**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3940**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. King and Cobb‑Hunter

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Introduced in the House on April 11, 2013

Currently residing in the House Committee on **Judiciary**

Summary: Sexual abuse with a minor

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/11/2013 House Introduced and read first time ([House Journal‑page 69](file:///h:\HJ%20Archive\2013\04-11-13.docx))

4/11/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 69](file:///h:\HJ%20Archive\2013\04-11-13.docx))

**VERSIONS OF THIS BILL**

[4/11/2013](file:///p:\pprever\2013-14\3940_20130411.docx)

**A** **BILL**

TO AMEND SECTION 15‑3‑555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTE OF LIMITATIONS FOR AN ACTION BASED ON SEXUAL ABUSE OR INCEST, SO AS TO PROVIDE THAT THERE IS NO LIMITATION ON THE COMMENCEMENT OF A CIVIL ACTION BASED ON SEXUAL ABUSE OR INCEST WHEN THE VICTIM IS UNDER THE AGE OF EIGHTEEN.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15‑3‑555 of the 1976 Code is amended to read:

“Section 15‑3‑555. (A) ~~An action to recover damages for injury to a person arising out of an act of sexual abuse or incest must be commenced within six years after the person becomes twenty‑one years of age or within three years from the time of discovery by the person of the injury and the causal relationship between the injury and the sexual abuse or incest, whichever occurs later~~ The provisions of this chapter which provide limitations on the commencement of civil actions do not apply to a civil action to recover damages for injury to a victim arising out of an act of sexual abuse or incest which occurred when the victim was under the age of eighteen.

(B) Parental immunity is not a defense against claims based on sexual abuse or incest that occurred before, on, or after this section’s effective date.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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