

By: Representatives Owen, McCarty, Waldo,  
McLean

To: Judiciary B

HOUSE BILL NO. 286

1 AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO  
2 REMOVE THE STATUTE OF LIMITATIONS ON THE CERTAIN CRIMES OF SEXUAL  
3 BATTERY WHEN DNA TESTING PROVIDES ADDITIONAL EVIDENCE; AND FOR  
4 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 sexual battery as described in Section 97-3-95(1)(a) or (b) when  
18 the suspect's identity is unknown at the time of the crime, but  
19 later discovered due to results of DNA testing of biological



20 evidence, exploitation of children as described in Section  
21 97-5-33, promoting prostitution under Section 97-29-51(2) when the  
22 person involved is a minor, or any human trafficking offense as  
23 described in Section 97-3-54.1(1)(a), (1)(b) or (1)(c), Section  
24 97-3-54.2, or Section 97-3-54.3.

25 (b) A person shall not be prosecuted for felonious  
26 assistance-program fraud, as described in Section 97-19-71, or for  
27 felonious abuse of vulnerable persons, as described in Sections  
28 43-47-18 and 43-47-19, unless the prosecution for the offense is  
29 commenced within five (5) years next after the commission thereof.

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

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

38 (e) A person shall not be prosecuted for bribery as  
39 defined in Section 97-11-11, unless the prosecution for the  
40 offense is commenced within five (5) years after the commission  
41 thereof.

42 (2) A person shall not be prosecuted for any other offense  
43 not listed in this section unless the prosecution for the offense



44 is commenced within two (2) years next after the commission  
45 thereof.

46 (3) Nothing contained in this section shall bar any  
47 prosecution against any person who shall abscond or flee from  
48 justice, or shall absent himself from this state or out of the  
49 jurisdiction of the court, or so conduct himself that he cannot be  
50 found by the officers of the law, or that process cannot be served  
51 upon him.

52 **SECTION 2.** This act shall take effect and be in force from  
53 and after July 1, 2024.

