

# SENATE BILL NO. 747

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNELTING.

3032S.01I

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Section A. Section 537.046, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 537.046, to read as follows: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, **or an act committed by an individual if the defendant's tortious conduct causes such act to occur,** 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.

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

18           2. Any action to recover damages from injury or  
19 illness caused by childhood sexual abuse **or tortious conduct**  
20 **that causes a victim to be a victim of childhood sexual**  
21 **abuse** in an action brought pursuant to this section shall be  
22 commenced within **[ten] twenty** years of the plaintiff  
23 attaining the age of twenty-one or within three years of the  
24 date the plaintiff discovers, or reasonably should have  
25 discovered, that the injury or illness was caused by  
26 childhood sexual abuse, whichever later occurs.

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

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