

SENATE BILL NO. 590

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HUDSON.

2311S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 537.046, RSMo, and to enact in lieu thereof one new section relating to childhood sexual abuse actions.

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

Section A. Section 537.046, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 537.046, to read as follows:

537.046. 1. As used in this section, the following terms mean:

(1) "Childhood sexual abuse", any act committed by the defendant against the plaintiff which act occurred when the plaintiff was under the age of eighteen years and which act would have been a violation of section 566.030, [566.040, 566.050] **566.031, 566.032, 566.034,** 566.060, [566.070, 566.080, 566.090] **566.061, 566.062, 566.064, 566.067, 566.068, 566.069, 566.071, 566.083, 566.086, 566.093, 566.095,** 566.100, [566.110, or 566.120] **566.101, 566.209, 566.210, 566.211,** or [section] 568.020;

(2) "Injury" or "illness", either a physical injury or illness or a psychological injury or illness. A psychological injury or illness need not be accompanied by physical injury or illness.

2. Any action to recover damages from injury or illness caused by childhood sexual abuse in an action brought pursuant to this section shall be commenced within

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 ten years of the plaintiff attaining the age of twenty-one
20 or within three years of the date the plaintiff discovers,
21 or reasonably should have discovered, that the injury or
22 illness was caused by childhood sexual abuse, whichever
23 later occurs.

24 3. This section shall apply to any action commenced on
25 or after August 28, [2004] 2025, including any action which
26 would have been barred by the application of the statute of
27 limitation applicable prior to that date.

28 **4. Notwithstanding any other provision of law to the**
29 **contrary, a nondisclosure agreement by any party to a**
30 **childhood sexual abuse action shall not be judicially**
31 **enforceable in a dispute involving childhood sexual abuse**
32 **allegations or claims, and shall be void.**

✓