



General Assembly

February Session, 2010

**Raised Bill No. 5473**

LCO No. 1928

\*01928\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING ACTIONS TO RECOVER DAMAGES FOR THE SEXUAL ABUSE, SEXUAL EXPLOITATION OR SEXUAL ASSAULT OF A MINOR.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-577d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage and*  
3 *applicable to any cause of action arising from an act or omission occurring*  
4 *prior to, on or after said date*):

5 Notwithstanding the provisions of section 52-577, [no] an action to  
6 recover damages for personal injury to a minor, including emotional  
7 distress, caused by sexual abuse, sexual exploitation or sexual assault  
8 may be brought by such person [later than thirty years from the date  
9 such person attains the age of majority] at any time after the date of the  
10 act complained of.

11 Sec. 2. Section 52-352b of the 2010 supplement to the general statutes  
12 is repealed and the following is substituted in lieu thereof (*Effective*  
13 *from passage and applicable to any cause of action arising from an act or*  
14 *omission occurring prior to, on or after said date*):

- 15 The following property of any natural person shall be exempt:
- 16 (a) Necessary apparel, bedding, foodstuffs, household furniture and  
17 appliances;
- 18 (b) Tools, books, instruments, farm animals and livestock feed,  
19 which are necessary to the exemptioner in the course of his or her  
20 occupation, profession or farming operation;
- 21 (c) Burial plot for the exemptioner and his or her immediate family;
- 22 (d) Public assistance payments and any wages earned by a public  
23 assistance recipient under an incentive earnings or similar program;
- 24 (e) Health and disability insurance payments;
- 25 (f) Health aids necessary to enable the exemptioner to work or to  
26 sustain health;
- 27 (g) Workers' compensation, Social Security, veterans and  
28 unemployment benefits;
- 29 (h) Court-approved payments for child support;
- 30 (i) Arms and military equipment, uniforms or musical instruments  
31 owned by any member of the militia or armed forces of the United  
32 States;
- 33 (j) One motor vehicle to the value of three thousand five hundred  
34 dollars, provided value shall be determined as the fair market value of  
35 the motor vehicle less the amount of all liens and security interests  
36 which encumber it;
- 37 (k) Wedding and engagement rings;
- 38 (l) Residential utility deposits for one residence, and one residential  
39 security deposit;
- 40 (m) Any assets or interests of an exemptioner in, or payments

41 received by the exemptioner from, a plan or arrangement described in  
42 section 52-321a;

43 (n) Alimony and support, other than child support, but only to the  
44 extent that wages are exempt from execution under section 52-361a;

45 (o) An award under a crime reparations act;

46 (p) All benefits allowed by any association of persons in this state  
47 towards the support of any of its members incapacitated by sickness or  
48 infirmity from attending to his usual business;

49 (q) All moneys due the exemptioner from any insurance company  
50 on any insurance policy issued on exempt property, to the same extent  
51 that the property was exempt;

52 (r) Any interest of the exemptioner in any property not to exceed in  
53 value one thousand dollars;

54 (s) Any interest of the exemptioner not to exceed in value four  
55 thousand dollars in any accrued dividend or interest under, or loan  
56 value of, any unmatured life insurance contract owned by the  
57 exemptioner under which the insured is the exemptioner or an  
58 individual of whom the exemptioner is a dependent;

59 (t) The homestead of the exemptioner to the value of seventy-five  
60 thousand dollars, or, in the case of a money judgment arising out of  
61 services provided at a hospital, to the value of one hundred twenty-  
62 five thousand dollars, except that, in the case of a money judgment  
63 arising out of the sexual abuse, sexual exploitation or sexual assault of  
64 a minor, the value of the homestead of the natural person shall not be  
65 exempt, provided value shall be determined as the fair market value of  
66 the real property less the amount of any statutory or consensual lien  
67 which encumbers it; and

68 (u) Irrevocable transfers of money to an account held by a debt  
69 adjuster licensed pursuant to sections 36a-655 to 36a-665, inclusive, for

70 the benefit of creditors of the exemptioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage and applicable to any cause of action arising from an act or omission occurring prior to, on or after said date</i>	52-577d
Sec. 2	<i>from passage and applicable to any cause of action arising from an act or omission occurring prior to, on or after said date</i>	52-352b

**Statement of Purpose:**

To protect children by eliminating the statute of limitations for an action to recover damages for the sexual abuse, sexual exploitation or sexual assault of a minor and by eliminating the homestead exemption in such cases.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*