

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Findings. Credible reports from around the  
5 world, including this State, have indicated instances of repeat  
6 childhood sexual abuse have occurred at the hands of clergymen.  
7 These reports have also indicated efforts may have been taken  
8 to conceal the identities and conduct of the individuals  
9 responsible for the sexual abuse. The General Assembly finds  
10 that victims of such conduct should be afforded a remedy to the  
11 fullest extent available under the law.

12 Section 5. The Code of Civil Procedure is amended by  
13 changing Section 13-202.2 as follows:

14 (735 ILCS 5/13-202.2) (from Ch. 110, par. 13-202.2)

15 Sec. 13-202.2. Childhood sexual abuse.

16 (a) In this Section:

17 "Childhood sexual abuse" means an act of sexual abuse that  
18 occurs when the person abused is under 18 years of age.

19 "Sexual abuse" includes but is not limited to sexual  
20 conduct and sexual penetration as defined in Section 11-0.1 of  
21 the Criminal Code of 2012.

22 (b) Notwithstanding any other provision of law, an action

1 for damages for personal injury based on childhood sexual abuse  
2 must be commenced within 20 years of the date the limitation  
3 period begins to run under subsection (d) or within 20 years of  
4 the date the person abused discovers or through the use of  
5 reasonable diligence should discover both (i) that the act of  
6 childhood sexual abuse occurred and (ii) that the injury was  
7 caused by the childhood sexual abuse. The fact that the person  
8 abused discovers or through the use of reasonable diligence  
9 should discover that the act of childhood sexual abuse occurred  
10 is not, by itself, sufficient to start the discovery period  
11 under this subsection (b). Knowledge of the abuse does not  
12 constitute discovery of the injury or the causal relationship  
13 between any later-discovered injury and the abuse.

14 (c) If the injury is caused by 2 or more acts of childhood  
15 sexual abuse that are part of a continuing series of acts of  
16 childhood sexual abuse by the same abuser, then the discovery  
17 period under subsection (b) shall be computed from the date the  
18 person abused discovers or through the use of reasonable  
19 diligence should discover both (i) that the last act of  
20 childhood sexual abuse in the continuing series occurred and  
21 (ii) that the injury was caused by any act of childhood sexual  
22 abuse in the continuing series. The fact that the person abused  
23 discovers or through the use of reasonable diligence should  
24 discover that the last act of childhood sexual abuse in the  
25 continuing series occurred is not, by itself, sufficient to  
26 start the discovery period under subsection (b). Knowledge of

1 the abuse does not constitute discovery of the injury or the  
2 causal relationship between any later-discovered injury and  
3 the abuse.

4 (d) The limitation periods under subsection (b) do not  
5 begin to run before the person abused attains the age of 18  
6 years; and, if at the time the person abused attains the age of  
7 18 years he or she is under other legal disability, the  
8 limitation periods under subsection (b) do not begin to run  
9 until the removal of the disability.

10 (d-1) The limitation periods in subsection (b) do not run  
11 during a time period when the person abused is subject to  
12 threats, intimidation, manipulation, fraudulent concealment,  
13 or fraud perpetrated by the abuser or by any person acting in  
14 the interest of the abuser.

15 (e) This Section applies to actions pending on the  
16 effective date of this amendatory Act of 1990 as well as to  
17 actions commenced on or after that date. The changes made by  
18 this amendatory Act of 1993 shall apply only to actions  
19 commenced on or after the effective date of this amendatory Act  
20 of 1993. The changes made by this amendatory Act of the 93rd  
21 General Assembly apply to actions pending on the effective date  
22 of this amendatory Act of the 93rd General Assembly as well as  
23 actions commenced on or after that date. The changes made by  
24 this amendatory Act of the 96th General Assembly apply to  
25 actions commenced on or after the effective date of this  
26 amendatory Act of the 96th General Assembly if the action would

1 not have been time barred under any statute of limitations or  
2 statute of repose prior to the effective date of this  
3 amendatory Act of the 96th General Assembly.

4 (f) Notwithstanding any other provision of law, an action  
5 for damages based on childhood sexual abuse may be commenced at  
6 any time; provided, however, that the changes made by this  
7 amendatory Act of the 98th General Assembly apply to actions  
8 commenced on or after the effective date of this amendatory Act  
9 of the 98th General Assembly if the action would not have been  
10 time barred under any statute of limitations or statute of  
11 repose prior to the effective date of this amendatory Act of  
12 the 98th General Assembly.

13 (Source: P.A. 97-1150, eff. 1-25-13; 98-276, eff. 1-1-14.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.