

House File 201

S-3182

1 Amend House File 201, as passed by the House, as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 614.1, Code 2021, is amended by adding
4 the following new subsections:

5 NEW SUBSECTION. 11A. *Sexual abuse and other sexual*
6 *offenses.* An action for damages for injury suffered when the
7 victim was a minor as a result of sexual abuse in the first
8 degree as defined in section 709.2, sexual abuse in the second
9 degree as defined in section 709.3, sexual abuse in the third
10 degree as defined in section 709.4 or other sexual offenses as
11 provided in section 802.2B may be commenced at any time after
12 the commission of the offense.

13 NEW SUBSECTION. 12A. *Kidnapping and human trafficking.* An
14 action for damages for injury suffered when the victim was a
15 minor as a result of kidnapping as defined in section 710.1 or
16 human trafficking as defined in section 710A.2 may be commenced
17 at any time after the commission of the offense.

18 Sec. 2. Section 614.1, subsection 12, Code 2021, is amended
19 to read as follows:

20 12. *Sexual abuse or sexual exploitation by a counselor,*
21 *therapist, or school employee.*

22 a. An action for damages for injury suffered as a result
23 of sexual abuse, as defined in [section 709.1](#), by a counselor,
24 therapist, or school employee, as defined in [section 709.15](#), or
25 as a result of sexual exploitation by a counselor, therapist,
26 or school employee ~~shall be brought within five years of the~~
27 ~~date the victim was last treated by the counselor or therapist,~~
28 ~~or within five years of the date the victim was last enrolled~~
29 ~~in or attended the school~~ may be commenced at any time after
30 the commission of the offense.

31 b. A claim or cause of action brought against any party
32 under paragraph "a" alleging intentional or negligent acts
33 or omissions by a person for physical, psychological, or any
34 other injury or condition suffered as a result of conduct
35 by a counselor, therapist, or school employee as defined in

1 section 709.15, if barred as of the effective date of this Act
2 because the applicable period of limitation has expired or
3 the plaintiff previously failed to file a petition, is hereby
4 revived, and action thereon may be commenced not later than
5 three years after the effective date of this Act.

6 c. Dismissal of a previous action, ordered before the
7 effective date of this Act, on grounds that such previous
8 action was time-barred or due to the failure of a party to file
9 a petition, shall not be grounds for dismissal of a revival
10 action pursuant to paragraph "b".

11 Sec. 3. Section 614.8A, Code 2021, is amended to read as
12 follows:

13 **614.8A Damages Commencement of action for minor or child**
14 **sexual abuse and other sexual offenses — no time limitation.**

15 ~~An action for damages for injury suffered as a result of~~
16 ~~sexual abuse which occurred when the injured person was a~~
17 ~~child, but not discovered until after the injured person is of~~
18 ~~the age of majority, shall be brought within four years from~~
19 ~~the time of discovery by the injured party of both the injury~~
20 ~~and the causal relationship between the injury and the sexual~~
21 ~~abuse.~~

22 1. Notwithstanding section 614.1, subsections 11A and
23 12A, every claim or cause of action brought against any party
24 alleging intentional or negligent acts or omissions by a person
25 for physical, psychological, or any other injury or condition
26 suffered as a result of conduct which occurred when the injured
27 person was a minor and which would constitute a violation
28 of any of the following, if barred as of the effective date
29 of this Act because the applicable period of limitation has
30 expired or the plaintiff previously failed to file a petition,
31 is hereby revived, and action thereon may be commenced not
32 later than three years after the effective date of this Act:

33 a. Sexual abuse as defined in section 709.1.

34 b. Lascivious acts with a child in violation of section
35 709.8.

1 c. Assault with intent to commit sexual abuse in violation
2 of section 709.11.
3 d. Indecent contact with a child in violation of section
4 709.12.
5 e. Lascivious conduct with a minor in violation of section
6 709.14.
7 f. Sexual misconduct with a juvenile in violation of section
8 709.16, subsection 2.
9 g. Kidnapping as defined in section 710.1.
10 h. Human trafficking as defined in section 710A.2.
11 i. Incest in violation of section 726.2.
12 j. Child endangerment in violation of section 726.6,
13 subsection 4, 5, or 6.
14 k. Sexual exploitation of a minor in violation of section
15 728.12.
16 2. Dismissal of a previous action, ordered before the
17 effective date of this Act, on grounds that such previous
18 action was time-barred or due to the failure of a party to file
19 a petition, shall not be grounds for dismissal of a revival
20 action pursuant to this section.>
21 2. Title page, by striking lines 1 through 3 and inserting
22 <An Act relating to the sex offender registry, sexually
23 motivated extortion, and the statute of limitations periods for
24 certain civil actions.>

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