

2023 Kansas Statutes

60-523. Limitations on actions for recovery of damages suffered as a result of childhood sexual abuse. (a) No action for recovery of damages for an injury or illness suffered as a result of childhood sexual abuse shall be commenced more than 13 years after the date the victim attains 18 years of age or more than three years after the date of a criminal conviction for a crime described in subsection (b) related to such childhood sexual abuse, whichever occurs later.

(b) As used in this section:

(1) "Injury or illness" includes psychological injury or illness, whether or not accompanied by physical injury or illness.

(2) "Childhood sexual abuse" means any act committed against the person that occurred when the person was under the age of 18 years and that would have been a violation of any of the following:

(A) Rape as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 21-5503, and amendments thereto;

(B) Indecent liberties with a child as defined in K.S.A. 21-3503, prior to its repeal, or K.S.A. 21-5506(a), and amendments thereto;

(C) aggravated indecent liberties with a child as defined in K.S.A. 21-3504, prior to its repeal, or K.S.A. 21-5506(b), and amendments thereto;

(D) criminal sodomy as defined in K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or K.S.A. 21-5504(a)(3) and (a)(4), and amendments thereto;

(E) aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 21-5504(b), and amendments thereto;

(F) enticement of a child as defined in K.S.A. 21-3509, prior to its repeal;

(G) indecent solicitation of a child as defined in K.S.A. 21-3510, prior to its repeal, or K.S.A. 21-5508(a), and amendments thereto;

(H) aggravated indecent solicitation of a child as defined in K.S.A. 21-3511, prior to its repeal, or K.S.A. 21-5508(b), and amendments thereto;

(I) sexual exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 21-5510, and amendments thereto;

(J) aggravated sexual battery as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 21-5505(b), and amendments thereto;

(K) aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 21-5604(b), and amendments thereto;

(L) aggravated human trafficking as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(M) internet trading in child pornography or aggravated internet trading in child pornography as defined in K.S.A. 21-5514, and amendments thereto;

(N) commercial sexual exploitation of a child as defined in K.S.A. 21-6422, and amendments thereto; or

(O) any prior laws of this state of similar effect at the time the act was committed.

(c) This section shall be applicable to any action commenced on or after July 1, 1992, including any action that would be barred by application of the period of limitation applicable prior to July 1, 1992.

History: L. 1992, ch. 307, § 1; L. 2011, ch. 30, § 216; L. 2023, ch. 28, § 3; July 1.