

**Legislation Extending or Removing the
Statutes of Limitation for Offenses Against Children**
(Current through June 2007)

* This compilation includes statutes that toll, extend or eliminate time limitations for charging criminal offenses relating specifically to child victims. General statutes of limitations that apply to all crimes without specific reference to the age of the victim or children as a class of victims are omitted. When a statute extends or tolls a general statute of limitation, reference must be made to this general provision to determine the applicable time limitations.

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Summary of Legislation Extending or Removing the
Statutes of Limitation for Offenses Against Children
Updated June 2007

ALABAMA

Code of Ala. § 15-3-5 (2007)

- (a) There is no limitation of time within which a prosecution must be commenced for:
- (4) Any sex offense involving a victim under 16 years of age, regardless of whether it involves force or serious physical injury or death;

ALASKA

Alaska Stat. § 12.10.010 (2007)

Sec. 12.10.010. General time limitations

- (a) Prosecution for the following offenses may be commenced at any time:
- (2) felony sexual abuse of a minor;
- (4) a violation of AS 11.41.425, 11.41.427, 11.41.450 -- 11.41.458, AS 11.66.110 -- 11.66.130, or former AS 11.41.430, when committed against a person who, at the time of the offense, was under 18 years of age.

ARIZONA

A.R.S. § 12-502 (2007)

§ 12-502. Effect of minority or insanity

If a person entitled to bring an action other than those set forth in article 2 of this

chapter is at the time the cause of action accrues either under eighteen years of age or of unsound mind, the period of such disability shall not be deemed a portion of the period limited for commencement of the action. Such person shall have the same time after removal of the disability which is allowed to others.

ARKANSAS

Ark. Stat. Ann. § 5-1-109 (2007)

5-1-109. Statute of limitations.

(h) If the period prescribed in subsection (b) of this section has expired, a prosecution may nevertheless be commenced for a violation of the following offenses if, when the alleged violation occurred, the offense was committed against a minor, the violation has not previously been reported to a law enforcement agency or prosecuting attorney, and the period prescribed in subsection (b) of this section has not expired since the victim has reached eighteen (18) years of age:

- (1) Battery in the first degree, § 5-13-201;
- (2) Battery in the second degree, § 5-13-202;
- (3) Aggravated assault, § 5-13-204;
- (4) Terroristic threatening in the first degree, § 5-13-301;
- (5) Kidnapping, § 5-11-102;
- (6) False imprisonment in the first degree, § 5-11-103;
- (7) Permanent detention or restraint, § 5-11-106;
- (8) Rape, § 5-14-103;
- (9) Sexual assault in the first degree, § 5-14-124;
- (10) Sexual assault in the second degree, § 5-14-125;
- (11) Sexual assault in the third degree, § 5-14-126;
- (12) Sexual assault in the fourth degree, § 5-14-127;
- (13) Incest, § 5-26-202;
- (14) Endangering the welfare of a minor in the first degree, § 5-27-205;
- (15) Permitting abuse of a minor, § 5-27-221(a)(1) and (3);
- (16) Engaging children in sexually explicit conduct for use in visual or print medium, § 5-27-303;
- (17) Transportation of minors for prohibited sexual conduct, § 5-27-305;
- (18) Employing or consenting to the use of a child in a sexual performance, § 5-27-402;
- (19) Producing, directing, or promoting a sexual performance by a child, § 5-27-403;
- (20) Computer child pornography, § 5-27-603;
- (21) Computer exploitation of a child in the first degree, § 5-27-605; and

CALIFORNIA

Cal Pen Code § 803 (2007)

§ 803. Tolling or extension of time period generally; Tolling until discovery of certain

offenses; Tolling where defendant is out of state; Time limits for certain crimes against children and certain other crimes

(f) (1) Notwithstanding any other limitation of time described in this chapter, a criminal complaint may be filed within one year of the date of a report to a California law enforcement agency by a person of any age alleging that he or she, while under the age of 18 years, was the victim of a crime described in Section 261, 286, 288, 288a, 288.5, or 289, or Section 289.5, as enacted by Chapter 293 of the Statutes of 1991 relating to penetration by an unknown object.

(2) This subdivision applies only if all of the following occur:

(A) The limitation period specified in Section 800, 801, or 801.1, whichever is later, has expired.

(B) The crime involved substantial sexual conduct, as described in subdivision (b) of Section 1203.066, excluding masturbation that is not mutual.

(C) There is independent evidence that corroborates the victim's allegation. If the victim was 21 years of age or older at the time of the report, the independent evidence shall clearly and convincingly corroborate the victim's allegation.

(3) No evidence may be used to corroborate the victim's allegation that otherwise would be inadmissible during trial. Independent evidence does not include the opinions of mental health professionals.

(4) (A) In a criminal investigation involving any of the crimes listed in paragraph (1) committed against a child, when the applicable limitations period has not expired, that period shall be tolled from the time a party initiates litigation challenging a grand jury subpoena until the end of the litigation, including any associated writ or appellate proceeding, or until the final disclosure of evidence to the investigating or prosecuting agency, if that disclosure is ordered pursuant to the subpoena after the litigation.

(B) Nothing in this subdivision affects the definition or applicability of any evidentiary privilege.

(C) This subdivision shall not apply where a court finds that the grand jury subpoena was issued or caused to be issued in bad faith.

COLORADO

C.R.S. 16-5-401 (2006)

16-5-401. Limitation for commencing criminal proceedings and juvenile delinquency proceedings

(1) (a) Except as otherwise provided by statute applicable to specific offenses, delinquent

acts, or circumstances, no adult person or juvenile shall be prosecuted, tried, or punished for any offense or delinquent act unless the indictment, information, complaint, or petition in delinquency is filed in a court of competent jurisdiction or a summons and complaint or penalty assessment notice is served upon the defendant or juvenile within the period of time after the commission of the offense or delinquent act as specified below:

Murder, kidnapping, treason, any sex offense against a child, and any forgery regardless of the penalty provided:No limit
Attempt, conspiracy, or solicitation to commit murder;
attempt, conspiracy, or solicitation to commit kidnapping;
attempt, conspiracy, or solicitation to commit treason;
attempt, conspiracy, or solicitation to commit any sex offense against a child; and attempt, conspiracy, or solicitation to commit any forgery regardless of the penalty provided:No limit

CONNECTICUT

Conn. Gen. Stat. § 54-193a (2007)

§ 54-193a. Limitation of prosecution for offenses involving sexual abuse of minor.

Notwithstanding the provisions of [section 54-193](#), no person may be prosecuted for any offense, except a class A felony, involving sexual abuse, sexual exploitation or sexual assault of a minor except within thirty years from the date the victim attains the age of majority or within five years from the date the victim notifies any police officer or state's attorney acting in such police officer's or state's attorney's official capacity of the commission of the offense, whichever is earlier, provided if the prosecution is for a violation of subdivision (1) of subsection (a) of [section 53a-71](#), the victim notified such police officer or state's attorney not later than five years after the commission of the offense.

