

**2003 Statute of Limitations Legislation**  
**Prepared by Smith Alling Lane on behalf of Applied Biosystems**  
*(As of December 2003 – Final)*

*\*Many of these bills may be carried over to the 2004 sessions for consideration. This tracking list reflects what happened to legislative proposals in 2003, only.*

ST	Bill	#	Sponsor	Summary	Status
FL	SB	608	Miller	Removes the statute of limitations for sexual battery if the perpetrator is identified by DNA evidence that was not known to or in the possession of law enforcement.	Died in Committee
FL	SB	1572	Criminal Justice Committee	Aggravated battery, kidnapping, sexual offenses, burglary, or robbery, may be prosecuted within 1 year after identity is established DNA evidence, regardless of whether the period for prosecuting the crime may have otherwise expired.	Died in Committee
IN	SB	143	Bowser	Extends the statute of limitations for rape or criminal deviate conduct from 5 years to 20 years.	Died in Committee
KS	HB	2270	Corrections and Juvenile Justice	The statute of limitations for certain crimes against children committed by juveniles is extended to one year after the identity of the suspect is established by DNA testing.	Died in Committee
LA	HB	936	Downer	Prosecution for certain sex crimes may commence 3 years after identity is established through DNA, regardless of whether the statute of limitations has otherwise expired.	Died in Committee
LA	SB	295	Dardenne	Prosecution for any sex offense may commence 3 years after identity is established through DNA, regardless of whether the statute of limitations has otherwise expired. Retroactive.	<b>ENACTED</b>
MA	HB	2102	Fallon	Eliminates the statute of limitations for prosecuting certain sex crimes if a DNA sample of the alleged perpetrator is collected and stored.	Died in Committee
MN	HB	386	Holberg	Eliminates the statute of limitations for prosecuting sex abuse against a minor if a DNA evidence exists.	Died in the House.
NH	HB	749	---	The statute of limitations for criminal offenses is extended to one year after the identity of the suspect is established by DNA testing.	Passed House. Died in Senate.
NM	HB	547	King	The statute of limitations for criminal sexual penetration will not commence to run until a DNA profile is matched with a suspect.	See SB 470.
NM	SB	470	Gorham	The statute of limitations for criminal sexual penetration will not commence to run until a DNA profile is matched with a suspect.	<b>ENACTED</b>
NY	HB	232	Lentol	If DNA evidence is available, the time limits for commencing criminal action are tolled for period that identity of defendant was unknown or unascertainable.	Died in Committee
NY	HB	2905	Klein	Eliminates the statute of limitations for rape in the first degree and sodomy in the first degree.	Died in Committee
NY	HB	5986	Brown	Eliminates the statute of limitations for certain violent felonies.	Died in Committee

NY	HB	7134	Silver	Permits “John Doe” indictments based on a DNA profile.	Passed Policy Committee
NY	HB	7325	Nesbitt	Eliminates the statute of limitations for sex offenses that are qualifying offenses for the DNA database	Died in Committee
NY	SB	515	Balboni	If DNA evidence is available, the time limits for commencing criminal action are tolled for period that identity of defendant was unknown or unascertainable.	Died in Committee
NY	SB	4594	Krueger	Eliminates the statute of limitations for the prosecution of violent felonies involving a sexual offense	Died in Committee
NY	SB	5554	Skelos	Eliminates the statute of limitations for the prosecution of class B violent felonies. Expands database to include all convicted felons.	Passed Senate.
OK	HB	1473	Cargill	Extends the statute of limitations for certain sex crimes from 7 years to 15 years. (Current statute already removes the statute of limitations for certain sex crimes if DNA is available.)	Died in Committee
OK	SB	555	Nichols	Clarifies the current statute that eliminates the statute of limitations for certain sex crimes if DNA is available.	Died in Senate.
UT	SB	116	Hillyard	Removes the statute of limitations on certain violent crimes when DNA evidence is available. If the statute of limitations would have run and a suspect is subsequently identified, prosecution shall be commenced within a year.	<b>ENACTED</b>
FD	SB	22	Daschle	John Doe/DNA indictments that identify the defendant by a DNA profile may be issued for federal sexual assault crimes. The indictments must issue within the applicable statute of limitations.	See SB 151
FD	SB	149	DeWine	Eliminates the federal statute of limitations for specified child abduction and sex crimes. For all other federal felonies, if DNA is available, then statute of limitations would not begin tolling until after the identification has been made.	Died in Committee
FD	SB	151	Hatch	Removes the statute of limitations for certain crimes against children (sex offenses, abuse, kidnapping). John Doe/DNA indictments that identify the defendant by a DNA profile may be issued for federal sexual assault crimes. The indictments must issue within the applicable statute of limitations.	<b>ENACTED</b>
FD	SB	152	Biden	John Doe/DNA indictments that identify the defendant by a DNA profile may be issued for federal sexual assault crimes. The indictments must issue within the applicable statute of limitations.	See SB 151