

HOUSE BILL 1378

D3

5lr3120

By: **Delegate Wilson**

Introduced and read first time: February 7, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Sexual Abuse Claims Against the State – Time Limitation**

3 FOR the purpose of prohibiting certain actions under the Child Victims Act against the
4 State or a unit of State government from being filed on or after a certain date; and
5 generally relating to civil actions for child sexual abuse.

6 BY repealing and reenacting, with amendments,
7 Article – Courts and Judicial Proceedings
8 Section 5–117
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2024 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Courts and Judicial Proceedings**

14 5–117.

15 (a) In this section, “sexual abuse” means any act that involves:

16 (1) An adult allowing or encouraging a child to engage in:

17 (i) Obscene photography, films, poses, or similar activity;

18 (ii) Pornographic photography, films, poses, or similar activity; or

19 (iii) Prostitution;

20 (2) Incest;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (3) Rape;
- 2 (4) Sexual offense in any degree; or
- 3 (5) Any other sexual conduct that is a crime.

4 (b) Except as provided under subsection (d) of this section and notwithstanding
5 any time limitation under a statute of limitations, a statute of repose, the Maryland Tort
6 Claims Act, the Local Government Tort Claims Act, or any other law, an action for damages
7 arising out of an alleged incident or incidents of sexual abuse that occurred while the victim
8 was a minor may be filed at any time.

9 (c) Except as provided in §§ 5–303 and 5–518 of this title and § 12–104 of the
10 State Government Article, the total amount of noneconomic damages that may be awarded
11 under this section to a single claimant in an action against a single defendant for injuries
12 arising from an incident or occurrence that would have been barred by a time limitation
13 before October 1, 2023, may not exceed \$1,500,000.

14 (d) **(1) [No action] THIS SUBSECTION APPLIES ONLY TO ACTIONS** for
15 damages **UNDER THIS SECTION** that would have been barred by a time limitation before
16 October 1, 2023[.].

17 **(2) AN ACTION** may NOT be brought [under this section] if the alleged
18 victim of abuse is deceased at the commencement of the action.

19 **(3) AN ACTION AGAINST THE STATE OR A UNIT OF STATE**
20 **GOVERNMENT MAY NOT BE FILED ON OR AFTER JANUARY 1, 2026.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2025.