DELAWARE

11 Del. C. § 205 (2007)

§ 205. Time limitations

(b) Except as otherwise provided in this section, prosecutions for other offenses are subject to the following periods of limitation:

(1) A prosecution for any felony except murder or any class A felony, or any attempt to commit said crimes, must be commenced within 5 years after it is committed;

(2) A prosecution for a class A misdemeanor must be commenced within 3 years after it is committed;

(3) A prosecution for a class B misdemeanor, a class C misdemeanor, an unclassified misdemeanor or a violation must be commenced within 2 years after it is committed.

(e) Notwithstanding the period prescribed by subsection (b) of this section, a prosecution for any crime that is delineated in Subpart D of Subchapter II of Chapter 5 of this title, or is otherwise defined as a "sexual offense" by § 761 of this title except §§ 763, 764 or 765 of this title, or any attempt to commit said crimes, may be commenced at any time. No prosecution under this subsection shall be based upon the memory of the victim that has been recovered through psychotherapy unless there is some evidence of the corpus delicti independent of such repressed memory. This subsection applies to all causes of action arising before, on or after July 15, 1992, and to the extent consistent with this subsection, it shall revive causes of action that would otherwise be barred by this section.

DISTRICT OF COLUMBIA

D.C. Code § 23-113 (2007)

§ 23-113. Limitations on actions for criminal violations

(a) Time limitations.

(2) A prosecution for the following crimes and any offense that is properly joinable with any of the following crimes is barred if not commenced within fifteen (15) years after it is committed:

(A) first degree sexual abuse ([§ 22-3002](#));

(3) A prosecution for the following crimes and any offense that is properly joinable with any of the following crimes is barred if not commenced within ten (10) years after it is committed:

(A) third degree sexual abuse ([§ 22-3004](#))

(B) fourth degree sexual abuse ([§ 22-3005](#));

(C) enticing a child for the purpose of committing felony sexual abuse ([§ 22-3010](#));

(D) first degree sexual abuse of a ward ([§ 22-3013](#));

(E) second degree sexual abuse of a ward ([§ 22-3014](#));

(F) first degree sexual abuse of a patient or client ([§ 22-3015](#));

(G) second degree sexual abuse of a patient or client ([§ 22-3016](#));

(H) using a minor in a sexual performance or promoting a sexual performance by a minor ([§ 22-3102](#)); and

(I) incest ([§ 22-1901](#)).

(4) Except as provided in paragraph (6), a prosecution for a felony other than those crimes enumerated in paragraphs (1) through (3) is barred if not commenced within six (6) years after it is committed.

(5) Except as provided in paragraph (6), a prosecution for any other criminal offense is barred if not commenced within three (3) years after it is committed.

(B) second degree sexual abuse ([§ 22-3003](#));

(C) first degree child sexual abuse ([§ 22-3008](#)); and

(D) second degree child sexual abuse ([§ 22-3009](#)).

FLORIDA

Fla. Stat. § 775.15 (2007)

§ 775.15. Time limitations; general time limitations; exceptions

(16) (a) In addition to the time periods prescribed in this section, a prosecution for any of the following offenses may be commenced at any time after the date on which the identity of the accused is established, or should have been established by the exercise of due diligence, through the analysis of deoxyribonucleic acid (DNA) evidence, if a sufficient portion of the evidence collected at the time of the original investigation and tested for DNA is preserved and available for testing by the accused:

8. Aggravated child abuse under [s. 827.03](#).

GEORGIA

O.C.G.A. § 17-3-1 (2007)

§ 17-3-1. Limitation on prosecutions -- Generally

(c) Prosecution for felonies other than those specified in subsections (a), (b), and (c.1) of this Code section must be commenced within four years after the commission of the crime, provided that prosecution for felonies committed against victims who are at the time of the commission of the offense under the age of 18 years must be commenced within seven years after the commission of the crime.

(c.1) A prosecution for the following offenses may be commenced at any time when deoxyribonucleic acid (DNA) evidence is used to establish the identity of the accused:

(4) Aggravated child molestation, as defined in [Code Section 16-6-4](#);

O.C.G.A. § 17-3-2.1 (2007)

§ 17-3-2.1. Limitation on prosecution of certain offenses involving a victim under 16 years of age

(a) If the victim of a violation of:

- (1) [Code Section 16-5-70](#), relating to cruelty to children;
- (2) [Code Section 16-6-1](#), relating to rape;
- (3) [Code Section 16-6-2](#), relating to sodomy and aggravated sodomy;
- (4) [Code Section 16-6-3](#), relating to statutory rape;
- (5) [Code Section 16-6-4](#), relating to child molestation and aggravated child molestation;
- (6) [Code Section 16-6-5](#), relating to enticing a child for indecent purposes; or
- (7) [Code Section 16-6-22](#), relating to incest,

is under 16 years of age on the date of the violation, the applicable period within which a prosecution must be commenced under [Code Section 17-3-1](#) or other applicable statute shall not begin to run until the victim has reached the age of 16 or the violation is reported to a law enforcement agency, prosecuting attorney, or other governmental

agency, whichever occurs earlier. Such law enforcement agency or other governmental agency shall promptly report such allegation to the appropriate prosecuting attorney.

(b) This Code section shall apply to any offense designated in paragraphs (1) through (7) of subsection (a) of this Code section occurring on or after July 1, 1992.

GUAM

8 GCA § 10.15 (2006)

§ 10.15. Limitation on Sex Crimes.

A prosecution for felony criminal sexual conduct involving a person under the age of consent may be commenced up to three (3) years after the minor reaches the age of consent.

HAWAII

HRS § 701-108 (2007)

§ 701-108. Time limitations.

(6) The period of limitation does not run:

(c) For any felony offense under chapter 707, part V or VI, during any time when the victim is alive and under eighteen years of age.

IDAHO

Idaho Code § 19-402 (2007)

§ 19-402. Commencement of prosecutions for felonies

A prosecution for any felony other than those specified in [section 19-401, Idaho Code](#), must be commenced by the filing of the complaint or the finding of an indictment within five (5) years after its commission provided however, a prosecution under [section 18-1506A, Idaho Code](#), must be commenced within three (3) years after the date of initial disclosure by the victim.

ILLINOIS

720 ILCS 5/3-6 (2007)

Sec. 3-6. Extended limitations. The period within which a prosecution must be commenced under the provisions of Section 3-5 [[720 ILCS 5/3-5](#)] or other applicable statute is extended under the following conditions:

(c) Except as otherwise provided in subsection (a) of Section 3-5 of this Code [[720 ILCS 5/3-5](#)] and subdivision (i) or (j) of this Section, a prosecution for any offense involving sexual conduct or sexual penetration, as defined in Section 12-12 of this Code [[720 ILCS 5/12-12](#)], where the victim and defendant are family members, as defined in Section 12-12 of this Code [[720 ILCS 5/12-12](#)], may be commenced within one year of the victim attaining the age of 18 years.

