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3 Councilmember Kwame Brown

Councilmember Marion Barry

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8 Councilmember David Catania

Councilmember Jack Evans

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13 Councilmember Harry Thomas, Jr.

Councilmember Mary Cheh

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18 Councilmember Tommy Wells

Chairman Vincent C. Gray

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21 A BILL

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25 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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30 Councilmembers Marion Barry, Kwame Brown, David Catania, Jack Evans, Mary Cheh,
31 Harry Thomas, Jr., and Tommy Wells introduced the following bill, which
32 was referred to the Committee on _____.

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34 To amend the Criminal Statute of Limitations Act of 1982 to eliminate the criminal
35 statute of limitations for crimes of childhood sexual abuse and to amend Title 12
36 of the District of Columbia Official Code to eliminate the civil statute of
37 limitations for recovery of damages arising out of childhood sex abuse claims. To
38 provide a two-year period for people whose claims were barred by a previous
39 statute of limitations to bring those claims.

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41 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

42 That this act may be cited as the "Childhood Sexual Abuse Prevention Amendment Act
43 of 2007."

1 Sec. 2. The District of Columbia Criminal Statute of Limitations Act of 1982,
2 effective April 30, 1982 (D.C. Law 4-104, D.C. Official Code § 23-113) is amended as
3 follows:

4 (a) Paragraph (a)(1) is amended by adding new sub-paragraph (G) through (J) to
5 read as follows:

6 “(G) first degree child sexual abuse (D.C. Official Code § 22-3008);

7 “(H) second degree child sexual abuse (D.C. Official Code § 22-3009);

8 “(I) enticing a child for the purpose of committing felony sexual abuse
9 (D.C. Official Code § 22-3010);

10 “(J) using a minor in a sexual performance or promoting a sexual
11 performance by a minor (D.C. Official Code § 22-3102).”.

12 (b) Paragraph (a)(2) is amended as follows:

13 (1) “Sub-paragraph C is repealed.”

14 (2) “Sub-paragraph D is repealed.”

15 (c) Paragraph (a)(3) is amended as follows:

16 (1) “Sub-paragraph C is repealed.”

17 (2) “Sub-paragraph H is repealed.”

18 Sec. 3. Section 12-301 of the District of Columbia Official Code, approved
19 December 23, 1963 (77 Stat. 510; D.C. Official Code § 12-301) is amended by adding a
20 new sub-paragraph (11) to read as follows:

21 “(11) For recovery of damages from any person or entity related to childhood
22 sexual abuse -- no time limit.”.

23 Sec. 4. Applicability.

1 Section 2 of this Act applies to any criminal cases pending on the effective date of
2 this act and any criminal cases that are brought after the effective date of this act for
3 which the applicable time limit for prosecution has not yet run. Section 3 of this Act is
4 retroactive and applies to any civil claim against a person or entity, including but not
5 limited to actions against those that perpetrate the abuse and those that protect child
6 molesters, that is pending on or commenced on or after the effective date of this act,
7 regardless of whether any previous statute of limitations has run.

8 Sec. 5. Special Civil Law Provision.

9 Notwithstanding any other provision of law, a claim of a victim of childhood
10 sexual abuse that was barred by any previous statute of limitation is revived and that
11 victim has until August 1, 2009 to commence any cause of action against any person or
12 entity that perpetrated the abuse or was a cause of damages related to the childhood
13 sexual abuse.

14 Sec. 6. Fiscal impact statement.

15 The Council adopts the fiscal impact statement in the committee report as the
16 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
17 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code 5-1-206.02
18 (c)(3)).

19 Sec. 7. Effective date.

20 This act shall take effect following approval by the Mayor (or in the event of veto
21 by the Mayor, action by the Council to override the veto), a 30-day period of
22 Congressional review as provided in section 602(c)(1) of the District of Columbia Home
23 Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-

1 206.02(c)(1), and publication in the District of Columbia Register.