

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.