(d) A prosecution for child pornography, indecent solicitation of a child, soliciting for a juvenile prostitute, juvenile pimping or exploitation of a child may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense. When the victim is under 18 years of age, a prosecution for criminal sexual abuse may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.

(j) When the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or aggravated criminal sexual abuse or a prosecution for failure of a person who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act [[325 ILCS 5/1](#) et seq.] may be commenced within 20 years after the child victim attains 18 years of age.

Nothing in this subdivision (j) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

INDIANA

Ind. Code Ann. § 35-41-4-2 (2007)

35-41-4-2. Periods of limitation.

(a) Except as otherwise provided in this section, a prosecution for an offense is barred unless it is commenced:

(e) A prosecution for the following offenses is barred unless commenced before the date that the alleged victim of the offense reaches thirty-one (31) years of age:

- (1) [IC 35-42-4-3\(a\)](#) (Child molesting).
- (2) [IC 35-42-4-5](#) (Vicarious sexual gratification).

- (3) [IC 35-42-4-6](#) (Child solicitation).
- (4) [IC 35-42-4-7](#) (Child seduction).
- (5) [IC 35-46-1-3](#) (Incest).

IOWA

Iowa Code § 802.2 (2006)

802.2 Sexual abuse -- first, second, or third degree.

1. An information or indictment for sexual abuse in the first, second, or third degree committed on or with a person who is under the age of eighteen years shall be found within ten years after the person upon whom the offense is committed attains eighteen years of age, or if the identity of the person against whom the information or indictment is sought is established through the use of a DNA profile, an information or indictment shall be found within three years from the date the identity of the person is identified by the person's DNA profile, whichever is later.

2. An information or indictment for any other sexual abuse in the first, second, or third degree shall be found within ten years after its commission, or if the identity of the person against whom the information or indictment is sought is established through the use of a DNA profile, an information or indictment shall be found within three years from the date the identity of the person is identified by the person's DNA profile, whichever is later.

3. As used in this section, "identified" means a person's legal name is known and the person has been determined to be the source of the DNA.

KANSAS

K.S.A. § 21-3106 (2006)

21-3106. Time limitations for commencement of prosecutions.

(3) (a) Except as provided in subsection (5), a prosecution for a sexually violent offense as defined in [K.S.A. 22-3717](#), and amendments thereto, must be commenced within the limitation of time provided by the law pertaining to such offense or one year from the date on which the identity of the suspect is conclusively established by DNA testing, whichever is later.

(f) whether or not the fact of the crime is concealed by the active act or conduct of the accused, there is substantially competent evidence to believe two or more of the following factors are present: (i) The victim was a child under 15 years of age at the

time of the crime; (ii) the victim was of such age or intelligence that the victim was unable to determine that the acts constituted a crime; (iii) the victim was prevented by a parent or other legal authority from making known to law enforcement authorities the fact of the crime whether or not the parent or other legal authority is the accused; and (iv) there is substantially competent expert testimony indicating the victim psychologically repressed such witness' memory of the fact of the crime, and in the expert's professional opinion the recall of such memory is accurate and free of undue manipulation, and substantial corroborating evidence can be produced in support of the allegations contained in the complaint or information but in no event may a prosecution be commenced as provided in this section later than the date the victim turns 28 years of age. Corroborating evidence may include, but is not limited to, evidence the defendant committed similar acts against other persons or evidence of contemporaneous physical manifestations of the crime. "Parent or other legal authority" shall include but not be limited to natural and stepparents, grandparents, aunts, uncles or siblings.

KENTUCKY

KRS § 413.249 (2006)

413.249. Action relating to childhood sexual abuse or childhood sexual assault.

(1) As used in this section:

(a) "Childhood sexual assault" means an act or series of acts against a person less than eighteen (18) years old and which meets the criteria defining a felony in [KRS 510.040](#), [510.050](#), [510.060](#), [510.070](#), [510.080](#), [510.090](#), [510.110](#), [529.030](#), [530.020](#), [530.064](#), [531.310](#), or [531.320](#). No prior criminal prosecution or conviction of the civil defendant for the act or series of acts shall be required to bring a civil action for redress of childhood sexual assault;

(b) "Childhood sexual abuse" means an act or series of acts against a person less than eighteen (18) years old and which meets the criteria defining a misdemeanor in [KRS 510.120](#), [KRS 510.130](#), [KRS 510.140](#), or [KRS 510.150](#). No prior criminal prosecution or conviction of the civil defendant for the act or series of acts shall be required to bring a civil action for redress of childhood sexual abuse;

(c) "Child" means a person less than eighteen (18) years old; and

(d) "Injury or illness" means either a physical or psychological injury or illness.

(2) A civil action for recovery of damages for injury or illness suffered as a result of childhood sexual abuse or childhood sexual assault shall be brought before whichever of the following periods last expires:

(a) Within five (5) years of the commission of the act or the last of a series of acts by the same perpetrator;

(b) Within five (5) years of the date the victim knew, or should have known, of the act;
or

(c) Within five (5) years after the victim attains the age of eighteen (18) years.

(3) If a complaint is filed alleging that an act of childhood sexual assault or childhood sexual abuse occurred more than five (5) years prior to the date that the action is commenced, the complaint shall be accompanied by a motion to seal the record and the complaint shall immediately be sealed by the clerk of the court. The complaint shall remain sealed until:

(a) The court rules upon the motion to seal;

(b) Any motion to dismiss under CR 12.02 is ruled upon, and if the complaint is dismissed, the complaint and any related papers or pleadings shall remain sealed unless opened by a higher court; or

(c) The defendant files an answer and a motion to seal the record upon grounds that a valid factual defense exists, to be raised in a motion for summary judgment pursuant to CR 56. The record shall remain sealed by the clerk until the court rules upon the defendant's motion to close the record. If the court grants the motion to close, the record shall remain sealed until the defendant's motion for summary judgment is granted. The complaint, motions, and other related papers or pleadings shall remain sealed unless opened by a higher court.

LOUISIANA

La. C.Cr.P. Art. 571.1 (2007)

Art. 571.1. Time limitation for certain sex offenses

Except as provided by Article 572 of this Chapter, the time within which to institute prosecution of the following sex offenses: sexual battery ([R.S. 14:43.1](#)), second degree sexual battery ([R.S. 14:43.2](#)), oral sexual battery ([R.S. 14:43.3](#)), felony carnal knowledge of a juvenile ([R.S. 14:80](#)), indecent behavior with juveniles ([R.S. 14:81](#)), molestation of a juvenile ([R.S. 14:81.2](#)), crime against nature ([R.S. 14:89](#)), aggravated crime against nature ([R.S. 14:89.1](#)), incest ([R.S. 14:78](#)), or aggravated incest ([R.S. 14:78.1](#)) which involves a victim under seventeen years of age, regardless of whether the crime involves force, serious

physical injury, death, or is punishable by imprisonment at hard labor shall be thirty years. This thirty-year period begins to run when the victim attains the age of eighteen.

[1R.S. 14:43.4](#) repealed by Acts 2001, No. 301, § 2; see now [R.S. 14:14:42](#).

