

By: Representative Fleming

To: Judiciary B

HOUSE BILL NO. 179

1 AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE STATUTE OF LIMITATIONS ON THE CRIME OF RAPE TO TEN
3 YEARS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 99-1-5, Mississippi Code of 1972, is
6 amended as follows:

7 99-1-5. A person shall not be prosecuted for any offense,
8 with the exception of murder, manslaughter, aggravated assault,
9 kidnapping, arson, burglary, forgery, counterfeiting, robbery,
10 larceny, * * * embezzlement, obtaining money or property under
11 false pretenses or by fraud, felonious abuse or battery of a child
12 as described in Section 97-5-39, touching or handling a child for
13 lustful purposes as described in Section 97-5-23, sexual battery
14 of a child as described in Section 97-3-95(c) or exploitation of
15 children as described in Section 97-5-33, unless the prosecution
16 for such offense be commenced within two (2) years next after the
17 commission thereof, but nothing contained in this section shall
18 bar any prosecution against any person who shall abscond or flee
19 from justice, or shall absent himself from this state or out of
20 the jurisdiction of the court, or so conduct himself that he
21 cannot be found by the officers of the law, or that process cannot
22 be served upon him.

23 Any prosecutions for felonious abuse or battery of a child as
24 described in Section 97-5-39, touching or handling a child for
25 lustful purposes as described in Section 97-5-23, sexual battery
26 of a child as described in Section 97-3-95(c) or exploitation of



27 children as described in Section 97-5-33, shall be commenced on or
28 before the child's twenty-first birthday.

29 Any prosecution for rape as described in Section 97-3-65
30 shall be commenced within ten (10) years after the commission of
31 the act.

32 **SECTION 2.** This act shall take effect and be in force from
33 and after July 1, 2002.

