

# MAINE STATE LEGISLATURE

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SM  
ROFS

L.D. 744

Date: 6/6/2013

(Filing No. S- 732)

JUDICIARY

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STATE OF MAINE

SENATE

126TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to S.P. 282, L.D. 744, Bill, "An Act To Extend the Statute of Limitations on Certain Civil Professional Negligence Suits"

Amend the bill in section 1 in §853 in the paragraph in the 2nd and 3rd lines (page 1, lines 6 and 7 in L.D.) by striking out the following: "~~section sections~~ 2902 ~~and~~ 2902-B" and inserting the following: 'section 2902 and, until July 1, 2017, section 2902-B'

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 24 MRSA §2902-B is enacted to read:

**§2902-B. Statute of limitations for mental health professionals for claims based on sexual acts**

**1. Limitation.** Except as provided in Title 14, section 752-C, actions for professional negligence based on a sexual act engaged in by a professional listed in subsection 3 with a person during the period of time that person was a patient or client of the professional must be commenced within 6 years after the cause of action accrues. For purposes of this section, a cause of action accrues on the date of the act or omission giving rise to the injury.

**2. Definitions.** As used in this section, the following terms have the following meanings.

A. "Patient or client" means a person who receives counseling or treatment from a professional listed in subsection 3.

B. "Sexual act" means the following:

(1) A sexual act, as defined in Title 17-A, section 251, subsection 1, paragraph C; or

(2) Sexual contact, as defined in Title 17-A, section 251, subsection 1, paragraph D.





# 126th MAINE LEGISLATURE

LD 744

LR 1933(02)

**An Act To Extend the Statute of Limitations on Certain Civil Professional Negligence Suits**

**Fiscal Note for Bill as Amended by Committee Amendment *A* (232)**

**Committee: Judiciary**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund  
Minor revenue increase - General Fund

### Correctional and Judicial Impact Statements

Increases the number of civil suits.

The collection of additional filing fees may also increase General Fund revenue by minor amounts.