[2R.S. 14:80](#) changed to felony carnal knowledge of a juvenile by Acts 2001, No. 796, § 1.

MAINE

17-A M.R.S. § 8 (2006)

§ 8. Statute of limitations

1. It is a defense that prosecution was commenced after the expiration of the applicable period of limitations provided in this section; provided that a prosecution for murder or criminal homicide in the first or 2nd degree, or, if the victim had not attained the age of 16 years at the time of the crime, a prosecution for: incest; unlawful sexual contact; sexual abuse of a minor; rape or gross sexual assault, formerly denominated as gross sexual misconduct, may be commenced at any time.

2. Prosecutions for crimes other than murder or criminal homicide in the first or 2nd degree, or, if the victim had not attained the age of 16 years at the time of the crime, prosecutions for: incest; unlawful sexual contact; sexual abuse of a minor; rape or gross sexual assault, formerly denominated as gross sexual misconduct, are subject to the following periods of limitations:

A. A prosecution for a Class A, Class B or Class C crime must be commenced within 6 years after it is committed; and

B. A prosecution for a Class D or Class E crime must be commenced within 3 years after it is committed.

3. The periods of limitations shall not run:

A. During any time when the accused is absent from the State, but in no event shall this provision extend the period of limitation otherwise applicable by more than 5 years;

B. During any time when a prosecution against the accused for the same crime based on the same conduct is pending in this State; or

C. During any time when a prosecution against the accused for the corresponding juvenile crime based on the same conduct is pending in the Juvenile Court. For purposes of this section, pending includes

any appeal period and, if an appeal is taken, any period pending its final disposition.

MARYLAND

Md. COURTS AND JUDICIAL PROCEEDINGS Code Ann. § 5-101 (2007)

§ 5-101. Three-year limitation in general

A civil action at law shall be filed within three years from the date it accrues unless another provision of the Code provides a different period of time within which an action shall be commenced.

Md. COURTS AND JUDICIAL PROCEEDINGS Code Ann. § 5-117 (2007)

§ 5-117. Actions arising from alleged sexual abuse

(a) "Sexual abuse" defined. -- In this section, "sexual abuse" has the meaning stated in [§ 5-701 of the Family Law Article](#).

(b) Limitations period. -- An action for damages arising out of an alleged incident or incidents of sexual abuse that occurred while the victim was a minor shall be filed within 7 years of the date that the victim attains the age of majority.

MASSACHUSETTS

ALM GL ch. 277, § 63 (2007)

§ 63. Limitation of Criminal Prosecutions.

Notwithstanding the first paragraph, if a victim of a crime set forth in [section 13B](#), [13F](#), [13H](#), [22](#), [22A](#), [23](#), [24B](#), or [26A of chapter 265](#), or section 1, 2, 3, 4, 4A, 4B, 5, 6, 7, 8, 12, [13](#), [17](#), [26](#), [28](#), [29A](#), [29B](#), [33](#), [34](#), [35](#) or [35A of chapter 272](#) is under the age of 16 at the time the crime is committed, the period of limitation for prosecution shall not commence until the victim has reached the age of 16 or the violation is reported to a law enforcement agency, whichever occurs earlier.

MICHIGAN

MCLS § 767.24 (2007)

§ 767.24. Indictments; finding and filing; limitations.

Sec. 24. (1) An indictment for murder, conspiracy to commit murder, solicitation to commit murder, criminal sexual conduct in the first degree, or a violation of the Michigan anti-terrorism act, chapter LXXXIII-A of the Michigan penal code, 1931 PA 328, [MCL 750.543a](#) to [750.543z](#), or a violation of chapter XXXIII of the Michigan penal code, 1931 PA 328, [MCL 750.200](#) to [750.212a](#), that is punishable by life imprisonment may be found and filed at any time.

(2) An indictment for a violation or attempted violation of section 145c, 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA 328, [MCL 750.145c](#), [750.520c](#), [750.520d](#), [750.520e](#), and [750.520g](#), may be found and filed as follows:

(a) Except as otherwise provided in subdivision (b), an indictment may be found and filed within 10 years after the offense is committed or by the alleged victim's twenty-first birthday, whichever is later.

(b) If evidence of the violation is obtained and that evidence contains DNA that is determined to be from an unidentified individual, an indictment against that individual for the violation may be found and filed at any time after the offense is committed. However, after the individual is identified, the indictment may be found and filed within 10 years after the individual is identified or by the alleged victim's twenty-first birthday, whichever is later.

MINNESOTA

Minn. Stat. § 628.26 (2006)

628.26 LIMITATIONS

(c) Indictments or complaints for violation of section 609.282 may be found or made at any time after the commission of the offense if the victim was under the age of 18 at the time of the offense.

Minn. Stat. § 541.073 (2006)

541.073 ACTIONS FOR DAMAGES DUE TO SEXUAL ABUSE; SPECIAL PROVISIONS

Subdivision 1. Definition.

As used in this section, "sexual abuse" means conduct described in sections 609.342 to 609.345.

Subd. 2. Limitations period.

(a) An action for damages based on personal injury caused by sexual abuse must be commenced within six years of the time the plaintiff knew or had reason to know that the injury was caused by the sexual abuse.

(b) The plaintiff need not establish which act in a continuous series of sexual abuse acts by the defendant caused the injury.

(c) The knowledge of a parent or guardian may not be imputed to a minor.

(d) This section does not affect the suspension of the statute of limitations during a period of disability under section 541.15.

MISSISSIPPI

Miss. Code Ann. § 99-1-5 (2007)

§ 99-1-5. Time limitation on prosecutions

A person shall not be prosecuted for any offense, with the exception of murder, manslaughter, aggravated assault, kidnapping, arson, burglary, forgery, counterfeiting, robbery, larceny, rape, embezzlement, obtaining money or property under false pretenses or by fraud, felonious abuse or battery of a child as described in Section 97-5-39, touching or handling a child for lustful purposes as described in Section 97-5-23, sexual battery of a child as described in Section 97-3-95(1) (c), (d) or (2) or exploitation of children as described in Section 97-5-33, unless the prosecution for such offense be commenced within two (2) years next after the commission thereof, but nothing contained in this section shall bar any prosecution against any person who shall abscond or flee from justice, or shall absent himself from this state or out of the jurisdiction of the court, or so conduct himself that he cannot be found by the officers of the law, or that process cannot be served upon him.

MISSOURI

§ 556.037 R.S.Mo. (2007)

§ 556.037. Time limitations for prosecutions for sexual offenses involving a person under eighteen

Notwithstanding the provisions of [section 556.036](#), prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within twenty years after the victim reaches the age of eighteen unless the prosecutions are for forcible rape, attempted forcible rape, forcible sodomy, kidnapping, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.

MONTANA

Mont. Code Anno., § 45-1-205 (2005)

45-1-205 General time limitations.

(1) (a) A prosecution for deliberate, mitigated, or negligent homicide may be commenced at any time.

