



# NORTH CAROLINA GENERAL ASSEMBLY

Session 2019

## Legislative Fiscal Note

**Short Title:** Child Sex Abuse/Extend Statute of Limitations.  
**Bill Number:** House Bill 37 (First Edition)  
**Sponsor(s):** Riddell; White; Torbett; B. Turner

### SUMMARY TABLE

#### FISCAL IMPACT OF H.B. 37, V.1

	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	<u>FY 2023-24</u>
<b>State Impact</b>					
General Fund Revenue	-	-	-	-	-
Less Expenditures	-	-	-	-	-
<b>General Fund Impact</b>	<b>No Estimate Available - Refer to Fiscal Analysis section</b>				

<b>NET STATE IMPACT</b>	<b>No Estimate Available - Refer to Fiscal Analysis section</b>
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**TECHNICAL CONSIDERATIONS:** See Technical Considerations Section

### FISCAL IMPACT SUMMARY

Fiscal Research Division (FRD) is unable to estimate the costs associated with the changes in this bill. The bill would likely increase the number of civil filings in district and superior court.

### FISCAL ANALYSIS

Section 1 of this bill amends G.S. 1-17 by extending the statute of limitations for filing a civil action against a defendant for sexual abuse suffered while the plaintiff was under the age of 18. This section allows such a filing until the plaintiff turns 45 years of age. Sections 2 and 3 make conforming changes. Section 4 states that from January 1, 2020 until December 31, 2020, this act revives any civil action for child sexual abuse otherwise time-barred under G.S. 1-52.

The statute of limitations extension put forth in Section 1 and the exemption for otherwise time-barred actions in Section 4 may increase the number of civil actions filed with the courts. However, there is no information available to estimate the effects of these sections, and FRD cannot estimate the costs associated with these changes.

The venue of court is determined by the monetary value in dispute. If any cases arising from the changes in this bill are heard in superior court, the Administrative Office of the Courts (AOC)

estimates an average cost of \$1,759 per case. If any such cases are instead heard in district court, AOC estimates an average cost of \$667 per case.

## **TECHNICAL CONSIDERATIONS**

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AOC raises a technical consideration related to Section 1 of the bill. AOC states that it is unclear whether Section 1 intends to limit the statute of limitations extension when the action arises from a criminal offense. AOC states that while Section 1 clearly applies for civil actions that do not arise from a criminal offense, it is unclear whether the section intends to address actions to recover damages that arise from a criminal offense, as stated in G.S. 1-15.1(a).

## **DATA SOURCES**

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THE ADMINISTRATIVE OFFICE OF THE COURTS

## **LEGISLATIVE FISCAL NOTE – PURPOSE AND LIMITATIONS**

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This document is an official fiscal analysis prepared pursuant to Chapter 120 of the General Statutes and rules adopted by the Senate and House of Representatives. The estimates in this analysis are based on the data, assumptions, and methodology described in the Fiscal Analysis section of this document. This document only addresses sections of the bill that have projected direct fiscal impacts on State or local governments and does not address sections that have no projected fiscal impacts.

## **CONTACT INFORMATION**

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Questions on this analysis should be directed to the Fiscal Research Division at (919) 733-4910.

## **ESTIMATE PREPARED BY**

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William Childs

## **ESTIMATE APPROVED BY**

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Mark Trogdon, Director of Fiscal Research  
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March 7, 2019



Signed copy located in the NCGA Principal Clerk's Offices