

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 676

5 By: Senators D. Wallace, G. Leding  
6 By: Representatives Gazaway, Wing, Dalby  
7

## For An Act To Be Entitled

9 AN ACT TO BE KNOWN AS THE "JUSTICE FOR VULNERABLE  
10 VICTIMS OF SEXUAL ABUSE ACT"; AND FOR OTHER PURPOSES.  
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## Subtitle

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14 TO BE KNOWN AS THE "JUSTICE FOR  
15 VULNERABLE VICTIMS OF SEXUAL ABUSE ACT".  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code Title 16, Chapter 118, is amended to add an  
21 additional section to read as follows:

22 16-118-117. Civil action for vulnerable victims of sexual abuse.

23 (a) As used in this section:

24 (1) "Disabled" means that a person was determined legally  
25 disabled or determined medically disabled by a medical or mental  
26 health provider at the time of the alleged wrongful conduct and was unable to  
27 give legal consent;

28 (2) "Minor" means a person of under eighteen (18) years of age;

29 (3) "Sexual abuse" means an act committed against a person  
30 prohibited under:

31 (A) Section 5-14-101 et seq.;

32 (B) Section 5-27-301 et seq.;

33 (C) Section 5-27-401 et seq.;

34 (D) Section 5-27-601 et seq.; or

35 (E) Any former law of this state that is substantially  
36 equivalent to an offense enumerated in subdivisions (a)(1)(A)-(D) of this



1 section at the time the act was committed; and

2 (4) "Vulnerable victim" means a person that was either disabled,  
3 a minor, or both at the time he or she was a victim of sexual abuse.

4 (b)(1) Notwithstanding any other statute of limitation or any other  
5 law that may be construed to reduce the statutory period set forth in this  
6 section, before he or she reaches fifty-five (55) years of age a vulnerable  
7 victim may bring a civil action against any party who committed sexual abuse  
8 against the vulnerable victim or whose tortious conduct caused the vulnerable  
9 victim to be a victim of sexual abuse.

10 (2) Notwithstanding any other statute of limitation or any other  
11 law that may be construed to reduce the statutory period set forth in this  
12 section, a civil action similar to a civil action described in subdivision  
13 (b)(1) of this section, including a cause of action arising before, on, or  
14 after the effective date of this act, that was barred or dismissed due to a  
15 statute of limitation is revived, and the civil action may be commenced not  
16 earlier than six (6) months after and not later than thirty (30) months after  
17 the effective date of this act.

18 (c) This section does not apply to a claim that has been litigated to  
19 finality on the merits in any court of competent jurisdiction before the  
20 effective date of this act.

21 (d) A civil action under this section may be filed under seal and the  
22 plaintiff may be referred to as "John Doe" or "Jane Doe" in the pleadings so  
23 as to protect the privacy of the plaintiff.

24 (e) The court may award actual damages, compensatory damages, punitive  
25 damages, injunctive relief, or any other appropriate relief in a civil action  
26 under this section.

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