
THIRD READING

Bill No: AB 250
Author: Aguiar-Curry (D)
Amended: 8/29/25 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 10-0, 7/1/25

AYES: Umberg, Allen, Arreguín, Ashby, Durazo, Laird, Stern, Wahab, Weber
Pierson, Wiener

NO VOTE RECORDED: Niello, Caballero, Valladares

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25

AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 56-2, 5/29/25 - See last page for vote

SUBJECT: Sexual assault: statute of limitations

SOURCE: California Employment Lawyers Association
Equal Rights Advocates

DIGEST: This bill revives otherwise time-barred claims for damages arising from sexual assault of a plaintiff on or after their 18th birthday, and related claims arising out of the sexual assault, against the perpetrator and any non-public entities responsible, as specified.

ANALYSIS:

Existing law:

- 1) Requires all civil actions be commenced within applicable statutes of limitations. (Code of Civil Procedure (Code Civ. Proc.) § 312.)
- 2) Provides that in any civil action commenced on or after January 1, 2019, for recovery of damages suffered as a result of sexual assault, as defined, where the

assault occurred on or after the plaintiff's 18th birthday, the time for commencement of the action shall be the later of the following:

- a) Within 10 years from the date of the last act, attempted act, or assault with the intent to commit an act, of sexual assault against the plaintiff; or
 - b) Within three years from the date the plaintiff discovers or reasonably should have discovered that an injury or illness resulted from an act, attempted act, or assault with the intent to commit an act, of sexual assault against the plaintiff. (Code Civ. Proc. § 340.16.)
- 3) Defines “sexual assault,” for the purposes of the above provision, to mean any of the crimes described in Section 243.4, 261, former 262, 264.1, 286, 287, former 288a, or 289 of the Penal Code, assault with the intent to commit any of those crimes, or an attempt to commit any of those crimes. (Code Civ. Proc. § 340.16(b)(1).)
- 4) Clarifies that it is not necessary that a criminal prosecution or other proceeding have been brought as a result of the sexual assault or, if a criminal prosecution or other proceeding was brought, that the prosecution or proceeding resulted in a conviction or adjudication. It further makes clear that Section 340.16(b) does not limit the availability of causes of action permitted under Section 340.16(a), including causes of action against persons or entities other than the alleged person who committed the crime. (Code Civ. Proc. § 340.16(b)(2).)
- 5) Provides revival periods for various claims arising from sexual assault or other sexual misconduct, including where entities engaged in a “cover up,” and where the assaults were perpetrated by physicians in two unique circumstances. (Code Civ. Proc. § 340.16(c)-(e).)

This bill:

- 1) Provides that any claim, as specified, seeking to recover damages suffered as a result of a sexual assault on or after the plaintiff's 18th birthday, and any related claims arising out of the sexual assault, that would otherwise be barred before January 1, 2026, solely because the applicable statute of limitations has or had expired, is revived for a two-year period.
- 2) Provides that it revives such claims against an entity if the plaintiff alleges that they were sexually assaulted and alleges both of the following:

- a) One or more entities or persons, including the perpetrator of the sexual assault, are legally responsible for damages arising out of sexual assault by an alleged perpetrator against the plaintiff.
 - b) An entity or entities, including their officers, directors, representatives, employees, or agents, engaged in a cover up or attempted a cover up of a previous instance or allegations of sexual assault by an alleged perpetrator of such abuse.
- 3) Defines “cover up” as a concerted effort to hide evidence relating to a sexual assault that incentivizes individuals to remain silent or prevents information relating to a sexual assault from becoming public or being disclosed to the plaintiff, including, but not limited to, the use of nondisclosure agreements or confidentiality agreements.
- 4) Revives claims against the perpetrator where the plaintiff alleges they were sexually assaulted and that one or more entities or persons, including the perpetrator of the sexual assault, are legally responsible for damages arising out of the sexual assault.
- 5) Clarifies that it does not alter the otherwise applicable burden of proof, as defined in Section 115 of the Evidence Code, that a plaintiff has in a civil action subject to this statute. It further clarifies that the above revival does not preclude a plaintiff from bringing an action for sexual assault pursuant to the statute.
- 6) Provides that these revival provisions do not apply to claims that have been litigated to finality in a court of competent jurisdiction or compromised by a written settlement agreement between the parties entered into before January 1, 2026; or claims brought against a public entity, as provided.

Background

The statute of limitations for damages arising from a sexual assault that occurred when the victim was an adult is the later of either 10 years from the date of the last actionable conduct or three years from the discovery of the injury resulting, as specified. When that limitations timeline was extended in 2009 from two years to 10 years it only provided that benefit to victims whose claims had not yet expired when the bill was signed.

