

SENATE BILL NO. 1140

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HUDSON.

4634S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 537.046, RSMo, and to enact in lieu thereof one new section relating to childhood sexual abuse actions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 537.046, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 537.046,
3 to read as follows:

537.046. 1. As used in this section, the following
2 terms mean:

3 (1) "Childhood sexual abuse", any act committed by the
4 defendant, **or an act committed by an individual if the**
5 **defendant's tortious conduct causes such act to occur,**
6 against the plaintiff which act occurred when the plaintiff
7 was under the age of eighteen years and which act would have
8 been a violation of section 566.030, 566.031, 566.032,
9 566.034, 566.060, 566.061, 566.062, 566.064, 566.067,
10 566.068, 566.069, 566.071, 566.083, 566.086, 566.093,
11 566.095, 566.100, 566.101, 566.209, 566.210, 566.211,
12 568.020, or 573.200;

13 (2) "Injury" or "illness", either a physical injury or
14 illness or a psychological injury or illness. A
15 psychological injury or illness need not be accompanied by
16 physical injury or illness.

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 2. Any action **against any party** to recover damages
18 from injury or illness caused by childhood sexual abuse **or**
19 **tortious conduct that causes a victim to be a victim of**
20 **childhood sexual abuse** in an action brought pursuant to this
21 section [shall be commenced within ten years of the
22 plaintiff attaining the age of twenty-one or within three
23 years of the date the plaintiff discovers, or reasonably
24 should have discovered, that the injury or illness was
25 caused by childhood sexual abuse, whichever later occurs]
26 **may be commenced at any time.**

27 3. This section shall apply to any action arising on
28 or after August 28, 2025.

29 4. Notwithstanding any other provision of law to the
30 contrary, a nondisclosure agreement by any party to a
31 childhood sexual abuse action shall not be judicially
32 enforceable in a dispute involving childhood sexual abuse
33 allegations or claims, and shall be void.

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