

House Bill 169

By: Representatives Walker of the 107th, Keen of the 179th, Smith of the 129th, Yates of the 73rd, and Lakly of the 72nd

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 prosecution for aggravated child
3 molestation may be commenced at any time; to provide for related matters; to provide for an
4 effective date and applicability; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

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

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

11 (a.1) A prosecution for aggravated child molestation, as defined in Code Section 16-6-4,
12 may be commenced at any time.

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

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

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

- 24 (1) Armed robbery, as defined in Code Section 16-8-41;
25 (2) Kidnapping, as defined in Code Section 16-5-40;
26 (3) Rape, as defined in Code Section 16-6-1;

