
Child Victims Act Assistance S.4866 (Cooney)/A.1279 (Lunsford)

Approximately one-third of schools have a claim against them brought against them as a result of the reopening of the statute of limitations from the Child Victims Act.

The financial impact of these claims is staggering, with some settlements costing schools and their taxpayers tens of millions of dollars. We do not take issue with the state's recognition that those individuals who were abused in the past deserve compensation. But the impact on current students and property taxpayers who may not have been alive at the time of the alleged abuse is inequitable.

Some of these cases arise from allegations dating back 50 or more years. They are nearly impossible to defend against and, to avoid even higher verdicts, schools are settling these claims. Insurance carriers in many cases cannot be identified or are disclaiming responsibility.

This bill would establish a fund of at least \$200 million to help schools and foster care agencies cover the cost of these settlements and verdicts in certain circumstances.

In the future, schools will have no legitimate claim to seek financial assistance from the state for child abuse claims. Schools are on clear notice regarding the law and the ability of claims to be brought decades into the future since the statute of limitations has been significantly modified. However, these claims for which schools now seek financial assistance are decades old and are causing significant financial distress in many districts.

The Council urges the legislature include this proposal in the enacted budget.