

House Bill 410 (AS PASSED HOUSE AND SENATE)

By: Representative Stokes of the 92<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

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

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

13 "17-3-1.

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

15 (b) Prosecution for other crimes punishable by death or life imprisonment must be  
16 commenced within seven years after the commission of the crime except as provided by  
17 subsection (c.1) of this Code section; provided, however, that prosecution for the crime of  
18 forcible rape must be commenced within 15 years after the commission of the crime.

19 (c) Prosecution for felonies other than those specified in subsections ~~(a) and (b)~~ (a), (b),  
20 and (c.1) of this Code section must be commenced within four years after the commission  
21 of the crime, provided that prosecution for felonies committed against victims who are at  
22 the time of the commission of the offense under the age of ~~14~~ 18 years must be commenced  
23 within seven years after the commission of the crime.

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

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

