

Amend **HB 189** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 16.0045, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 16.0045. [~~FIVE YEAR~~] LIMITATIONS PERIOD FOR CLAIMS ARISING FROM CERTAIN OFFENSES. (a) A person may [~~must~~] bring suit for personal injury at any time [~~not later than five years after the day the cause of action accrues~~] if the injury arises as a result of conduct that violates:

(1) Section 22.011(a)(2) [~~22.011~~], Penal Code (sexual assault of a child);

(2) Section 22.021(a)(1)(B) [~~22.021~~], Penal Code (aggravated sexual assault of a child);

(3) Section 21.02, Penal Code (continuous sexual abuse of young child or children);

(4) Section 20A.02(a)(7)(A), (B), (C), (D), or (H) or Section 20A.02(a)(8) involving an activity described by Section 20A.02(a)(7)(A), (B), (C), (D), or (H) or sexual conduct with a child trafficked in the manner described by Section 20A.02(a)(7) [~~20A.02~~], Penal Code (certain sexual trafficking of a child [~~persons~~]); [~~or~~]

(5) Section 43.05(a)(2) [~~43.05~~], Penal Code (compelling prostitution by a child); or

(6) Section 21.11, Penal Code (indecent with a child).

(b) A person must bring suit for personal injury not later than five years after the day the cause of action accrues if the injury arises as a result of conduct that violates:

(1) Section 22.011(a)(1), Penal Code (sexual assault);

(2) Section 22.021(a)(1)(A), Penal Code (aggravated sexual assault);

(3) Section 20A.02, Penal Code (trafficking of persons), other than conduct described by Subsection (a)(4); or

(4) Section 43.05(a)(1), Penal Code (compelling prostitution).



(c) In an action for injury resulting in death arising as a result of conduct described by Subsection (a) or (b), the cause of action accrues on the death of the injured person.

(d) A [~~(e) The~~] limitations period under this section is tolled for a suit on the filing of a petition by any person in an appropriate court alleging that the identity of the defendant in the suit is unknown and designating the unknown defendant as "John or Jane Doe." The person filing the petition shall proceed with due diligence to discover the identity of the defendant and amend the petition by substituting the real name of the defendant for "John or Jane Doe" not later than the 30th day after the date that the defendant is identified to the plaintiff. The limitations period begins running again on the date that the petition is amended.

SECTION \_\_\_\_\_. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law applicable to the cause of action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION \_\_\_\_\_. This Act takes effect September 1, 2015.