



**Maryland Chamber of Commerce**

## **Legislative Position**

**SB 238**

**OPPOSE**

Judicia  
Proceeding  
Committee  
2/5/09

**SB 238**

### **Civil Actions – Child Sexual Abuse – Statute of Limitations**

**Bill Summary:** This bill would extend the current statute of limitations for filing a lawsuit concerning alleged sexual abuse of a minor by an additional 25 years. It would also provide a two year period in which lawsuits that are currently extinguished by law could be filed.

**Chamber Position:** The Maryland Chamber of Commerce opposes this bill. While we have no tolerance for the sexual abuse of minors, we are concerned about the far-reaching damage and precedent that this bill would cause for Maryland's civil liability climate. Maryland law already allows lawsuits alleging sexual abuse of a minor to be filed until the victim turns age 25. This is well beyond the normal three year statute of limitations. There is no justification for extending the statute of limitations for an alleged victim until age 50.

More damaging to Maryland's system of jurisprudence would be the bill's establishment of a two year period in which such lawsuits could be filed, notwithstanding when the alleged offense occurred, and despite the fact that the statute of limits had already expired. Reviving claims that have been legally extinguished would demonstrate that there is no legal finality to civil liability in Maryland. Such an action would be unfair to defendants, including companies that extended insurance contracts in good faith. The bill would reinforce the message that companies doing business in Maryland have unlimited exposure to civil liability.

For these reasons, we urge an unfavorable report for this bill.

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