



Fact Sheet Series for the 135th General Assembly

House Bill 124:

Eliminate period of limitation – rape prosecution or civil action

Sponsors: Representative Galonski, Representative Miranda

Current law:

Ohio's civil statute of limitations for child sexual abuse is longer than it is for adult sexual violence. Minors who have been sexually assaulted have a 12-year deadline from the accrual date ([O.R.C. 2305.111](#)). Depending on the case, the 12-year statute begins when the victim turns 18. By the time the victim is 30 years old, a civil lawsuit must be filed in order to proceed with a case within the timeframe.

Generally, the period for adult victims of rape and sexual assault is much shorter. According to [O.R.C. 2305.111\(B\)\(1\)](#), adult victims have one year to sue a known abuser.

The statute of limitations for a criminal prosecution of rape is 25 years, with the following exceptions: If 25 years has lapsed, but a DNA record in a § 2907.02 investigation is found to match another DNA record, the prosecution may bring the criminal action within 5 years; or If 25 years has not lapsed, and a DNA record in a § 2907.02 investigation is found to match another DNA record, the prosecution may bring the criminal action within 25 years of the rape or 5 five years of the match, whichever is later.

If passed, this legislation would:

- Extend the civil statute of limitations for victims of child sexual abuse, allowing civil actions to be brought at any time until the victim reaches 55 years old
- Eliminate criminal and civil statutes of limitations for victims of rape ([O.R.C. 2907.02](#))

Why this bill is important:

[The average age of reporting child sexual abuse is about 52 years.](#) Regardless of their age at the time of the sexual violence, most survivors come forward about their abuse and are met with arbitrary deadlines for filing legal claims – known as statutes of limitation (“SOLs”) – that have expired in Ohio.

The [physical, emotional, and psychological effects](#) of sexual violence can influence how and when a victim reports a crime. From our work with thousands of survivors across the state of Ohio, we know that delayed disclosure to law enforcement and other systems-based responses are the norm. Delayed disclosure, coupled with narrow statutes of limitations, impact the path to justice and compensation for survivors. By the time most survivors report their abuse, the period for filing legal claims has expired. Simply put, the doors to justice are locked for many survivors of child sexual abuse and rape as a result of overly restrictive statutes of limitations.

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