

By: Representatives Owen, McCarty

To: Judiciary B

HOUSE BILL NO. 289

1 AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE STATUTE OF LIMITATION FOR THE CRIME OF SEXUAL BATTERY;
3 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. (1) (a) The passage of time shall never bar
8 prosecution against any person for the offenses of murder,
9 manslaughter, aggravated assault, aggravated domestic violence,
10 kidnapping, arson, burglary, forgery, counterfeiting, robbery,
11 larceny, rape, embezzlement, obtaining money or property under
12 false pretenses or by fraud, felonious abuse or battery of a child
13 as described in Section 97-5-39, touching or handling a child for
14 lustful purposes as described in Section 97-5-23, sexual
15 battery * * *as described in Section 97-3-95 * * *, exploitation
16 of children as described in Section 97-5-33, promoting
17 prostitution under Section 97-29-51(2) when the person involved is
18 a minor, or any human trafficking offense as described in Section



19 97-3-54.1(1)(a), (1)(b) or (1)(c), Section 97-3-54.2, or Section
20 97-3-54.3.

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

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

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

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

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

42 (3) Nothing contained in this section shall bar any
43 prosecution against any person who shall abscond or flee from



44 justice, or shall absent himself from this state or out of the
45 jurisdiction of the court, or so conduct himself that he cannot be
46 found by the officers of the law, or that process cannot be served
47 upon him.

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

