

2024 -- H 7168

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LC003313
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --
CAUSES OF ACTION

Introduced By: Representatives Casimiro, Roberts, Noret, Craven, McEntee, Boylan,
Carson, Donovan, Speakman, and Potter

Date Introduced: January 11, 2024

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-1-14 of the General Laws in Chapter 9-1 entitled "Causes of
2 Action" is hereby amended to read as follows:

3 **9-1-14. Limitation of actions for words spoken or personal injuries.**

4 (a) Actions for words spoken shall be commenced and sued within one year next after the
5 words spoken, and not after.

6 (b) Actions for injuries to the person shall be commenced and sued within three (3) years
7 next after the cause of action shall accrue, and not after, except as provided for otherwise in
8 subsection (c) herein. Notwithstanding anything herein, any claim based on sexual abuse or
9 exploitation of a child shall be governed by § 9-1-51 [and any claim based on conduct consisting of](#)
10 [first degree child abuse in violation of § 11-9-5.3\(b\)\(1\) shall be commenced within the period](#)
11 [provided by § 9-1-55.](#)

12 (c) As to an action for personal injuries wherein an injured party is entitled to proceed
13 against an insurer pursuant to § 27-7-2, where an action is otherwise properly filed against an
14 insured within the time limitations provided for by this section, and process against the insured
15 tortfeasor has been returned "non est inventus" and filed with the court, then the statutory limitation
16 for filing an action under § 27-7-2 directly against an insurer shall be extended an additional one
17 hundred twenty (120) days after the expiration of the time limitation provided for in subsection (b)
18 herein.

1 SECTION 2. Chapter 9-1 of the General Laws entitled "Causes of Action" is hereby
2 amended by adding thereto the following section:

3 **9-1-55. Limitation on actions based on child abuse - Harter's Law.**

4 (a) This section shall be known and may be referred to as "Harter's Law".

5 (b) In any civil action for any person bringing an action pursuant to the provisions of § 9-
6 1-2 for injury as a result of conduct in violation of § 11-9-5.3(b)(1) shall be commenced and sued
7 within thirty-five (35) years next after the cause of action shall accrue, and not after; provided,
8 however, that the time limit or commencement of an action under this section shall be tolled for a
9 child until the child reaches eighteen (18) years of age.

10 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would create "Harter's Law" to extend the civil statute of limitations for injuries
- 2 resulting from first degree child abuse to thirty-five (35) years.
- 3 This act would take effect upon passage.

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