

By: Representatives Lamar, McLean

To: Judiciary B

HOUSE BILL NO. 1162

1 AN ACT TO AMEND SECTION 15-1-59, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE STATUTE OF LIMITATIONS FOR PERSONAL ACTIONS FOR CHILD
3 SEXUAL ABUSE; TO BRING FORWARD SECTION 99-1-5, MISSISSIPPI CODE OF
4 1972, WHICH PROVIDES TIME LIMITATIONS FOR PROSECUTION OF CRIMES,
5 FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTION 15-1-49,
6 MISSISSIPPI CODE OF 1972, WHICH PROVIDES LIMITATIONS FOR PERSONAL
7 ACTIONS THAT ARE NOT SPECIFICALLY PROVIDED FOR IN THE LAW; AND FOR
8 RELATED PURPOSES.

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

10 **SECTION 1.** Section 15-1-59, Mississippi Code of 1972, is
11 amended as follows:

12 15-1-59. (1) * * * Except as otherwise provided in
13 subsection (2) of this section, any person entitled to bring any
14 of the personal actions mentioned shall, at the time at which the
15 cause of action accrued, be under the disability of infancy or
16 unsoundness of mind, he may bring the actions within the times in
17 this chapter respectively limited, after his disability shall be
18 removed as provided by law. However, the saving in favor of
19 persons under disability of unsoundness of mind shall never extend
20 longer than twenty-one (21) years.



21 (2) (a) Except as otherwise provided in paragraph (b) of
22 this subsection, any person entitled to bring any personal action
23 of felonious abuse or battery of a child as described in Section
24 97-5-39, touching or handling a child for lustful purposes as
25 described in Section 97-5-23, sexual battery of a child as
26 described in Section 97-3-95, exploitation of children as
27 described in Section 97-5-33, promoting prostitution under Section
28 97-29-51(2) when the person involved is a minor, or any human
29 trafficking offense as described in Section 97-3-54.1(1) (a),
30 (1) (b) or (1) (c), 97-3-54.2 or 97-3-54.3, shall commence such
31 action not later than ten (10) years from the date on which the
32 person reaches twenty-one (21) years of age.

33 (b) Effective July 1, 2024, to June 30, 2027, any
34 person entitled to bring any personal action of felonious abuse or
35 battery of a child as described in Section 97 5 39, touching or
36 handling a child for lustful purposes as described in Section 97 5
37 23, sexual battery of a child as described in Section 97 3 95,
38 exploitation of children as described in Section 97 5 33,
39 promoting prostitution under Section 97 29 51(2) when the person
40 involved is a minor, or any human trafficking offense as described
41 in Section 97 3 54.1(1) (a), (1) (b) or (1) (c), 97 3 54.2 or 97 3
42 54.3, shall commence such action regardless of the passage of time
43 from the date or time the cause of action accrued or occurred; and
44 regardless of the age of the person at the time he or she
45 commences such action.



46 The provisions of this paragraph (b) shall stand repealed on
47 July 1, 2027.

48 **SECTION 2.** Section 99-1-5, Mississippi Code of 1972, is
49 brought forward as follows:

50 99-1-5. (1) (a) The passage of time shall never bar
51 prosecution against any person for the offenses of murder,
52 manslaughter, aggravated assault, aggravated domestic violence,
53 kidnapping, arson, burglary, forgery, counterfeiting, robbery,
54 larceny, rape, embezzlement, obtaining money or property under
55 false pretenses or by fraud, felonious abuse or battery of a child
56 as described in Section 97-5-39, touching or handling a child for
57 lustful purposes as described in Section 97-5-23, sexual battery
58 of a child as described in Section 97-3-95(1)(c), (d) or (2),
59 exploitation of children as described in Section 97-5-33,
60 promoting prostitution under Section 97-29-51(2) when the person
61 involved is a minor, or any human trafficking offense as described
62 in Section 97-3-54.1(1)(a), (1)(b) or (1)(c), Section 97-3-54.2,
63 or Section 97-3-54.3.

64 (b) A person shall not be prosecuted for felonious
65 assistance-program fraud, as described in Section 97-19-71, or for
66 felonious abuse of vulnerable persons, as described in Sections
67 43-47-18 and 43-47-19, unless the prosecution for the offense is
68 commenced within five (5) years next after the commission thereof.

69 (c) A person shall not be prosecuted for larceny of
70 timber as described in Section 97-17-59, unless the prosecution



71 for the offense is commenced within six (6) years next after the
72 commission thereof.

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

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

81 (2) A person shall not be prosecuted for any other offense
82 not listed in this section unless the prosecution for the offense
83 is commenced within two (2) years next after the commission
84 thereof.

85 (3) Nothing contained in this section shall bar any
86 prosecution against any person who shall abscond or flee from
87 justice, or shall absent himself from this state or out of the
88 jurisdiction of the court, or so conduct himself that he cannot be
89 found by the officers of the law, or that process cannot be served
90 upon him.

91 **SECTION 3.** Section 15-1-49, Mississippi Code of 1972, is
92 brought forward as follows:

93 15-1-49. (1) All actions for which no other period of
94 limitation is prescribed shall be commenced within three (3) years
95 next after the cause of such action accrued, and not after.



96 (2) In actions for which no other period of limitation is
97 prescribed and which involve latent injury or disease, the cause
98 of action does not accrue until the plaintiff has discovered, or
99 by reasonable diligence should have discovered, the injury.

100 (3) The provisions of subsection (2) of this section shall
101 apply to all pending and subsequently filed actions.

102 **SECTION 4.** This act shall take effect and be in force from
103 and after July 1, 2024.

