

The House Committee on Judiciary offers the following substitute to SB 333:

A BILL TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"17-3-1

(a) A prosecution for murder may be commenced at any time.

(b) Prosecution for other crimes punishable by death or life imprisonment must be commenced within seven years after the commission of the crime; provided, however, that prosecution for the crime of forcible rape must be commenced within 15 years after the commission of the crime.

(c) Prosecution for felonies other than those specified in subsections (a) and (b) 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 ~~14~~ 18 years must be commenced within seven years after the commission of the crime.

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

(1) Armed robbery, as defined in Code Section 16-8-41;

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

S. B. 333 (SUB)

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

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

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

4 (6) Aggravated sexual battery, as defined in Code Section 16-6-22.2.

5 (d) Prosecution for misdemeanors must be commenced within two years after the
6 commission of the crime."

7 **SECTION 2.**

8 This Act shall be effective on July 1, 2002 and apply to all prosecutions of crimes which
9 occur on or after July 1, 2002.

10 **SECTION 3.**

11 All laws and parts of laws in conflict with this Act are repealed.