(b) A prosecution for a felony offense under [45-5-502](#), [45-5-503](#), or [45-5-507\(4\)](#) may be commenced within 10 years after it is committed, except that it may be commenced within 10 years after the victim reaches 18 years of age if the victim was less than 18 years of age at the time that the offense occurred. A prosecution for a misdemeanor offense under those provisions may be commenced within 1 year after the offense is committed, except that it may be commenced within 5 years after the victim reaches 18 years of age if the victim was less than 18 years of age at the time that the offense occurred.

(c) A prosecution under [45-5-504](#), [45-5-505](#), [45-5-507\(1\)](#), (2), (3), or (5), [45-5-625](#), or [45-5-627](#) may be commenced within 5 years after the victim reaches 18 years of age if the victim was less than 18 years of age at the time that the offense occurred.

NEBRASKA

R.R.S. Neb. § 29-110 (2007)

§ 29-110. Prosecutions; complaint, indictment, or information; filing; time limitations; exceptions:

(3) Except as otherwise provided by law, no person shall be prosecuted for kidnapping under section 28-313, false imprisonment under section 28-314 or 28-315, child abuse under section 28-707, pandering under section 28-802, debauching a minor under section 28-805, or an offense under section 28-813, 28-813.01, or 28-1463.03 when the victim is under sixteen years of age at the time of the offense (a) unless the indictment for such offense is found by a grand jury within seven years next after the offense has been committed or within seven years next after the victim's sixteenth birthday, whichever is later, or (b) unless a complaint for such offense is filed before the magistrate within seven years next after the offense has been committed or within seven years next after the victim's sixteenth birthday, whichever is later, and a warrant for the arrest of the defendant has been issued.

(5) There shall not be any time limitations for prosecution or punishment for treason, murder, arson, forgery, sexual assault in the first or second degree under section 28-319 or 28-320, sexual assault of a child in the second or third degree under section 28-320.01, or sexual assault of a child in the first degree under section 28-319.01; nor shall there be any time limitations for prosecution or punishment for sexual assault in the third degree

under section 28-320 when the victim is under sixteen years of age at the time of the offense.

NEVADA

Nev. Rev. Stat. Ann. § 171.095 (2007)

171.095. Limitations for offenses committed in secret manner and offenses constituting sexual abuse of child.

(b) An indictment must be found, or an information or complaint filed, for any offense constituting sexual abuse of a child, as defined in [NRS 432B.100](#), before the victim of the sexual abuse is:

(1) Twenty-one years old if he discovers or reasonably should have discovered that he was a victim of the sexual abuse by the date on which he reaches that age; or

(2) Twenty-eight years old if he does not discover and reasonably should not have discovered that he was a victim of the sexual abuse by the date on which he reaches 21 years of age.

2. If any indictment found, or an information or complaint filed, within the time prescribed in subsection 1 is defective so that no judgment can be given thereon, another prosecution may be instituted for the same offense within 6 months after the first is abandoned.

NEW HAMPSHIRE

RSA 625:8 (2007)

I. Except as otherwise provided in this section, prosecutions are subject to the following periods of limitations:

- (a) For a class A felony, 6 years;
- (b) For a class B felony, 6 years;
- (c) For a misdemeanor, one year;
- (d) For a violation, 3 months.
- (e) For an offense defined by [RSA 282-A](#), 6 years.

(d) For any offense under [RSA 632-A](#) or for an offense under [RSA 639:2](#), where the victim was under 18 years of age when the alleged offense occurred, within 22 years of the victim's eighteenth birthday.

N.H. Rev. Stat. Ann. §625:8(III)(d) (2004) III. If the period prescribed in paragraph I has expired, a prosecution may nevertheless be commenced: (d) For any offense under RSA 632-A or for an offense under RSA 639:2, where the victim was under 18 years of age when the alleged offense occurred, within 22 years of the victim's eighteenth birthday.

NEW JERSEY

N.J. Stat. § 2C:1-6 (2007)

§ 2C:1-6. Time limitations

(4) A prosecution for an offense set forth in [N.J.S. 2C:14-3](#) or [N.J.S. 2C:24-4](#), when the victim at the time of the offense is below the age of 18 years, must be commenced within five years of the victim's attaining the age of 18 or within two years of the discovery of the offense by the victim, whichever is later;

NEW MEXICO

N.M. Stat. Ann. § 30-1-9.1 (2007)

§ 30-1-9.1. Offenses against children; tolling of statute of limitations

The applicable time period for commencing prosecution pursuant to [Section 30-1-8 NMSA](#) 1978 shall not commence to run for an alleged violation of [Section 30-6-1](#), [30-9-11](#) or [30-9-13 NMSA](#) 1978 until the victim attains the age of eighteen or the violation is reported to a law enforcement agency, whichever occurs first.

NEW YORK

NY CLS CPL § 30.10 (2007)

§ 30.10. Timeliness of prosecutions; periods of limitation

3. Notwithstanding the provisions of subdivision two, the periods of limitation for the commencement of criminal actions are extended as follows in the indicated circumstances:

(e) A prosecution for [fig 1] course of sexual conduct against a child in the second degree as defined in [section 130.80 of the penal law](#) may be commenced within five years of the commission of the most recent act of sexual conduct.

(f) [As amended by ♦ [L 2006, ch 3, § 2](#) and ch 320, § 10] For purposes of a prosecution involving a sexual offense as defined in article one hundred thirty of the penal law, other than a sexual offense delineated in paragraph (a) of subdivision two of this section, committed against a child less than eighteen years of age, incest [fig 1] in the first, second or third degree [fig 2] as defined in [fig 3] [fig 4] sections 255.27, 255.26 and [fig 5] 255.25 of the penal law committed against a child less than eighteen years of age, or use of a child in a sexual performance as defined in [section 263.05 of the penal law](#), the period of limitation shall not begin to run until the child has reached the age of eighteen or the offense is reported to a law enforcement agency or statewide central register of child abuse and maltreatment, whichever occurs earlier.

NORTH CAROLINA

NORTH DAKOTA

N.D. Cent. Code, § 29-04-03.1 (2007)

04-03.1. Prosecution for sexual abuse of minors.

A prosecution for violation of sections 12.1-20-03 through 12.1-20-08 or of section 12.1-20-11 if the victim was under eighteen years of age at the time the offense was committed must be commenced in the proper court within seven years after the commission of the offense or, if the victim failed to report the offense within this limitation period, within three years after the offense was reported to law enforcement authorities.

29-

N.D. Cent. Code, § 29-04-03.2 (2007)

29-04-03.2. Statute of limitations as to child victim.

If the victim of a violation of chapter 12.1-20 is under the age of fifteen, the applicable period of limitation, if any, does not begin to run until the victim has reached the age of fifteen.

