

House File 462 - Introduced

HOUSE FILE 462

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A BILL FOR

1 An Act modifying the periods of time to bring civil actions
2 by victims of sexual abuse and including effective date
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 614.1, Code 2025, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 11A. *Sexual abuse.* No time limitation shall
4 apply to an action brought for damages for an injury suffered as
5 a result of sexual abuse as defined in section 709.1.

6 Sec. 2. Section 614.1, subsection 12, Code 2025, is amended
7 to read as follows:

8 12. ~~Sexual abuse or sexual exploitation by a counselor,~~
9 ~~therapist, school employee, or adult providing training or~~
10 ~~instruction.~~ An action for damages for injury suffered as
11 a result of ~~sexual abuse, as defined in section 709.1, by~~
12 ~~a counselor, therapist, school employee, or adult providing~~
13 ~~training or instruction, as defined in section 709.15, or as a~~
14 ~~result of~~ sexual exploitation by a counselor, therapist, school
15 employee, or adult providing training or instruction as defined
16 in section 709.15, shall be brought within five years of the date
17 the victim was last treated by the counselor or therapist, or
18 within five years of the date the victim was last enrolled in or
19 attended the school.

20 Sec. 3. Section 669.13, subsection 1, Code 2025, is amended
21 to read as follows:

22 1. Except as provided in section 614.1, subsection 11A, and
23 section 614.8, a claim or suit otherwise permitted under this
24 chapter shall be forever barred, unless within two years after
25 the claim accrued, the claim is made in writing and filed with
26 the director of the department of management under this chapter.
27 The time to begin a suit under this chapter shall be extended
28 for a period of six months from the date of mailing of notice to
29 the claimant by the attorney general as to the final disposition
30 of the claim or from the date of withdrawal of the claim under
31 section 669.5, if the time to begin suit would otherwise expire
32 before the end of the period.

33 Sec. 4. Section 670.5, unnumbered paragraph 1, Code 2025, is
34 amended to read as follows:

35 Except as provided in section 614.1, subsection 11A, and

1 section 614.8, a person who claims damages from any municipality
2 or any officer, employee or agent of a municipality for or on
3 account of any wrongful death, loss, or injury within the scope
4 of section 670.2 or section 670.8 or under common law shall
5 commence an action therefor within two years after the alleged
6 wrongful death, loss, or injury.

7 Sec. 5. REPEAL. Section 614.8A, Code 2025, is repealed.

8 Sec. 6. REVIVAL.

9 1. Every claim or cause of action brought against any
10 party alleging intentional or negligent acts or omissions by a
11 person for physical, psychological, or other injury or condition
12 suffered as a result of conduct which would constitute sexual
13 abuse as defined in section 709.1, which is barred as of the
14 effective date of this Act because the applicable period of
15 limitation has expired or the plaintiff previously failed to file
16 a petition, is hereby revived.

17 2. Dismissal of such a previous action, ordered before the
18 effective date of this Act, on grounds that the action was
19 time-barred, or for failure of a party to file a petition, shall
20 not be grounds for dismissal of a revival action pursuant to this
21 section.

22 Sec. 7. EFFECTIVE DATE. This Act, being deemed of immediate
23 importance, takes effect upon enactment.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill provides that there is no time limitation to bring
28 civil actions relating to sexual abuse.

29 Under current Code section 614.1(12), a civil action for
30 damages for injury suffered as result of sexual abuse or sexual
31 exploitation by a counselor, therapist, school employee, or adult
32 providing training or instruction can only be brought within five
33 years after the date that the victim was either last treated
34 by the counselor or therapist or last enrolled in or attended
35 the school. Current Code section 614.8A provides a four-year

1 limitation for civil actions of sexual abuse against a child
2 not discovered until after the injured person is of the age
3 of majority. These provisions are stricken or repealed to the
4 extent they are duplicative or inconsistent with the bill. If an
5 action was previously dismissed before the effective date of the
6 bill on the grounds that it was time-barred or because the party
7 failed to file a petition, the bill provides the party the right
8 to file a revival action.

9 The bill also provides that state tort claims and tort
10 liability of governmental subdivisions statutes of limitations do
11 not apply to sexual abuse actions.

12 The bill takes effect upon enactment.

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