
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1618

State of Washington

68th Legislature

2023 Regular Session

By House Appropriations (originally sponsored by Representatives Farivar, Simmons, Wylie, Berry, Walen, Fosse, Morgan, Macri, Pollet, Doglio, Reed, Caldier, and Orwall)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to providing access to justice for survivors of
2 childhood sexual abuse; amending RCW 4.16.340; and creating a new
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 4.16.340 and 1991 c 212 s 2 are each amended to read
6 as follows:

7 (1) All claims or causes of action based on intentional conduct
8 brought by any person for recovery of damages for injury suffered as
9 a result of childhood sexual abuse that occurred before June 6, 2024,
10 shall be commenced within the later of the following periods:

11 (a) Within three years of the act alleged to have caused the
12 injury or condition;

13 (b) Within three years of the time the victim discovered or
14 reasonably should have discovered that the injury or condition was
15 caused by said act; or

16 (c) Within three years of the time the victim discovered that the
17 act caused the injury for which the claim is brought:

18 PROVIDED, That the time limit for commencement of an action under
19 this section is tolled for a child until the child reaches the age of
20 eighteen years.

1 (2) The victim need not establish which act in a series of
2 continuing sexual abuse or exploitation incidents caused the injury
3 complained of, but may compute the date of discovery from the date of
4 discovery of the last act by the same perpetrator which is part of a
5 common scheme or plan of sexual abuse or exploitation.

6 (3) The knowledge of a custodial parent or guardian shall not be
7 imputed to a person under the age of eighteen years.

8 (4) For purposes of this section, "child" means a person under
9 the age of eighteen years.

10 (5) As used in this section, "childhood sexual abuse" means any
11 act committed by the defendant against a complainant who was less
12 than eighteen years of age at the time of the act and which act would
13 have been a violation of chapter 9A.44 RCW or RCW 9.68A.040 or prior
14 laws of similar effect at the time the act was committed.

15 (6) There shall be no time limit for bringing any claims or
16 causes of action based on intentional conduct brought by any person
17 for recovery of damages for injury suffered as a result of childhood
18 sexual abuse when the act of childhood sexual abuse occurs on or
19 after June 6, 2024.

20 NEW SECTION. Sec. 2. If specific funding for the purposes of
21 this act, referencing this act by bill or chapter number, is not
22 provided by June 30, 2024, in the omnibus appropriations act, this
23 act is null and void.

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