

By: Senator(s) Sparks, Suber, Whaley

To: Judiciary, Division B

SENATE BILL NO. 2337

1 AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT AN OFFENSE OF CONSPIRACY SHALL BEAR THE SAME STATUTE
3 OF LIMITATION AS THE CRIME THE DEFENDANT IS ACCUSED OF CONSPIRING
4 TO COMMIT; AND FOR RELATED PURPOSES.

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

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

8 99-1-5. (1) (a) The passage of time shall never bar
9 prosecution against any person for the offenses of murder,
10 manslaughter, aggravated assault, aggravated domestic violence,
11 kidnapping, arson, burglary, forgery, counterfeiting, robbery,
12 larceny, rape, embezzlement, obtaining money or property under
13 false pretenses or by fraud, felonious abuse or battery of a child
14 as described in Section 97-5-39, touching or handling a child for
15 lustful purposes as described in Section 97-5-23, sexual battery
16 of a child as described in Section 97-3-95(1)(c), (d) or (2),
17 exploitation of children as described in Section 97-5-33,
18 promoting prostitution under Section 97-29-51(2) when the person
19 involved is a minor, or any human trafficking offense as described



20 in Section 97-3-54.1(1) (a), (1) (b) or (1) (c), Section 97-3-54.2,
21 or Section 97-3-54.3.

22 (b) A person shall not be prosecuted * * * for
23 felonious assistance-program fraud, as described in Section
24 97-19-71, or for felonious abuse of vulnerable persons, as
25 described in Sections 43-47-18 and 43-47-19, unless the
26 prosecution for the offense is commenced within five (5) years
27 next after the commission thereof.

28 (c) A person shall not be prosecuted for larceny of
29 timber as described in Section 97-17-59, unless the prosecution
30 for the offense is commenced within six (6) years next after the
31 commission thereof.

32 (d) The time limitation on prosecution for conspiracy,
33 as described in Section 97-1-1, shall be the same as for the
34 underlying offense for which the defendant is accused of
35 conspiring to commit.

36 (2) A person shall not be prosecuted for any other offense
37 not listed in this section unless the prosecution for the offense
38 is commenced within two (2) years next after the commission
39 thereof.

40 (3) Nothing contained in this section shall bar any
41 prosecution against any person who shall abscond or flee from
42 justice, or shall absent himself from this state or out of the
43 jurisdiction of the court, or so conduct himself that he cannot be



44 found by the officers of the law, or that process cannot be served
45 upon him.

46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2023.

