



Foundation to Abolish Child Sex Abuse
Protecting Children | Restoring Hope

FACT SHEET:

On the Constitutionality of HB 1947

Background: Currently in Pennsylvania, a survivor of child sex abuse has until age 50 to file criminal charges and age 30 to initiate a civil suit if the abuse occurred after 2002. Anyone abused before that year has much less time to report abuse.

HB 1947 seeks to eliminate time barriers to file criminal and civil cases for those abused after the bill becomes law. It would affect both private and public institutions, however much misinformation has been spread about this bill and its constitutionality.

Claim: HB 1947 is unconstitutional.

Fact: This charge has been leveled against attempts to reform the statute of limitations in numerous other states, including California, Delaware, Massachusetts and Connecticut. In all of these cases, the legislation was found to be constitutional.

Claim: HB 1947 does not apply to public institutions.

Fact: HB 1947 will apply equally to private and public institutions going forward. Due to the sovereign immunity protections afforded to state institutions by the Constitution of the Commonwealth of Pennsylvania, it appears that this reform cannot apply retroactively to them.

Claim: HB 1947 specifically targets the Catholic Church.

Fact: Statute of limitations reform is not limited to any specific group or organization, religious or otherwise. In fact, there are countless institutions that have protected abusers, such as schools, hospitals, scout organizations, sports programs and juvenile facilities. Furthermore, over 90 percent of survivors were abused by family members or close acquaintances, which will also be covered by HB 1947.

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