OHIO

ORC Ann. 2901.13 (2007)

§ 2901.13. Limitation of criminal prosecutions

(A) (1) Except as provided in division (A)(2) or (3) of this section or as otherwise provided in this section, a prosecution shall be barred unless it is commenced within the following periods after an offense is committed:

(3) Except as otherwise provided in divisions (B) to (H) of this section, a prosecution of any of the following offenses shall be barred unless it is commenced within twenty years after the offense is committed:

(a) A violation of:

[2905.01](#) [kidnapping]

[2907.02](#) [Rape, {of a child} (A)(1)(b)],

[2907.03](#) [Sexual Battery{of a child} (A)(7),(8),(9),(12)],

[2907.04](#) [Unlawful sexual conduct with minor]

[2907.21](#) [Compelling prostitution {of children} (A) (2-5) (B)]

[2917.02 of the Revised Code](#) [Assault {to the unborn} (A) (B)]

[2903.11](#) [Felonious assault (A) 1-2, (B)3]

[2903.12 of the Revised Code](#) [Aggravated assault { of unborn} (A) 1-2]

(b) A conspiracy to commit, attempt to commit, or complicity in committing a violation set forth in division (A)(3)(a) of this section.

OKLAHOMA

22 Okl. St. § 152 (2006)

§ 152. Limitations in general

C. 1. Prosecutions for the crime of rape or forcible sodomy, sodomy, lewd or indecent proposals or acts against children, involving minors in pornography pursuant to Section 886, 888, 1111, 1111.1, 1113, 1114, 1021.2, 1021.3 or 1123 of Title 21 of the Oklahoma Statutes, and child abuse pursuant to [Section 7115 of Title 10 of the Oklahoma Statutes](#), shall be commenced within twelve (12) years after the discovery of the crime.

2. However, prosecutions for the crimes listed in paragraph 1 of this subsection may be commenced at any time after the commission of the offense if:

a. the victim notified law enforcement within twelve (12) years after the discovery of the crime,

b. physical evidence is collected and preserved that is capable of being tested to obtain a profile from deoxyribonucleic acid (DNA), and

c. the identity of the offender is subsequently established through the use of a DNA profile using evidence listed in subparagraph b of this paragraph.

H. In all other cases a prosecution for a public offense must be commenced within three (3) years after its commission.

I. As used in paragraph 1 of subsection C of this section, "discovery" means the date that a physical or sexually related crime involving a victim under the age of eighteen (18) years of age is reported to a law enforcement agency, up to and including one (1) year from the eighteenth birthday of the child.

OREGON

ORS § 131.125 (2005)

131.125. Time limitations.

(2) A prosecution for any of the following felonies may be commenced within six years after the commission of the crime or, if the victim at the time of the crime was under 18 years of age, anytime before the victim attains 30 years of age or within 12 years after the offense is reported to a law enforcement agency or the Department of Human Services, whichever occurs first:

- (a) Criminal mistreatment in the first degree under [ORS 163.205](#).
- (b) Rape in the third degree under [ORS 163.355](#).
- (c) Rape in the second degree under [ORS 163.365](#).
- (d) Rape in the first degree under [ORS 163.375](#).
- (e) Sodomy in the third degree under [ORS 163.385](#).
- (f) Sodomy in the second degree under [ORS 163.395](#).
- (g) Sodomy in the first degree under [ORS 163.405](#).
- (h) Unlawful sexual penetration in the second degree under [ORS 163.408](#).
- (i) Unlawful sexual penetration in the first degree under [ORS 163.411](#).
- (j) Sexual abuse in the second degree under [ORS 163.425](#).
- (k) Sexual abuse in the first degree under [ORS 163.427](#).
- (L) Using a child in a display of sexual conduct under [ORS 163.670](#).
- (m) Encouraging child sexual abuse in the first degree under [ORS 163.684](#).
- (n) Incest under [ORS 163.525](#).
- (o) Promoting prostitution under [ORS 167.012](#).
- (p) Compelling prostitution under [ORS 167.017](#).

(3) A prosecution for any of the following misdemeanors may be commenced within four years after the commission of the crime or, if the victim at the time of the crime was under 18 years of age, anytime before the victim attains 22 years of age or within four years after the offense is reported to a law enforcement agency or the Department of Human Services, whichever occurs first:

- (a) Sexual abuse in the third degree under [ORS 163.415](#).
- (b) Furnishing obscene materials to minors under [ORS 167.065](#).
- (c) Sending obscene materials to minors under [ORS 167.070](#).
- (d) Exhibiting an obscene performance to a minor under [ORS 167.075](#).
- (e) Displaying obscene materials to minors under [ORS 167.080](#).

(4) In the case of crimes described in subsection (2)(L) of this section, the "victim" is the child engaged in sexual conduct. In the case of the crime described in subsection (2)(n) of this section, the "victim" is the party to the incest other than the party being prosecuted. In the case of crimes described in subsection (2)(o) and (p) of this section, the "victim" is the child whose acts of prostitution are promoted or compelled.(5) A prosecution for arson in any degree may be commenced within six years after the commission of the crime.

(6) Except as provided in subsection (7) of this section or as otherwise expressly provided by law, prosecutions for other offenses must be commenced within the following periods of limitations after their commission:

- (a) For any other felony, three years.
- (b) For any misdemeanor, two years.
- (c) For a violation, six months.

PENNSYLVANIA

42 Pa.C.S. § 5552 (2006)

§ 5552. Other offenses

(B.1) MAJOR SEXUAL OFFENSES.-- A prosecution for any of the following offenses under Title 18 must be commenced within 12 years after it is committed:

- Section 3121 (relating to rape).
- Section 3122.1 (relating to statutory sexual assault).
- Section 3123 (relating to involuntary deviate sexual intercourse).
- Section 3124.1 (relating to sexual assault).
- Section 3125 (relating to aggravated indecent assault).
- Section 4302 (relating to incest).
- Section 6312 (relating to sexual abuse of children).

(c) EXCEPTIONS.-- If the period prescribed in subsection (a), (b) or (b.1) has expired, a prosecution may nevertheless be commenced for:

(3) Any sexual offense committed against a minor who is less than 18 years of age any time up to the later of the period of limitation provided by law after the minor has reached 18 years of age or the date the minor reaches 50 years of age. As used in this paragraph, the term "sexual offense" means a crime under the following provisions of Title 18 (relating to crimes and offenses):

- Section 3121 (relating to rape).
- Section 3122.1 (relating to statutory sexual assault).
- Section 3123 (relating to involuntary deviate sexual intercourse).
- Section 3124.1 (relating to sexual assault)
- Section 3125 (relating to aggravated indecent assault)
- Section 3126 (relating to indecent assault).
- Section 3127 (relating to indecent exposure).
- Section 4302 (relating to incest).
- Section 4304 (relating to endangering welfare of children).
- Section 6301 (relating to corruption of minors).
- Section 6312(b) (relating to sexual abuse of children).
- Section 6320 (relating to sexual exploitation of children).

42 Pa.C.S. § 5554 (2006)

§ 5554. Tolling of statute

Except as provided by section 5553(e) (relating to disposition of proceedings within two years), the period of limitation does not run during any time when:

(3) a child is under 18 years of age, where the crime involves injuries to the person of the child caused by the wrongful act, or neglect, or unlawful violence, or negligence of the child's parents or by a person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent.

