

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 8.01-249 of the Code of Virginia, relating to statutes of limitation;*
3 *childhood sexual abuse.*

4
5 Approved

[S 903]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 8.01-249 of the Code of Virginia is amended and reenacted as follows:**

8 § 8.01-249. When cause of action shall be deemed to accrue in certain personal actions.

9 The cause of action in the actions herein listed shall be deemed to accrue as follows:

10 1. In actions for fraud or mistake and in actions for rescission of contract for undue influence, when
11 such fraud, mistake, or undue influence is discovered or by the exercise of due diligence reasonably
12 should have been discovered;

13 2. In actions or other proceedings for money on deposit with a bank or any person or corporation
14 doing a banking business, when a request in writing be made therefor by check, order, or otherwise;

15 3. In actions for malicious prosecution or abuse of process, when the relevant criminal or civil action
16 is terminated;

17 4. In actions for injury to the person resulting from exposure to asbestos or products containing
18 asbestos, when a diagnosis of asbestosis, interstitial fibrosis, mesothelioma, or other disabling
19 asbestos-related injury or disease is first communicated to the person or his agent by a physician.
20 However, no such action may be brought more than two years after the death of such person;

21 5. In actions for contribution or for indemnification, when the contributee or the indemnitee has paid
22 or discharged the obligation. A third-party claim permitted by subsection A of § 8.01-281 and the Rules
23 of Court may be asserted before such cause of action is deemed to accrue hereunder;

24 6. In actions for injury to the person, whatever the theory of recovery, resulting from sexual abuse
25 occurring during the infancy or incompetency of the person, when the fact of the injury and its causal
26 connection to the sexual abuse is first communicated to the person by a licensed physician, psychologist,
27 or clinical psychologist. ~~However, no such action may be brought more than ten years after the later of~~
28 ~~(i) the last act by the same perpetrator which was part of a common scheme or plan of abuse or (ii)~~
29 ~~removal of the disability of infancy or incompetency.~~ As used in this subdivision, "sexual abuse" means
30 sexual abuse as defined in subdivision 6 of § 18.2-67.10 and acts constituting rape, sodomy, ~~inanimate~~
31 object sexual penetration or sexual battery as defined in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of
32 Title 18.2;

33 7. In products liability actions against parties other than health care providers as defined in
34 § 8.01-581.1 for injury to the person resulting from or arising as a result of the implantation of any
35 prosthetic device for breast augmentation or reconstruction, when the fact of the injury and its causal
36 connection to the implantation is first communicated to the person by a physician;

37 8. In actions on an open account, from the later of the last payment or last charge for goods or
38 services rendered on the account.

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