

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Code of Civil Procedure is amended by  
5 changing Section 13-202.2 as follows:

6 (735 ILCS 5/13-202.2) (from Ch. 110, par. 13-202.2)

7 Sec. 13-202.2. Childhood sexual abuse.

8 (a) In this Section:

9 "Childhood sexual abuse" means an act of sexual abuse that  
10 occurs when the person abused is under 18 years of age.

11 "Sexual abuse" includes but is not limited to sexual  
12 conduct and sexual penetration as defined in Section 11-0.1 of  
13 the Criminal Code of 2012.

14 (b) Notwithstanding any other provision of law, an action  
15 for damages for personal injury based on childhood sexual abuse  
16 must be commenced within 20 years of the date the limitation  
17 period begins to run under subsection (d) or within 20 years of  
18 the date the person abused discovers or through the use of  
19 reasonable diligence should discover both (i) that the act of  
20 childhood sexual abuse occurred and (ii) that the injury was  
21 caused by the childhood sexual abuse. The fact that the person  
22 abused discovers or through the use of reasonable diligence  
23 should discover that the act of childhood sexual abuse occurred

1 is not, by itself, sufficient to start the discovery period  
2 under this subsection (b). Knowledge of the abuse does not  
3 constitute discovery of the injury or the causal relationship  
4 between any later-discovered injury and the abuse.

5 (c) If the injury is caused by 2 or more acts of childhood  
6 sexual abuse that are part of a continuing series of acts of  
7 childhood sexual abuse by the same abuser, then the discovery  
8 period under subsection (b) shall be computed from the date the  
9 person abused discovers or through the use of reasonable  
10 diligence should discover both (i) that the last act of  
11 childhood sexual abuse in the continuing series occurred and  
12 (ii) that the injury was caused by any act of childhood sexual  
13 abuse in the continuing series. The fact that the person abused  
14 discovers or through the use of reasonable diligence should  
15 discover that the last act of childhood sexual abuse in the  
16 continuing series occurred is not, by itself, sufficient to  
17 start the discovery period under subsection (b). Knowledge of  
18 the abuse does not constitute discovery of the injury or the  
19 causal relationship between any later-discovered injury and  
20 the abuse.

21 (d) The limitation periods under subsection (b) do not  
22 begin to run before the person abused attains the age of 18  
23 years; and, if at the time the person abused attains the age of  
24 18 years he or she is under other legal disability, the  
25 limitation periods under subsection (b) do not begin to run  
26 until the removal of the disability.

1           (d-1) The limitation periods in subsection (b) do not run  
2 during a time period when the person abused is subject to  
3 threats, intimidation, manipulation, or fraud perpetrated by  
4 the abuser or by any person acting in the interest of the  
5 abuser.

6           (e) This Section applies to actions pending on the  
7 effective date of this amendatory Act of 1990 as well as to  
8 actions commenced on or after that date. The changes made by  
9 this amendatory Act of 1993 shall apply only to actions  
10 commenced on or after the effective date of this amendatory Act  
11 of 1993. The changes made by this amendatory Act of the 93rd  
12 General Assembly apply to actions pending on the effective date  
13 of this amendatory Act of the 93rd General Assembly as well as  
14 actions commenced on or after that date. The changes made by  
15 this amendatory Act of the 96th General Assembly apply to  
16 actions commenced on or after the effective date of this  
17 amendatory Act of the 96th General Assembly if the action would  
18 not have been time barred under any statute of limitations or  
19 statute of repose prior to the effective date of this  
20 amendatory Act of the 96th General Assembly.

21           (f) Notwithstanding any other provision of law, an action  
22 for damages based on childhood sexual abuse may be commenced at  
23 any time; provided, however, that the changes made by this  
24 amendatory Act of the 98th General Assembly apply to actions  
25 commenced on or after the effective date of this amendatory Act  
26 of the 98th General Assembly if the action would not have been

1 time barred under any statute of limitations or statute of  
2 repose prior to the effective date of this amendatory Act of  
3 the 98th General Assembly.

4 (Source: P.A. 96-1093, eff. 1-1-11; 96-1551, eff. 7-1-11;  
5 97-1150, eff. 1-25-13.)