

# State of Misconsin 2023 - 2024 LEGISLATURE

LRB-2945/1 CMH:cdc

## 2023 ASSEMBLY BILL 301

May 25, 2023 - Introduced by Representatives Gundrum, Billings, Andraca, Binsfeld, Conley, Dittrich, Edming, Joers, Maxey, Ohnstad, Palmeri, Rettinger, Rozar, Sinicki, Stubbs and Subeck, cosponsored by Senators James, Agard, Taylor, Feyen, Hutton, Roys, Smith and Spreitzer. Referred to Committee on Criminal Justice and Public Safety.

#### \*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

AN ACT to renumber and amend 893.587; to amend 893.587 (title); and to create 893.587 (1) of the statutes; relating to: the statute of limitations for sexual contact with a child.

### Analysis by the Legislative Reference Bureau

Under current law, a person may bring a civil action for injury resulting from being sexually assaulted or subject to incest as a child, or from being subject to sexual contact by a member of the clergy as a child, at any time before the injured party reaches the age of 35.

This bill increases the time limit for bringing those actions to any time before the injured party reaches the age of 45. In addition, the bill applies this time period to a broader range of actions. Under the bill, the new time limit applies to any action for injury resulting from being subject, as a child, to any sexual contact by an adult or by an adult member of the clergy.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- **Section 1.** 893.587 (title) of the statutes is amended to read:
- 5 893.587 (title) Sexual assault of contact with a child; limitation.

#### **ASSEMBLY BILL 301**

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<b>SECTION</b>	<b>2</b>

S	SECTION 2.	893.587	of the	statutes	is renum	bered	893.587	(2) and	amende	d to
read:										

893.587 (2) An action to recover damages <u>against any person</u> for injury caused by an act that would constitute a violation of s. 948.02, 948.025, 948.06, 948.085, or 948.095 an adult's sexual contact with anyone under the age of 18 or by an act committed by an adult that would create a cause of action under s. 895.442 shall be commenced before the injured party reaches the age of 35 45 years or be barred.

**Section 3.** 893.587 (1) of the statutes is created to read:

893.587 (1) In this section:

- (a) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, or government; governmental subdivision, agency, or instrumentality; public corporation; or any other legal or commercial entity.
  - (b) "Sexual contact" has the meaning given in s. 940.225 (5) (b).

15 (END)