

SENATE BILL NO. 257

April 23, 2025, Introduced by Senators HERTEL and SINGH and referred to Committee on Civil Rights, Judiciary, and Public Safety.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5851b (MCL 600.5851b), as added by 2018 PA 183.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5851b. (1) Notwithstanding ~~sections 5805 and~~ **section**
2 5851, **and except as otherwise provided in this section**, an
3 individual who ~~, while a minor,~~ is the victim of criminal sexual
4 conduct may commence an action to recover damages sustained because
5 of the criminal sexual conduct at any time before whichever of the

1 following is later:

2 **(a) Ten years after the time the claim accrues.**

3 **(b)** ~~(a)~~The individual reaches the age of ~~28~~**42** years.

4 **(c)** ~~(b)~~Three ~~Three~~**Seven** years after the date the individual
5 discovers, or through the exercise of reasonable diligence should
6 have discovered, both the individual's injury and the causal
7 relationship between the injury and the criminal sexual conduct.

8 (2) For purposes of subsection (1), it is not necessary that a
9 criminal prosecution or other proceeding have been brought as a
10 result of the conduct or, if a criminal prosecution or other
11 proceeding was brought, that the prosecution or proceeding resulted
12 in a conviction or adjudication.

13 **(3) An action to recover damages sustained because of criminal**
14 **sexual conduct may be brought at any time without limitation if**
15 **there is a criminal prosecution brought as a result of the conduct**
16 **that results in a conviction for criminal sexual conduct.**

17 **(4)** ~~(3)~~Regardless of any period of limitation under
18 subsection (1) ~~or sections 5805 or~~ **section 5851, the claim of** an
19 individual who ~~, while a minor,~~ was the victim of criminal sexual
20 conduct ~~after December 31, 1996 but before 2 years before the~~
21 effective date of the amendatory act that added ~~this section~~
22 **subsection (6) is revived and the individual** may commence an action
23 to recover damages sustained because of the criminal sexual conduct
24 ~~within 90 days before 1 year~~ after the effective date of the
25 amendatory act that added ~~this section if the person alleged to~~
26 ~~have committed the criminal sexual conduct was convicted of~~
27 ~~criminal sexual conduct against any person under section 520b of~~
28 ~~the Michigan penal code, 1931 PA 328, MCL 750.520b,~~ and the
29 defendant admitted either of the following:**subsection (6).**

1 ~~(a) That the defendant was in a position of authority over the~~
 2 ~~victim as the victim's physician and used that authority to coerce~~
 3 ~~the victim to submit.~~

4 ~~(b) That the defendant engaged in purported medical treatment~~
 5 ~~or examination of the victim in a manner that is, or for purposes~~
 6 ~~that are, medically recognized as unethical or unacceptable.~~

7 **(5)** ~~(4)~~ This section does not limit an individual's right to
 8 bring an action under section 5851.

9 **(6) In an action to recover damages sustained because of**
 10 **criminal sexual conduct that was barred by a time limitation under**
 11 **this act before the effective date of the amendatory act that added**
 12 **this subsection, a single claimant may not recover from a single**
 13 **defendant more than \$1,500,000.00 for damages arising from each**
 14 **incident or occurrence.**

15 **(7)** ~~(5)~~ As used in this section:

16 (a) "Adjudication" means ~~that term as defined in section~~
 17 ~~5805.~~ **an adjudication of 1 or more offenses under chapter XIIIA of**
 18 **the probate code of 1939, 1939 PA 288, MCL 712A.1 to 712A.32.**

19 (b) "Criminal sexual conduct" means ~~that term as defined in~~
 20 ~~section 5805.~~ **conduct prohibited under section 520b, 520c, 520d,**
 21 **520e, or 520g of the Michigan penal code, 1931 PA 328, MCL**
 22 **750.520b, 750.520c, 750.520d, 750.520e, and 750.520g.**

23 Enacting section 1. This amendatory act does not take effect
 24 unless all of the following bills of the 103rd Legislature are
 25 enacted into law:

26 (a) Senate Bill No. 258

27
 28 (b) Senate Bill No. 259.