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New California Law Reopens Statute of Limitations for Sexual Assault Lawsuits with Exemptions for Public Entities

By Matthew Ball, Erin Donovan and Dan Woods

On October 13, 2025, Governor Gavin Newsom signed into law Assembly Bill 250 which amends Section 340.16 of the Code of Civil Procedure, establishing a new two-year window from January 1, 2026 to December 31, 2027 for adult survivors of sexual assault to file civil lawsuits that were otherwise time-barred against entities, who "covered up" allegations of sexual assault. The term "cover up" is defined 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."

The revised Subsection (e)(3) also allows for revival of claims against the perpetrators themselves. However, it does contain a carveout for those claims against public entities for revival purposes, including the State of California, the Regents of the University of California, a county, a city, district, public authority, public agency, and any other political subdivision or public corporation of the state.

This follows the 2019 California Legislature's previous opening of a three-year window from January 1, 2020 to revive specifically childhood sexual assault claims under Code of Civil Procedure § 340.1. That window had been effectively closed on December 31, 2023.

Assemblymember Cecilia Aguiar-Curry of Winters in Yolo County asserts that this reopening "gives those who've been silenced by intimidation, shame or institutional cover-ups, another shot at justice." Ms. Aguiar-Curry further indicated she would have included public entities but for the political issues surrounding the wave of distress hitting local governments.

Critics of the bill, including the Civil Justice Association of California, point out the massive negative impact that these reviver bills have had on private businesses having to defend against allegations that are often more than decades old.

Current Statutory Scheme

California law already has one of the most flexible statute of limitations for sexual assault claims in the country. The current language of Code of Civil Procedure section 340.16(a) allows a plaintiff to bring claims: (1) 10 years from the occurrence; or (2) three years from the date the plaintiff "discovered" he or she was injured. Thus, survivors with "repressed memories" can file claims three years from when those memories are revived (potentially decades later) by therapy or other triggering event.

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Similarly, previous versions of Code of Civil Procedure section 340.1, permitted a plaintiff to bring an action arising from childhood sexual assault prior to the plaintiff attaining age 40 "or within five years from the date the plaintiff discovers or reasonably should have discovered that psychological injury...occurred after the age of majority was caused by the sexual assault." These permissive exceptions to the statute of limitations already allow plaintiffs, whose claims are otherwise decades old, to bring their claims, alleging that they only discovered their injuries as a result of childhood sexual abuse at a later date. This law still applies to claims occurring prior to December 31, 2023.

The current version of Code of Civil Procedure section 340.1 has removed the statute of limitations on all childhood sexual assault claims after January 1, 2024 altogether.

Related Events

Notably, the new law comes on the heels of ongoing allegations in Los Angeles County that one or more plaintiffs' law firms solicited "fraudulent" plaintiffs seeking to participate in the most recent $4-billion settlement for sexual abuse cases between Los Angeles County and roughly 11,000 plaintiffs. In an article released on October 2, 2025, an investigation by the Los Angeles Times found that several plaintiffs involved in the Los Angeles County settlement received cash to file fraudulent claims against Los Angeles County by "nebulous" vendors allegedly connected to prominent plaintiffs' firms, including Downtown L.A. Law Group or "DTLA." DTLA has denied any wrongdoing.

Despite these issues, the California Legislature has continued to indicate a willingness to revive the statute of limitations on expired sexual abuse claims. Potential defendant entities should expect these claims to be brought either through the future revival statutes or the permissive statute of limitations under the current statutory scheme.

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