

Abuse laws by state

This list offers a look at the laws involving criminal and civil cases of child sexual abuse in Pennsylvania and neighboring states.



PENNSYLVANIA

Pennsylvania law gives victims until the age of 30 to file lawsuits and until the age of 50 to seek criminal charges. The State House in April passed two pieces of legislation: House Bill 962 would eliminate the statute of limitations for criminal prosecution in child rape cases and give victims until age 55 to sue. House Bill 963 would propose a Constitutional amendment to open a window for lawsuits.

Both measures have moved to the Republican-led Senate, where their prospects are unclear. Senate Democrats have offered Senate Bill 540, which would eliminate the statute of limitations for criminal prosecution of rape, regardless of the age of the victim; stiffen the penalty for covering up ongoing abuse; and open a two-year window for lawsuits.



NEW YORK

New York's new Child Victims Act – passed in January – creates a one-year, one-time-only window that allows survivors of sexual abuse to initiate claims against their abusers in cases where the statute of limitations has expired. Victims now can file civil claims until they reach age 55, up from the previous limit of age 23.



NEW JERSEY

Changes approved by the state Legislature in 2019 will give victims more time to sue and provide a two-year window for victims in old cases to file lawsuits. The governor signed the measure on May 13. The bill will raise the age limit for lawsuits from 23 to 55 – or within seven years of the realization that the abuse caused harm.



DELAWARE

There is no statute of limitations for criminal or civil claims related to child sex abuse going forward, and there was a window in place in 2007-2009 during which civil claims could be brought whether or not the civil statute of limitations had expired previously.



MARYLAND

The state of Maryland has no statute of limitations for prosecution of criminal child sexual abuse, while victims have until age 38 to file civil lawsuits. Maryland legislation that would have opened a window in the existing statute of limitations recently won approval in the House of Delegates, but the bill was voted down by the Senate Judicial Proceedings Committee.



WEST VIRGINIA

A victim of sexual assault or sexual abuse who was an infant at the time of the alleged acts can be brought against the accused within four years of reaching the age of 18 or within four years after discovery of the sexual assault or sexual abuse. West Virginia has no statute of limitations on child sex criminal cases.



OHIO

Ohio's statute of limitations for rape or sexual battery was extended in recent years from 20 to 25 years from the time the offense was committed, when there is an indictment based on DNA evidence. Prosecution of rape must commence within 25 years after it is committed, or within 25 years after a person turns 18 in the case of minors. Civil claims in sex cases involving juveniles must be brought within 12 years from when the child turns 18, with a \$350,000 cap on damages.