

HJR 130 -- CIVIL CLAIMS ON CHILDHOOD SEXUAL ABUSE

SPONSOR: Seitz

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 13 to 0.

Currently, it is unconstitutional to enact laws that are retrospective in their operation, which would include civil claims against defendants for whom the statute of limitation has expired. Upon voter approval, this resolution proposes a constitutional amendment to allow retrospective laws as they apply to civil claims involving childhood sexual abuse or tortious conduct that caused or contributed to childhood sexual abuse.

This bill is similar to SJR 51 (2025).

PROPOSERS: Supporters say that this resolution would allow Missouri voters to decide whether to adopt a narrowly tailored amendment to the Constitution to allow the General Assembly to pass retrospective laws as they relate to childhood sexual abuse. This would be a time-limited revival of the statute of limitation to file civil claims for childhood sexual abuse. This does not affect criminal statutes. Statistics show that adults who suffered childhood sexual abuse do not usually come to terms with what happened to them until much later in life. Similar legislation has passed in Texas unanimously. Our statute of limitation has not changed since 1938. Extending it prospectively is a great start but it is not enough. Men typically do not reveal their abuse until the age of 50-70. States that have done this have exposed institutions that are still unsafe for our kids. The statute of limitation for entities--not the perpetrator--is basically until a person is 26. Negligent institutions that did nothing to stop this abuse need to be held accountable, too. The current statute of limitation protects bad actors.

Testifying in person for the bill were Representative Seitz; Arnie Dienoff; Ryan Frazier; Missouri Network Against Child Abuse; and Elizabeth Phillips.

OPPOSERS: Those who oppose the bill say that there is concern regarding the structure of the proposal. People who commit offenses against children should be held accountable and our criminal laws already address that. This turns civil actions into criminal statutes, more or less, and criminal actions have

higher thresholds for evidence and civil actions do not have the same framework. The current statute of limitation already allows for future discovery of the injury, and the time limitation is helpful for insurance purposes because you can figure out rates more easily when there is an end date. There could be unintended consequences; people could get swept up in this beyond just the perpetrator. Reports from California are saying relevant entities are being subjected to billions of dollars in liability from revived claims. Other states imposed caps on claims on how much people could recover. Reviving time-barred claims can negatively impact many entities. We need child care and camps for our kids and without safeguards we won't have the entities we need because they will be too worried about liability. Missouri has a reputation for having one of the worst legal climates in the country.

Testifying in person against the bill were Missouri Insurance Coalition; Missouri Civil Justice Reform Coalition, Inc; Missouri Chamber of Commerce & Industry; and American Tort Reform Association.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.