This bill revives claims against perpetrators and responsible entities seeking to recover damages suffered as a result of a sexual assault of an adult plaintiff that

would otherwise be time-barred if the plaintiff alleges certain facts. These revivals do not apply to claims litigated to finality or compromised by a written settlement or claims against a public entity, as provided. However, the bill revives any related claims arising out of the sexual assault, including wrongful termination and sexual harassment.

This bill is sponsored by the California Employment Lawyers Association and Equal Rights Advocates. It is supported by a variety of organizations, including the Alliance for Children's Rights and Legal Aid at Work. It is opposed by the Civil Justice Association of California. For a more thorough discussion, please see the Senate Judiciary Committee analysis of this bill.

Comments

According to the author:

AB 250 acknowledges that sexual assault survivors may take years to come forward and gives survivors a limited window to seek justice. The bill holds perpetrators and any entities that covered up or tried to cover up the abuse accountable for the harm inflicted on survivors.

AB 250 also revives related claims, such as wrongful termination and sexual harassment, stemming from the sexual assault. The impact of sexual assault and harassment in the workplace can force survivors out of their jobs and result in career interruption and derailment, and financial stress, as survivors seek safer environments to escape a sexualized and toxic workplace culture. AB 250 will protect survivors and send a strong message that abuse and covering up abuse is unacceptable and will not be tolerated.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

According to the Senate Appropriations Committee:

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate civil actions. Reviving otherwise expired claims will lead to additional case filings that otherwise would not have been commenced, with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. If court days exceed 10, costs to the trial courts could reach

hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

SUPPORT: (Verified 8/29/25)

California Employment Lawyers Association (Co-source)

Equal Rights Advocates (Co-source)

Alliance for Children's Rights

AAUW California

California Latinas for Reproductive Justice

California Women's Law Center

Consumer Attorneys of California

CRLA Foundation

Fund Her

Legal Aid at Work

National Women's Political Caucus of California

Valor US

OPPOSITION: (Verified 8/29/25)

Civil Justice Association of California

ARGUMENTS IN SUPPORT: The California Employment Lawyers Association and Equal Rights Advocates, the sponsors of this bill, state:

Sexual violence is, unfortunately, common and survivors of sexual assault often need time to process and confront their trauma. As a result, it may take years before they are able to come forward with civil allegations against their attackers and other legally responsible entities.

In addition, many survivors feel pressured into silence when there is an attempt to cover up the assault. AB 250 takes this reality into account by ensuring that any perpetrator and/or entity that engages in a cover up or attempts to cover up a sexual assault is held accountable. "Cover up" means a concerted effort to hide evidence relating to a sexual assault that incentivizes individuals to remain silent or prevents information relating to a sexual assault from becoming public or being

disclosed to the plaintiff, including, but not limited to, the use of nondisclosure agreements or confidentiality agreements.

For example, one of our attorneys is representing a woman who was repeatedly sexually assaulted while she was a writer/producer under contract for Revolt Media & TV LLC. Her abuser and Sean “Diddy” Combs, who was the Chairman of Revolt at that time, covered up and perpetuated a sexually abusive work environment that protected this type of predatory behavior at the helm, including through the use of oppressive nondisclosure agreements. The abuse took place in 2016, but she did not come forward until years later when many other women courageously spoke out about sexual abuse involving Mr. Combs. Now, without an amendment to extend the statute of limitations of a “cover-up” claim, she will have very little legal recourse for the abuse she suffered.

ARGUMENTS IN OPPOSITION: The Civil Justice Association of California writes in opposition:

[T]he current statutes of limitations for sexual assault survivors are among the lengthiest and most flexible in the country – currently 10 years from the occurrence, or three years from the date the plaintiff discovered that he or she was injured. The three-year discovery period permits survivors who have repressed memories to file claims three years from when those memories are revived (potentially decades later) by therapy or other triggering event. (Cal. Code Civ. Pro. §340.16.)

There will always be sympathetic plaintiffs, popular causes, and unpopular industries, but we should not disregard a key element of the civil justice system that protects the accuracy and reliability of decisions about liability and safeguards due process.

ASSEMBLY FLOOR: 56-2, 5/29/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Connolly, Dixon, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers,

Blanca Rubio, Schiavo, Schultz, Stefani, Valencia, Wallis, Wicks, Wilson, Zbur,
Rivas

NOES: DeMaio, Ellis

NO VOTE RECORDED: Alvarez, Bryan, Castillo, Chen, Davies, Flora,
Gallagher, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Nguyen,
Patterson, Sanchez, Sharp-Collins, Solache, Soria, Ta, Tangipa, Ward

Prepared by: Christian Kurpiewski / JUD. / (916) 651-4113

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