117TH CONGRESS
1ST SESSION

H. R. _____

To amend the Child Abuse Protection and Treatment Act to incentivize States to eliminate civil and criminal statutes of limitations and revive time-barred civil claims for child abuse cases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. WEXTON introduced the following bill; which was referred to the Committee on

A BILL

To amend the Child Abuse Protection and Treatment Act to incentivize States to eliminate civil and criminal statutes of limitations and revive time-barred civil claims for child abuse cases, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Statutes of Limitation
5 for Child Sexual Abuse Reform Act”.

6 SEC. 2. FINDINGS.

7 Congress finds the following:
(1) Child sexual abuse is a pernicious crime perpetrated through threats of violence, intimidation, manipulation, and abuse of power.

(2) The prevalence of child sexual abuse is difficult to determine because it is often not reported; however, data suggests that child sexual abuse is a public health epidemic that affects 1 in 5 girls, and 1 in 13 boys in the nation.

(3) The prevalence of child sex trafficking is difficult to estimate, but NCMEC estimates that at least 100,000 children are victims of trafficking, with some estimates as high as 2 or 3 million children.

(4) It is estimated that there are approximately 9 million cases of child abuse and exploitation reported every year in the United States.

(5) Historically, 90 percent of child victims never go to the authorities and the vast majority of claims have expired before the victims were capable of getting to court.

(6) Due to the subversive nature of this crime, the average age of disclosure of child sexual abuse does not occur until a victim is over 52 years old.

(7) Because many State statutes of limitations applicable to laws involving child sexual abuse fail to
give victims adequate time to come forward and report their abuse, numerous victims are unable to seek fair and just remediation against their abusers.

(8) Due to the especially heinous nature of child sexual abuse, it is imperative that perpetrators of this crime are punished, prevented from re-offending, and victims have the opportunity to see their abusers brought to justice.

(9) The negative effects over a survivor’s lifetime generate many costs that impact the nation’s health care, education, criminal justice, and welfare systems, with the economic burden of child sexual abuse estimated at nearly $2 trillion annually.

SEC. 3. ELIMINATION OF STATE STATUTES OF LIMITATIONS FOR CHILD ABUSE CASES.

(a) Child Abuse Prevention and Treatment Act.—Section 107(e)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106c(e)(1)) is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(D) elimination of State civil and criminal statutes of limitations laws for child sexual
abuse, exploitation, and sex trafficking, and adoption of laws reviving previously time-barred civil claims for child sexual abuse, exploitation, and sex trafficking.”.

(b) Special Rule.—Section 111(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106g(b)) is amended by adding at the end the following:

“(3) CHILD SEXUAL ABUSE AND EXPLOITATION.—For purposes of section 107(e)(1)(D), the term ‘child sexual abuse and exploitation’ shall include an act or a failure to act on the part of a parent, caretaker, or any other person.”.

SEC. 4. GRANTS FOR ELIMINATING CERTAIN STATUTES OF LIMITATION.

(a) Authorization.—The Secretary of Health and Human Services may make grants to States that are eligible to receive an award under section 107 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106c) achieve one or more of the following reforms:

(1) The elimination of all State civil statutes of limitations for claims of, related to, or arising from, child sexual abuse, exploitation, and sex trafficking, against perpetrators, other individuals, and public and private entities.
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(2) The elimination of all State criminal statutes of limitations for all felony and misdemeanor sex crimes against children, including sexual abuse, exploitation, and trafficking, and for inchoate offenses related to such sex crimes, including attempt, conspiracy, solicitation, and aiding and abetting.

(3) The revival of previously time-barred civil claims for child sexual abuse, exploitation, and sex trafficking against perpetrators, other individuals, and public and private entities, which, at a minimum, permits previously time-barred claims a 2-year period or until a victim reaches age 55, whichever is longer.

(b) Allocation.—Of the funds made available to carry out this section—

(1) 25 percent shall be for States that achieve one of the reforms described in paragraphs (1) through (3) of subsection (a);

(2) 35 percent shall be for States that achieve two of such reforms; and

(3) 40 percent shall be for States that achieve three of such reforms.

An award under this section shall be in addition to any funds for which the State is otherwise eligible to receive
under section 107 of the Child Abuse Prevention and
Treatment Act (42 U.S.C. 5106e).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to carry out this section
$20,000,000 for each of fiscal years 2022 through 2029.

SEC. 5. TECHNICAL CORRECTION.

Section 1404A of the Victims of Crime Act of 1984
(34 U.S.C. 20103), by striking “section 109” and insert
“section 107”.