

By: Representatives Fredericks, Pierce

To: Judiciary B

HOUSE BILL NO. 1009

1 AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE TIME LIMITATIONS ON PROSECUTING PERSONS IN POSITIONS OF
3 TRUST FOR SEXUAL OFFENSES; 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, rape, 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(1)(c), (d) or (2) or
15 exploitation of children as described in Section 97-5-33, unless
16 the prosecution for such offense be commenced within two (2) years
17 next after the commission thereof, but nothing contained in this
18 section shall bar any prosecution against any person who shall
19 abscond or flee from justice, or shall absent himself from this
20 state or out of the jurisdiction of the court, or so conduct
21 himself that he cannot be found by the officers of the law, or
22 that process cannot be served upon him.

23 **SECTION 2.** This act shall take effect and be in force from
24 and after July 1, 2004.