PUERTO RICO

33 L.P.R.A. § 3412 (2004)

§ 3412. Prescription

The criminal action shall prescribe:

(a) After five (5) years in felony cases, except murder, misappropriation of public funds, kidnapping, stealing of children and forgery of public documents, which do not prescribe.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section for the crimes, or the attempts to commit the crimes of incest, rape, sodomy, lewd or indecent acts, indecent exposure, perversion of minors, shipping, sale, distribution, publication or display of obscene material for or in the presence of minors, or shows for or in the presence of minors and using minors for prostitution or abuse, the action shall prescribe after five (5) years if the victim is older than twenty-one (21) years of age when the crime was committed. Should the victim be under twenty-one (21) years of age or mentally disabled, the prescriptive period shall be of five (5) years from the date the victim has attained twenty-one (21) years of age, or the disability has ceased. The crime of seduction shall prescribe after five (5) years counted from the date the victim has attained eighteen (18) years of age.

RHODE ISLAND

R.I. Gen. Laws § 12-12-17 (2007)

§ 12-12-17. Statute of limitations

(a) There shall be no statute of limitations for the following offenses: treason against the state, any homicide, arson, first degree arson, second degree arson, third degree arson, burglary, counterfeiting, forgery, robbery, rape, first degree sexual assault, first degree child molestation sexual assault, second degree child molestation sexual assault, bigamy, manufacturing, selling, distribution or possession with intent to manufacture, sell or

distribute a controlled substance under the Uniform Controlled Substance Act, chapter 28 of title 21, or any other offense for which the maximum penalty provided is life imprisonment.

SOUTH DAKOTA

S.D. Codified Laws § 23A-42-2 (2007)

§ 23A-42-2. Seven-year limitations period for other prosecutions

In all other prosecutions for a public offense and all proceedings of a quasi-criminal or penal nature, including the forfeiture of existing rights, the proceedings shall be commenced within seven years after the commission of the offense or crime which is the basis of the prosecution or proceedings, except as provided in [§ 23A-42-3](#).

S.D. Codified Laws § 22-22-1 (2007)

§ 22-22-1. Rape -- Penalty

Rape is an act of sexual penetration accomplished with any person under any of the following circumstances:

- (1) If the victim is less than thirteen years of age; or
- (2) Through the use of force, coercion, or threats of immediate and great bodily harm against the victim or other persons within the victim's presence, accompanied by apparent power of execution; or
- (3) If the victim is incapable, because of physical or mental incapacity, of giving consent to such act; or
- (4) If the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or
- (5) If the victim is thirteen years of age, but less than sixteen years of age, and the perpetrator is at least three years older than the victim.

A violation of subdivision (1) of this section is rape in the first degree, which is a Class C felony. A violation of subdivision (2) of this section is rape in the second degree which is a Class 1 felony. A violation of subdivision (3) or (4) of this section is rape in the third degree, which is a Class 2 felony. A violation of subdivision (5) of this section is rape in the fourth degree, which is a Class 3 felony. Notwithstanding [§ 23A-42-2](#) a charge brought pursuant to this section may be commenced at any time prior to the time the

victim becomes age twenty-five or within seven years of the commission of the crime, whichever is longer.

S.D. Codified Laws § 22-22-7 (2007)

§ 22-22-7. Sexual contact with a person under sixteen -- Penalty -- Time for commencement of prosecution

Any person, sixteen years of age or older, who knowingly engages in sexual contact with another person, other than that person's spouse if the other person is under the age of sixteen years is guilty of a Class 3 felony. If the actor is less than three years older than the other person, the actor is guilty of a Class 1 misdemeanor. If an adult has a previous conviction for a felony violation of this section, any subsequent felony conviction for a violation under this section, is a Class 2 felony. Notwithstanding [§ 23A-42-2](#), a charge brought pursuant to this section may be commenced at any time before the victim becomes age twenty-five or within seven years of the commission of the crime, whichever is longer.

SOUTH CAROLINA

S.C. Code Ann. § 15-3-555 (2006)

*for civil cases:

§ 15-3-555. Statute of limitations for action based on sexual abuse or incest.

(A) An action to recover damages for injury to a person arising out of an act of sexual abuse or incest must be commenced within six years after the person becomes twenty-one years of age or within three years from the time of discovery by the person of the injury and the causal relationship between the injury and the sexual abuse or incest, whichever occurs later.

(B) Parental immunity is not a defense against claims based on sexual abuse or incest that occurred before, on, or after this section's effective date.

TENNESSEE

Tenn. Code Ann. § 40-2-101 (2007)

40-2-101. Felonies.

(a) A person may be prosecuted, tried and punished for an offense punishable with death or by imprisonment in the penitentiary during life, at any time after the offense is committed.

(b) Prosecution for a felony offense shall begin within:

- (1) Fifteen (15) years for a Class A felony;
 - (2) Eight (8) years for a Class B felony;
 - (3) Four (4) years for a Class C or Class D felony; and
 - (4) Two (2) years for a Class E felony.
- (e) Prosecutions for any offense committed against a child prior to July 1, 1997, that constitutes a criminal offense under the provisions of [§ 39-2-601](#) [repealed], § 39-2-603 [repealed], § 39-2-604 [repealed], § 39-2-606 [repealed], § 39-2-607 [repealed], § 39-2-608 [repealed], § 39-2-612 [repealed], § 39-4-306 [repealed], § 39-4-307 [repealed], § 39-6-1137 [repealed], or § 39-6-1138 [repealed], or under the provisions of [§§ 39-13-502 - 39-13-505](#), [§ 39-15-302](#) or [§ 39-17-902](#) shall commence no later than the date the child attains the age of majority or within four (4) years after the commission of the offense, whichever occurs later; provided, that pursuant to subsection (a), an offense punishable by life imprisonment may be prosecuted at any time after the offense has been committed.
- (f) For offenses committed prior to November 1, 1989, the limitation of prosecution in effect at that time shall govern.
- (g) Prosecutions for any offense committed against a child on or after July 1, 1997, that constitutes a criminal offense under the provisions of [§§ 39-13-502 - 39-13-505](#), [§ 39-13-522](#), [§ 39-15-302](#) or [§ 39-17-902](#) shall commence no later than the date the child reaches twenty-one (21) years of age; provided, that if the provisions of subsection (a) or (b) provide a longer period of time within which prosecution may be brought than this subsection (g), the applicable provision of subsection (a) or (b) shall prevail.
- (h) A person may be prosecuted, tried and punished for any offense committed against a child on or after June 20, 2006, that constitutes a criminal offense under the provisions of [§§ 39-13-502 - 39-13-505](#), [§ 39-13-522](#), [§ 39-13-527](#) or [§ 39-15-302](#), no later than twenty-five (25) years from the date the child becomes eighteen (18) years of age.

