

## 2008 STATUTE OF LIMITATIONS DNA LEGISLATION

*Prepared by Gordon Thomas Honeywell Governmental Affairs on behalf of Applied Biosystems  
Last updated February 28, 2008 – Those bills in gray are carryover bills that have not moved in 2008*

ST	BILL #	SPONSOR	SUMMARY	STATUS
CA	<a href="#">HB 261</a>	Lieber	Eliminates the statute of limitations for various sex offenses including rape, sodomy, lewd and lascivious acts with a child under the age of 14, forcible oral copulation, continuous sexual abuse of a child, sexual penetration and fleeing the state with the intent to avoid prosecution for sex offense.	In Committee
CA	<a href="#">HB 718</a>	Fuller	Deletes the time frame in which DNA evidence must be tested after it is collected in order to preserve the statute of limitations in sex offense cases.	In Committee
CA	<a href="#">HB 803</a>	Strickland	Eliminates the statute of limitations for specified sex crimes committed against a person under the age of 18.	In Committee
CA	<a href="#">HB 1115</a>	Runner	Allows a criminal complaint to be filed, notwithstanding any other limitation of time, within one year of establishing a suspect's identity by DNA if the crime for which the person is suspected is raped.	House Hearing Cancelled
HI	<a href="#">SB 2078</a>	Espero	Crimes involving sexual assault and sexual abuse of children should not be subject to statute of limitations to allow additional and longer DNA testing.	In Committee
IL	<a href="#">SB 1887</a>	Haine	Provides that a prosecution for any offense involving sexual conduct or sexual penetration in which the DNA profile of the offender is obtained and entered into a DNA database within 10 years after the commission of the offense may be commenced at any time.	Held in Committee
KS	<a href="#">SB 427</a>	Judiciary Committee	Prosecution for murder, terrorist, rape, aggravated liberties with a child, aggravated sodomy, and sodomy, may be commenced at anytime. This allows more time for DNA samples to be matched.	Hearing Held in Senate Committee
MN	<a href="#">SB 2321</a>	Betzold	Authorizes criminal complaints for felonies to proceed against unnamed defendants when DNA evidence exists.	In Committee
NJ	<a href="#">HB 2141</a>	Greenstein DeAngelo	Eliminates statute of limitation for kidnapping and increases statute of limitation for other serious crimes to 10 years, including those where DNA evidence may be present.	In Committee
NY	<a href="#">HB 3687</a>	Lentol	Provides for DNA testing, collection, and record keeping; indictments by fictitious name in DNA cases; and creating the innocence research project program.	In Committee
NY	<a href="#">HB 5246</a>	Espaillet	Eliminates periods of limitation for the prosecution of class B felony sex offenses.	In Committee
NY	<a href="#">HB 6346</a>	Koon	Eliminates the statute of limitations for the prosecution of violent felonies involving a sexual offense.	Introduced
NY	<a href="#">SB 2374</a>	Skelos	Extends statute of limitation for commencing criminal case when DNA evidence is recovered at a crime scene but the evidence does not match anyone in the DNA index.	Referred to Assembly Codes
NY	<a href="#">SB 6725</a>	Bonacic	Eliminates the statute of limitations for prosecution for violent felonies involving a sexual offense.	Referred to Committee

OK	<a href="#">HB 3294</a>	Collins	Increases the statute of limitations from 12 to 20 years for certain prosecutions, largely ones related to sexual offenses.	Referred to Committee
OK	<a href="#">SB 1950</a>	Crain	Creates a statute of limitations for child trafficking.	Introduced
PA	<a href="#">HB 140</a>	Bishop	Eliminates the statute of limitations for civil actions involving sexual assault.	In Committee
SD	<a href="#">HB 1063</a>	Judiciary Committee	An act to provide for the use of a DNA profile in certain warrants, indictments, and informations.	Passed Committee
TN	<a href="#">HB 2107</a>	Maddox	Authorizes the prosecution of specified sexual offenses within 1 year after the identity of the accused is established through analysis of DNA evidence.	In Subcommittee
TN	<a href="#">HB 2110</a>	Maddox	Extends the time during which a prosecution can be commenced for certain sexual offenses committed on or after July 1, 2007, to one year after the date on which the accused's identity is established through DNA.	In Subcommittee
TN	<a href="#">SB 731</a>	Finney	Authorizes the prosecution of specified sexual offenses within 1 year after the identity of the accused is established through analysis of DNA evidence.	In Committee
UT	<a href="#">HB 13</a>	Dayton	Removes the statutes of limitations for prosecution of all first degree felony sex offenses.	In House, Fiscal Note
WI	<a href="#">HB 524</a>	Staskunas	If DNA evidence from a felony is entered into the database within 6 years of commission, the statute of limitations is tolled until a match is made on the database. After the match, the prosecution has 12 months to bring charges	Referred to Committee
WI	<a href="#">SB 103</a>	Joint Legislative Council	Within 12 months after a DNA profile is matched to an identified person for a violation of second-degree sexual assault of a child, a prosecution may be brought.	Referred to Committee
WI	<a href="#">SB 271</a>	Kapanke	Extends the time period for commencing prosecution of certain offenses when DNA evidence is available.	Died in Committee