

# House Bill 3582

Sponsored by Representative HARTMAN, Senators TAYLOR, MEEK; Representatives BOICE, DOBSON, LEVY E, SCHARF, Senator PATTERSON

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act gets rid of the time limit for filing claims based on sexual assault or child sexual abuse. (Flesch Readability Score: 76.2).

Eliminates the statute of limitations for civil actions based on sexual assault or child sexual abuse.

## A BILL FOR AN ACT

1  
2 Relating to statutes of limitation; creating new provisions; and amending ORS 12.117 and 12.118.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 12.117 is amended to read:

5 12.117. (1) Notwithstanding ORS 12.110, 12.115 or 12.160[,]:

6 (a) An action based on conduct that constitutes child abuse or conduct knowingly allowing,  
7 permitting or encouraging child abuse that occurs while the person is under 18 years of age must  
8 be commenced before the person attains 40 years of age, or if the person has not discovered the  
9 causal connection between the injury and the child abuse, nor in the exercise of reasonable care  
10 should have discovered the causal connection between the injury and the child abuse, not more than  
11 five years from the date the person discovers or in the exercise of reasonable care should have  
12 discovered the causal connection between the child abuse and the injury, whichever period is longer.

13 (b) **An action based on child sexual abuse or conduct knowingly allowing, permitting or**  
14 **encouraging child sexual abuse may be commenced at any time.**

15 (2) As used in *[subsection (1) of this section,]* **this section:**

16 (a) "Child abuse" means *[any of the following:]*

17 *[(a)]* intentional conduct by an adult that results in:

18 (A) Any physical injury to a child; or

19 (B) Any mental injury to a child which results in observable and substantial impairment of the  
20 child's mental or psychological ability to function caused by cruelty to the child, with due regard  
21 to the culture of the child[;].

22 (b) **"Child sexual abuse" means:**

23 (A) Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual pene-  
24 tration and incest, as those acts are defined in ORS chapter 163;

25 *[(c)]* (B) Sexual abuse, as defined in ORS chapter 163, when the victim is a child; or

26 *[(d)]* (C) Sexual exploitation of a child, including but not limited to:

27 *[(A)]* (i) Conduct constituting violation of ORS 163.435 and any other conduct which allows,  
28 employs, authorizes, permits, induces or encourages a child to engage in the performing for people  
29 to observe or the photographing, filming, tape recording or other exhibition which, in whole or in

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 part, depicts sexual conduct or contact; and

2 [(B)] (ii) Allowing, permitting, encouraging or hiring a child to engage in prostitution or com-  
3 mercial sexual solicitation, as [defined in ORS chapter 167] **those acts are defined in ORS 167.007**  
4 **and 167.008.**

5 (3) Nothing in this section creates a new cause of action or enlarges any existing cause of  
6 action.

7 **SECTION 2.** ORS 12.118 is amended to read:

8 12.118. (1) Notwithstanding ORS 12.110, 12.115 or 12.160, an action based on conduct that con-  
9 stitutes sexual assault or conduct knowingly allowing, permitting or encouraging sexual assault that  
10 occurs when a person is 18 years of age or older [*must be commenced within five years from the date*  
11 *the person discovers, or in the exercise of reasonable care should have discovered, the causal connection*  
12 *between the sexual assault and the injury*] **may be commenced at any time.**

13 (2) As used in this section, “sexual assault” includes, but is not limited to, any of the following:

14 (a) Rape, which includes but is not limited to rape, sodomy, unlawful sexual penetration and  
15 incest, as those acts are defined in ORS chapter 163;

16 (b) Sexual abuse, as that act is defined in ORS chapter 163; or

17 (c) Sexual exploitation, which includes but is not limited to trafficking in persons and subjecting  
18 another person to involuntary servitude, as those acts are defined in ORS chapter 163.

19 (3) Nothing in this section creates a new cause of action or enlarges any existing cause of  
20 action.

21 **SECTION 3. The amendments to ORS 12.117 and 12.118 by sections 1 and 2 of this 2025**  
22 **Act apply to claims arising on or after the effective date of this 2025 Act.**

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