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## A BILL FOR AN ACT

RELATING TO SEXUAL ASSAULT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 657-1.8, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) Notwithstanding any law to the contrary, an action  
4 for recovery of damages based on physical, psychological, or  
5 other injury or condition suffered by an individual arising from  
6 sexual assault in the first and second degrees or continuous  
7 sexual assault of a minor under the age of fourteen years may be  
8 commenced at any time; provided that no action for recovery of  
9 damages based on physical, psychological, or other injury or  
10 condition suffered by a minor arising from [~~the~~] any other  
11 sexual abuse of the minor that constituted or would have  
12 constituted a criminal offense under part V or VI of chapter 707  
13 by any person shall be commenced against the person who  
14 committed the act of sexual abuse more than:

15           (1) Eight years after the eighteenth birthday of the minor  
16           or the person who committed the act of sexual abuse  
17           attains the age of majority, whichever occurs later;  
18           or



1           (2) Three years after the date the minor discovers or  
2           reasonably should have discovered that psychological  
3           injury or illness occurring after the age of minor's  
4           eighteenth birthday was caused by the sexual abuse,  
5           whichever comes later.

6           ~~[A civil cause of action for the sexual abuse of a minor~~  
7           ~~shall be based upon sexual acts that constituted or would have~~  
8           ~~constituted a criminal offense under part V or VI of chapter~~  
9           ~~707.]"~~

10           SECTION 2. Section 701-108, Hawaii Revised Statutes, is  
11           amended by amending subsection (1) to read as follows:

12           "(1) A prosecution for murder, murder in the first and  
13           second degrees, attempted murder, and attempted murder in the  
14           first and second degrees, criminal conspiracy to commit murder  
15           in any degree, ~~[and]~~ criminal solicitation to commit murder in  
16           any degree, sexual assault in the first and second degrees, and  
17           continuous sexual assault of a minor under the age of fourteen  
18           years may be commenced at any time."

19           SECTION 3. Statutory material to be repealed is bracketed  
20           and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Melie Carree

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JAN 17 2014



# H.B. NO. 2034

**Report Title:**

Statute of Limitations; Sexual Assault

**Description:**

Removes the statute of limitations for criminal and civil actions arising from sexual assault in the first and second degrees and continuous sexual assault of a minor under the age of fourteen years.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

