to file such actions against the individual alleged to have committed such
13 abuse before July 1, ~~2017~~ 2019, thereby reviving those civil actions which had lapsed or
14 technically expired under the law in effect on June 30, 2015.

15 (2) The revival of a claim as provided in paragraph (1) of this subsection shall not apply
16 to:

17 (A) Any claim that has been litigated to finality on the merits in a court of competent
18 jurisdiction prior to July 1, ~~2015~~ 2017. Termination of a prior civil action on the basis
19 of the expiration of the statute of limitations shall not constitute a claim that has been
20 litigated to finality on the merits;

21 (B) Any written settlement agreement which has been entered into between a plaintiff
22 and a defendant when the plaintiff was represented by an attorney who was admitted
23 to practice law in this state at the time of the settlement, and the plaintiff signed such
24 agreement; and

25 (C) Any claim against an entity, as such term is defined in subsection (c) of this Code
26 section.

27 (3) This subsection shall be repealed effective July 1, ~~2017~~ 2019."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.