

# Support SB 1399

## Childhood Protection Act: Stop Sexual Abuse

### **Status: Passed Both Houses**

Sponsors: Sen. Link (D-30); Rep. Williams (D-11), Franks (D-63), Cassidy (D-14), McSweeney (R-52), Osmond (R-61), Mell (D-40), Tabares (D-21), Willis (D-77), Soto (D-4), Berrios (D-39), Hoffman (D-113), Moylan (D-55), Harris (R-53), Wheeler (R-64)

### **What Does the Bill Do?**

SB 1399 removes the civil statute of limitations for sexual abuse against children.

The current civil statute of limitations for sexual abuse is:

- when the survivor reaches age 38; or
- 20 years after the survivor discovers or should have discovered the abuse and injury. 735 ILCS 5/13-202.2.

### **Why Does the Statute of Limitations Need to be Changed?**

**Due to extreme and often chronic trauma caused by sexual abuse, most child victims are psychologically unable to report the abuse they suffered until they are well into adulthood.**

Removing the statute of limitations gives survivors a greater chance to expose predators by identifying them in court. This serves to protect children and communities from further harm and deters institutions from hiding child sexual abuse.

Once perpetrators are identified through civil action, parents, neighbors and teachers are able to use this knowledge to protect children from the predators in their community.

In Illinois, there is no civil statute of limitation for victims of sexual abuse when the offender has been convicted of a Class X felony. 735 ILCS 5/13-202.1(a)(2).

**If *some* victims have an unlimited amount of time to file a lawsuit, *all* victims should have the same chance to hold the abuser responsible.**

This law will apply to any case that has not been time-barred under a previous limitations period.

### **Other states have eliminated their civil statutes of limitation:**

- Delaware, Maine, Connecticut, Alaska and Florida have eliminated their civil statutes of limitation for victims of childhood sexual abuse.
- Bills that would eliminate criminal and/or civil SOLs are also pending in Massachusetts, California, Missouri, Minnesota, Nevada, New Jersey, Oregon, New York and Pennsylvania. [www.sol-reform.com](http://www.sol-reform.com).

### **Supporting Organizations:**

- Survivors Network of those Abused by Priests (SNAP), Barbara Blaine, (312) 399-1499
- Illinois Coalition Against Sexual Assault (ICASA), Lyn Schollett, (217) 753-4117
- Illinois Trial Lawyers Association