

## Statute of Limitations Legislation (DNA related)

(As of October 2002)

ST	Bill #	Sponsor	Summary	Status
FL	HB 655	Benson	Time limitations for prosecuting crime do not apply if alleged perpetrator is identified by analysis of DNA evidence collected at crime scene	Died in Committee
FL	HB 823	Heyman	Prosecution for sexual battery may be commenced at any time when DNA record exists & record is properly maintained by the appropriate agency	Died in Committee
FL	HB 1597	Needleman	Extends the statute of limitations for use of DNA evidence in sexual battery offenses.	Passed Policy Committee. Died in House
FL	SB 300	Miller	Extends the statute of limitations for use of DNA evidence in sexual battery offenses.	Passed Senate. Died in House
FL	SB 1512	Klein	Eliminates any limitation on the use of DNA evidence to prosecute sexual battery cases.	Died in Committee
GA	HB 410	Stokes	Removes the statute of limitation for the prosecution of certain crimes (armed robbery, rape, kidnapping, child molestation, sodomy, sexual battery) if DNA evidence can establish the identity of the suspect.	ENACTED
IL	HB 5578	Bosnahan	Eliminates the statute of limitation for any sex crimes in which 1) the DNA profile is entered into the database within 10 years of the crime and 2) the crime itself is reported by the victim within 2 years.	ENACTED
KS	SB 303	Judiciary	Extends the statute of limitations for the prosecution of violent sex crimes to 10 years (retroactive if the statute has not already lapsed) OR extends the statute by one year from the date identity is established through a DNA match. DNA evidence has to be analyzed within two years.	Died in Committee
NY	AB 627	Lentol	The statute of limitations does not toll during the period that the correct identity of the defendant was unknown and unascertainable.	Committee
NY	AB 2748	Boyle	A person may be prosecuted for certain sex offenses at any time; provides that sex offenses are those constituting designated offenses under the forensic science/DNA index provisions of the executive law.	Committee
NY	AB 4205	Silver	Permits fictitious name indictments where a person` identity can be established through DNA evidence.	Passed Assembly.
NY	SB 405	Skelos	Permits fictitious name indictments where a person` identity can be established through DNA evidence.	Committee
NY	SB 2066	Balboni	The statute of limitations does not toll during the period that the correct identity of the defendant was unknown and unascertainable.	Committee
OH	HB 557	Latell	Extends the statute of limitations for civil cause of action for crimes involving DNA evidence.	Committee

OK	HB 2790	Askins	Extends the statute of limitations for crimes involving DNA to three years after a DNA match has been made. Victim must have reported the crime within 7 years. Retroactive.	ENACTED
OK	SB 1428	Nichols	Extends the statute of limitations for crimes involving DNA evidence.	See HB 2790
US	SB 2090	Torricelli	Eliminates any limitation on indictment for sexual offenses and makes awards to states to reduce their DNA casework backlogs.	Committee
US	SB 2513	Biden	Allows fictitious name indictments ("John Doe" indictments) based on a DNA profiled for federal sexual assault cases	Passed Policy Committee
UT	SB 139	Hillyard	Removes the statute of limitations on violent felonies when DNA evidence has been collected that can be used to identify the perpetrator.	Passed Senate, Died in House