

STATEMENT OF PURPOSE

RS30196 / S1086

The Purpose of this legislation is to correct an oversight from a 2007 piece of legislation extending the civil statute of limitations for cases under Title 6, Chapter 17 involving child abuse. That 2007 legislation modified Idaho Code Section 6-1704 to extend the statute of limitations in child abuse cases to allow a cause of action to be filed by the aggrieved child within five (5) years of the time the child discovers or reasonably should have discovered the act, abuse or exploitation and its causal relationship to an injury or condition suffered by the child, whichever occurs later.

The Legislation before you applies that same standard to child abuse cases involving a governmental entity or its employee under Title 6, Chapter 9. If a child has a claim against a governmental entity or its employee in the state of Idaho, the time for filing such claim is governed by the requirements of Idaho Code Section 6-906A. This legislation would update that statute to include the standard set forth in Idaho Code Section 6-1704.

FISCAL NOTE

This legislation should have minimal impact on the general fund. The only known costs associated with this legislation are related to the printing and dissemination of the change to Idaho Code. It is unknown how many of these types of cases are filed each year and fall within the approved statute of limitations; however, it is anticipated there are only a minimal number of such cases.

Contact:

Representative Bruce D. Skaug
(208) 332-1178
Senator James D. Ruchti
(208) 332-1411

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).