

Pennsylvania Follows Multi-State Movement to Modify and Extend Statutes of Limitation for Sexual Abuse Claims

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On November 26, 2019, Pennsylvania Governor Tom Wolf signed three sexual abuse bills into law. Two of the bills relate to reporting and disclosure requirements and the third – HB962 – follows the trend set in place by other states by extending the statute of limitations for child sexual abuse claims. Specifically, under the new law, child victims will now have until age 55 (37 years after reaching the age of 18) to bring a civil claim. Victims at least 18 years old, but younger than 24 when the cause of action occurs, will have until age 30 to commence litigation.

The law does not revive actions which are barred by the existing statute of limitations as of the effective date of the law. Unlike other states, Pennsylvania has not yet enacted a reviver window for time-barred claims, however, efforts are underway to amend the state's constitution to allow for such a reviver. Under Pennsylvania law, such an amendment would need to pass two separate legislative sessions before it is placed on the ballot.

Beyond Pennsylvania, several other states have enacted similar laws which have or soon will take effect. By way of example, New Jersey's two-year reviver window opened December 1, 2019 and California's three-year reviver window opens on January 1, 2020. In February 2019, New York enacted a one-year reviver window that opened on August 14, 2019.

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