TEXAS

Tex. Code Crim. Proc. art. 12.01 (2007)

Art. 12.01. Felonies

Except as provided in Article 12.03, felony indictments may be presented within these limits, and not afterward:

- (1) no limitation:
 - (A) murder and manslaughter;
 - (B) sexual assault, if during the investigation of the offense biological matter is collected and subjected to forensic DNA testing and the testing results show that the matter does not match the victim or any other person whose identity is readily ascertained;
 - (D) injury to a child, elderly individual, or disabled individual punishable as a felony

of the first degree under [Section 22.04, Penal Code](#);

- (E) sexual assault, except as provided by Subdivision (1) or (5); or
- (4) five years from the date of the commission of the offense:
- (B) kidnapping;
- (C) injury to a child, elderly individual, or disabled individual that is not punishable as a felony of the first degree under [Section 22.04, Penal Code](#);
- (D) abandoning or endangering a child; or
- (5) ten years from the 18th birthday of the victim of the offense:
- (A) indecency with a child under [Section 21.11\(a\)\(1\) or \(2\), Penal Code](#); or
- (B) except as provided by Subdivision (1), sexual assault under [Section 22.011\(a\)\(2\), Penal Code](#), or aggravated sexual assault under [Section 22.021\(a\)\(1\)\(B\), Penal Code](#); or
- (6) three years from the date of the commission of the offense: all other felonies.

UTAH

Utah Code Ann. § 76-1-301 (2007)

§ 76-1-301. Offenses for which prosecution may be commenced at any time

A prosecution for a capital felony, aggravated murder, murder, manslaughter, child abuse homicide which is a second degree felony, aggravated kidnapping, or child kidnapping may be commenced at any time.

Utah Code Ann. § 76-1-303.5 (2007)

§ 76-1-303.5. Sexual offense against a child

If the period prescribed in [Subsection 76-1-302\(1\)](#) has expired, a prosecution may nevertheless be commenced for rape of a child, object rape of a child, sodomy upon a child, sexual abuse of a child, or aggravated sexual abuse of a child within four years after the report of the offense to a law enforcement agency.

VERMONT

13 V.S.A. § 4501 (2007)

§ 4501. Limitation of prosecutions for certain felonies

- (a) Prosecutions for aggravated sexual assault, murder, arson causing death, and kidnapping may be commenced at any time after the commission of the offense.
- (b) Prosecutions for manslaughter, sexual assault, lewd and lascivious conduct, sexual

exploitation of children, grand larceny, robbery, burglary, embezzlement, forgery, bribery offenses, false claims, fraud under subsection 141(d) of Title 33, and felony tax offenses shall be commenced within six years after the commission of the offense, and not after.

(c) Prosecutions for sexual assault, lewd and lascivious conduct and lewd or lascivious conduct with a child, alleged to have been committed against a child 16 years of age or under, shall be commenced within the earlier of the date the victim attains the age of 24 or six years from the date the offense is reported, and not after. For purposes of this subsection, an offense is reported when a report of the conduct constituting the offense is made to a law enforcement officer by the victim.

VIRGIN ISLANDS

5 V.I. Code Ann. § 36 (2005)

(a) If any person entitled to bring an action mentioned in this chapter is, at the time the cause of action accrues-- (1) under the age of twenty-one years; or (2) insane; or (3) imprisoned on a criminal charge, or in execution under sentence of a court for a term less than his natural life-- the time of such disability shall not be a part of the time limited for the commencement of the action, but the period within which the action shall be brought shall not be extended in any case longer than two years after such disability ceases.

5 V.I. Code Ann. § 3541(a)(1) (2005)

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(a) A criminal action shall be commenced within the following periods: (1) For murder, felony child abuse, felony child neglect, any felony sexual offense perpetrated against a victim, embezzlement of public moneys, and the falsification of public records, there is no limitation of the time within which a prosecution shall be commenced.

VIRGINIA

WASHINGTON

Rev. Code Wash. (ARCW) § 9A.04.080 (2007)

§ 9A.04.080. Limitation of actions

(1) Prosecutions for criminal offenses shall not be commenced after the periods prescribed in this section.

(b) The following offenses shall not be prosecuted more than ten years after their commission:

(iii) Violations of [RCW 9A.44.040](#) or [9A.44.050](#) if the rape is reported to a law enforcement agency within one year of its commission; except that if the victim is under fourteen years of age when the rape is committed and the rape is reported to a law enforcement agency within one year of its commission, the violation may be prosecuted

up to three years after the victim's eighteenth birthday or up to ten years after the rape's commission, whichever is later. If a violation of [RCW 9A.44.040](#) or [9A.44.050](#) is not reported within one year, the rape may not be prosecuted: (A) More than three years after its commission if the violation was committed against a victim fourteen years of age or older; or (B) more than three years after the victim's eighteenth birthday or more than seven years after the rape's commission, whichever is later, if the violation was committed against a victim under fourteen years of age.

(c) Violations of the following statutes shall not be prosecuted more than three years after the victim's eighteenth birthday or more than seven years after their commission, whichever is later: [RCW 9A.44.073](#), [9A.44.076](#), [9A.44.083](#), [9A.44.086](#), *[9A.44.070](#), [9A.44.080](#), [9A.44.100\(1\)\(b\)](#), or [9A.64.020](#).

WEST VIRGINIA

WISCONSIN

Wis. Stat. § 939.74 (2006)

939.74. Time limitations on prosecutions.

(1) Except as provided in subs. (2) and (2d) and [s. 946.88 \(1\)](#), prosecution for a felony must be commenced within 6 years and prosecution for a misdemeanor or for adultery within 3 years after the commission thereof. Within the meaning of this section, a prosecution has commenced when a warrant or summons is issued, an indictment is found, or an information is filed.

(2) Notwithstanding that the time limitation under sub. (1) has expired:

- (a) A prosecution under . . . [948.02 \(1\)](#) [Sexual assault of a child], or [948.025 \(1\) \(a\)](#) [Engaging in repeated acts of sexual assault of the same child.] may be commenced at any time.

A prosecution for violation of [s. 948.02 \(2\)](#) [Sexual assault of a child.], [948.025 \(1\) \(b\)](#) [Engaging in repeated acts of sexual assault of the same child.], [948.03 \(2\) \(a\)](#) [Physical abuse of a child.], [948.05](#) [Sexual exploitation of a child.], [948.06](#) [Incest with a child], [948.07 \(1\)](#) [Child enticement.], (2), (3), or (4), [948.075](#), [948.08](#), [948.085](#), or [948.095](#) shall be commenced before the victim reaches the age of 45 years or be barred, except as provided in sub. (2d) (c)

(cm) A prosecution for violation of [s. 948.03](#) [Physical abuse of a child](2) (b) or (c), (3) or (4), [948.04](#) or [948.07 \(5\)](#) or (6) shall be commenced before the victim reaches the age of 26 years or be barred.

WYOMING

FEDERAL

18 USCS § 3283

CURRENT THROUGH P.L. 110-27, APPROVED 5/25/2007

§ 3283. Offenses against children

No statute of limitations that would otherwise preclude prosecution for an offense involving the sexual or physical abuse, or kidnaping, of a child under the age of 18 years shall preclude such prosecution during the life of the child, or for ten years after the offense, whichever is longer.