

SECOND REGULAR SESSION

# HOUSE BILL NO. 1645

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE OVERCAST.

4203H.03I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal sections 516.120, 516.140, and 537.046, RSMo, and to enact in lieu thereof three new sections relating to statutes of limitation.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 516.120, 516.140, and 537.046, RSMo, are repealed and three  
2 new sections enacted in lieu thereof, to be known as sections 516.120, 516.140, and 537.046,  
3 to read as follows:

516.120. Within five years:

2 (1) All actions upon contracts, obligations or liabilities, express or implied, except  
3 those mentioned in section 516.110 **and section 516.140**, and except upon judgments or  
4 decrees of a court of record, and except where a different time is herein limited;

5 (2) An action upon a liability created by a statute other than a penalty or forfeiture;

6 (3) An action for trespass on real estate;

7 (4) An action for taking, detaining or injuring any goods or chattels, including actions  
8 for the recovery of specific personal property~~[-or for any other injury to the person or rights~~  
9 ~~of another, not arising on contract and not herein otherwise enumerated];~~

10 (5) An action for relief on the ground of fraud, the cause of action in such case to be  
11 deemed not to have accrued until the discovery by the aggrieved party, at any time within ten  
12 years, of the facts constituting the fraud.

516.140. Within two years:

2 **(1)** An action for libel, slander, injurious falsehood, assault, battery, false  
3 imprisonment, criminal conversation, malicious prosecution or actions brought under  
4 section 290.140~~[-];~~

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5           **(2)** An action by an employee for the payment of unpaid minimum wages, unpaid  
6 overtime compensation or liquidated damages by reason of the nonpayment of minimum  
7 wages or overtime compensation, and for the recovery of any amount under and by virtue of  
8 the provisions of the Fair Labor Standards Act of 1938 and amendments thereto, such act  
9 being an act of Congress, shall be brought within two years after the cause accrued;

10           **(3)** An action that accrues on or after August 28, 2026, for any injury to the  
11 person or rights of another, not arising on contract and not otherwise provided for by  
12 law, including actions for personal injury or bodily injury;

13           **(4)** An action that accrues on or after August 28, 2026, against an insurer  
14 relating to uninsured motorist coverage or underinsured motorist coverage, including  
15 any action to enforce such coverage.

537.046. 1. As used in this section, the following terms mean:

2           (1) "Childhood sexual abuse", any act committed by the defendant against the  
3 plaintiff which act occurred when the plaintiff was under the age of eighteen years and which  
4 act would have been a violation of section 566.030, 566.031, 566.032, 566.034, 566.060,  
5 566.061, 566.062, 566.064, 566.067, 566.068, 566.069, 566.071, 566.083, 566.086, 566.093,  
6 566.095, 566.100, 566.101, 566.209, 566.210, 566.211, 568.020, **573.023**, or 573.200;

7           (2) "Injury" or "illness", either a physical injury or illness or a psychological injury or  
8 illness. A psychological injury or illness need not be accompanied by physical injury or  
9 illness.

10           2. Any action to recover damages from injury or illness caused by childhood sexual  
11 abuse in an action brought pursuant to this section shall be commenced within ~~ten~~ **twenty**  
12 years of the plaintiff attaining the age of twenty-one or within three years of the date the  
13 plaintiff discovers, or reasonably should have discovered, that the injury or illness was caused  
14 by childhood sexual abuse, whichever later occurs.

15           3. This section shall apply to any action arising on or after August 28, ~~2025~~ **2026**.

16           4. Notwithstanding any other provision of law to the contrary, a nondisclosure  
17 agreement by any party to a childhood sexual abuse action shall not be judicially enforceable  
18 in a dispute involving childhood sexual abuse allegations or claims, and shall be void.

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