



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-2455/1

CMH:cdc

2023 SENATE BILL 302

May 18, 2023 - Introduced by Senators JAMES, AGARD, TAYLOR, FEYEN, HUTTON, ROYS, SMITH, SPREITZER and LARSON, cosponsored by Representatives GUNDRUM, BILLINGS, ANDRACA, BINSFELD, CONLEY, DITTRICH, EDMING, JOERS, MAXEY, OHNSTAD, PALMERI, RETTINGER, ROZAR, SINICKI, STUBBS and SUBECK. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

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:

SENATE BILL 302**SECTION 1**

893.587 (title) Sexual assault of contact with a child; limitation.

SECTION 2. 893.587 of the statutes is renumbered 893.587 (2) and amended to read:

893.587 (2) An action to recover damages against any person 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).

(END)