

SENATE SUBSTITUTE

FOR

SENATE BILL NO. 117

AN ACT

To repeal sections 516.110, 516.120, and 516.140, RSMo, and to enact in lieu thereof three new sections relating to statutes of limitations.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 516.110, 516.120, and 516.140, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 516.110, 516.120, and 516.140, to read as follows:

516.110. 1. Within ten years:

(1) An action upon any writing, whether sealed or unsealed, for the payment of money or property;

(2) Actions brought on any covenant of warranty contained in any deed of conveyance of land shall be brought within ten years next after there shall have been a final decision against the title of the covenantor in such deed, and actions on any covenant of seizin contained in any such deed shall be brought within ten years after the cause of such action shall accrue;

(3) Actions for relief, not herein otherwise provided for;

(4) Notwithstanding the provisions of section 516.105 to the contrary, actions for damages for malpractice, negligence, error or mistake related to the provision of gender transition services to minors against hospitals or any entity providing gender transition services.

2. As used in this section, the term "gender transition services" means any medical or surgical service, including physician's services, inpatient and outpatient

21 hospital services, or prescribed drugs, related to gender
22 transition that seeks to alter or remove physical or
23 anatomical characteristics or features that are typical for
24 the individual's biological sex, or that instills or creates
25 physiological or anatomical characteristics that resemble a
26 sex different from the individual's biological sex,
27 including medical services that provide puberty-blocking
28 drugs, cross-sex hormones, or other mechanisms to promote
29 the development of feminizing or masculinizing features in
30 the opposite biological sex, or genital or nongenital gender
31 reassignment surgery performed for the purpose of assisting
32 an individual with a gender transition. The term "gender
33 transition procedure" shall not include:

34 (a) Services to individuals born with a medically-
35 verifiable disorder of sex development, including an
36 individual with external biological sex characteristics that
37 are irresolvably ambiguous, such as those born with 46,XX
38 chromosomes with virilization, 46,XY chromosomes with
39 undervirilization, or having both ovarian and testicular
40 tissue;

41 (b) Services provided when a physician has otherwise
42 diagnosed an individual with a disorder of sexual
43 development and determined through genetic or biochemical
44 testing that the individual does not have normal sex
45 chromosome structure, sex steroid hormone production, or sex
46 steroid hormone action;

47 (c) The treatment of any infection, injury, disease,
48 or disorder that has been caused by or exacerbated by the
49 performance of gender transition procedures regardless of
50 whether the gender transition procedure was performed in
51 accordance with state and federal law; or

52 (d) Any procedure undertaken because the individual
53 suffers from a physical disorder, physical injury, or

54 physical illness that would, as certified by a physician,
55 place the individual in imminent danger of death or
56 impairment of a major bodily function unless surgery is
57 performed.

516.120. Within five years:

2 (1) All actions upon contracts, obligations or
3 liabilities, express or implied, except those mentioned in
4 section 516.110 and section 516.140, and except upon
5 judgments or decrees of a court of record, and except where
6 a different time is herein limited;

7 (2) An action upon a liability created by a statute
8 other than a penalty or forfeiture;

9 (3) An action for trespass on real estate;

10 (4) An action for taking, detaining or injuring any
11 goods or chattels, including actions for the recovery of
12 specific personal property[, or for any other injury to the
13 person or rights of another, not arising on contract and not
14 herein otherwise enumerated];

15 (5) An action for relief on the ground of fraud, the
16 cause of action in such case to be deemed not to have
17 accrued until the discovery by the aggrieved party, at any
18 time within ten years, of the facts constituting the fraud;

19 (6) Notwithstanding the provisions of section 516.140
20 to the contrary, an action for assault, battery, or personal
21 injury caused by the defendant committing an offense against
22 the plaintiff of which an essential element is sexual
23 conduct, as that term is defined in section 566.010, as
24 provided in chapter 566, or an offense of incest or
25 attempted incest, as provided in section 568.020.

516.140. Within two years:

2 (1) An action for libel, slander, injurious falsehood,
3 assault, battery, false imprisonment, criminal conversation,

4 malicious prosecution or actions brought under section
5 290.140[.];

6 (2) An action by an employee for the payment of unpaid
7 minimum wages, unpaid overtime compensation or liquidated
8 damages by reason of the nonpayment of minimum wages or
9 overtime compensation, and for the recovery of any amount
10 under and by virtue of the provisions of the Fair Labor
11 Standards Act of 1938 and amendments thereto, such act being
12 an act of Congress, shall be brought within two years after
13 the cause accrued;

14 (3) An action for any injury to the person or rights
15 of another, not arising on contract and not otherwise
16 provided for by law, including actions for personal injury
17 or bodily injury;

18 (4) An action against an insurer relating to uninsured
19 motorist coverage or underinsured motorist coverage,
20 including any action to enforce such coverage.