

Pennsylvania Legislature Advances Bill to Open Immediate 2-Year Window for Sexual Abuse Claims

By: Frank J. Perch, III

Insurance Coverage and Bad Faith Alert

4.22.21

On April 21, 2021, the Judiciary Committee of the Pennsylvania Senate voted 11-3 in favor of sending to the full Senate a bill that would grant a two-year window for individuals to commence previously time-barred civil actions arising from sexual abuse, if the individual was under the age of 18 when the cause of action accrued. A Senate floor vote on the bill could take place as soon as next week.

A previous attempt to enact a constitutional amendment authorizing a similar "window" stalled earlier this year, when the Pennsylvania Secretary of State failed to publish a notice required before submitting the proposed amendment to the voters. If the bill is signed into law, it would take effect immediately, bypassing the constitutional amendment process. Victim advocates have called for immediate action to avoid another two-year delay to pass a constitutional amendment. However, some legislators and others believe that in the absence of a constitutional amendment, the provisions of the legislation reopening previously time-barred claims may face constitutional challenges. The lawyers of White and Williams LLP will continue to monitor this issue as it develops.

If you have questions or would like additional information, contact Frank Perch (perchf@whiteandwilliams.com; 215.864.6273) or another member of the Insurance Coverage and Bad Faith group.

This correspondence should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only and you are urged to consult a lawyer concerning your own situation and legal questions.