

The Senate Judiciary Committee offered the following substitute to HB 410:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 17 of the Official Code of Georgia Annotated, relating to crimes and
2 offenses, so as to change certain time frames for certain actions; to provide that a prosecution
3 for serious violent offenses may be commenced at any time; to provide that the age limitation
4 on prosecutions of certain crimes involving children who are victims be increased to age 18;
5 to provide for related matters; to provide for an effective date and applicability; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Title 17 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
10 amended in Code Section 17-3-1, relating to limitation on prosecutions generally, by striking
11 the Code section in its entirety and inserting in lieu thereof the following:

12 "17-3-1.

13 (a) A prosecution for ~~murder~~ the following offenses may be commenced at any time;

14 (1) Murder or felony murder, as defined in Code Section 16-5-1;

15 (2) Armed robbery, as defined in Code Section 16-8-41, provided that deoxyribonucleic
16 acid (DNA) evidence establishes the identity of the person who allegedly committed the
17 offense and at the time of the offense physical evidence is collected that is capable of
18 being tested for its DNA characteristics and some of the evidence is successfully
19 preserved for a later test upon request of the defendant. If DNA evidence does not
20 establish the identity of the person who allegedly committed the offense, then armed
21 robbery as defined in Code Section 16-8-41 shall be subject to the statute of limitations
22 set forth in subsection (b);

23 (3) Kidnapping, as defined in Code Section 16-5-40;

24 (4) Rape, as defined in Code Section 16-6-1;

25 (5) Aggravated child molestation, as defined in Code Section 16-6-4;

26 (6) Aggravated sodomy, as defined in Code Section 16-6-2; or

