

1 AN ACT in relation to civil procedure.

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

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

6 (735 ILCS 5/13-202.2) (from Ch. 110, par. 13-202.2)  
7 Sec. 13-202.2. Childhood sexual abuse.

8 (a) In this Section:

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

11 "Sexual abuse" includes but is not limited to sexual  
12 conduct and sexual penetration as defined in Section 12-12 of  
13 the Criminal Code of 1961.

14 (b) Notwithstanding any other provision of law, an  
15 action for damages for personal injury based on childhood  
16 sexual abuse must be commenced within the later of: (1) 10  
17 years of the date the limitation period begins to run under  
18 subsection (d); or (2) 5 2 years of the date the person  
19 abused discovers or through the use of reasonable diligence  
20 should discover both (i) that the act of childhood sexual  
21 abuse occurred and (ii) that the injury was caused by the  
22 childhood sexual abuse. The fact that the person abused  
23 discovers or through the use of reasonable diligence should  
24 discover that the act of childhood sexual abuse occurred is  
25 not, by itself, sufficient to start the discovery period  
26 under this subsection (b). Knowledge of the abuse does not  
27 constitute discovery of the injury or the causal relationship  
28 between the abuse and any later-discovered injury.

29 (c) If the injury is caused by 2 or more acts of  
30 childhood sexual abuse that are part of a continuing series  
31 of acts of childhood sexual abuse by the same abuser, then

1 the discovery period under subsection (b) shall be computed  
2 from the date the person abused discovers or through the use  
3 of reasonable diligence should discover both (i) that the  
4 last act of childhood sexual abuse in the continuing series  
5 occurred and (ii) that the injury was caused by any act of  
6 childhood sexual abuse in the continuing series. The fact  
7 that the person abused discovers or through the use of  
8 reasonable diligence should discover that the last act of  
9 childhood sexual abuse in the continuing series occurred is  
10 not, by itself, sufficient to start the discovery period  
11 under subsection (b). Knowledge of the abuse does not  
12 constitute discovery of the injury or the causal relationship  
13 between the abuse and any later-discovered injury.

14 (d) The limitation periods under subsection (b) do not  
15 begin to run before the person abused attains the age of 18  
16 years; and, if at the time the person abused attains the age  
17 of 18 years he or she is under other legal disability, the  
18 limitation periods under subsection (b) do not begin to run  
19 until the removal of the disability.

20 (d-1) The limitation periods in subsection (b) do not  
21 run during a time period when the person abused is subject to  
22 threats, intimidation, manipulation, or fraud perpetrated by  
23 the abuser or by any person acting in the interest of the  
24 abuser.

25 (e) This Section applies to actions pending on the  
26 effective date of this amendatory Act of 1990 as well as to  
27 actions commenced on or after that date. The changes made by  
28 this amendatory Act of 1993 shall apply only to actions  
29 commenced on or after the effective date of this amendatory  
30 Act of 1993. The changes made by this amendatory Act of the  
31 93rd General Assembly apply to actions pending on the  
32 effective date of this amendatory Act of the 93rd General  
33 Assembly as well as actions commenced on or after that date.

34 (Source: P.A. 88-127.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.