

By: Representative McKnight

To: Judiciary B

HOUSE BILL NO. 1323
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE STATUTE OF LIMITATIONS FOR PROSECUTION OF THE CRIME OF
3 SEXUAL BATTERY OF A VULNERABLE PERSON; 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 battery
15 of a child as described in Section 97-3-95(1)(c), (d) or (2),
16 exploitation of children as described in Section 97-5-33,
17 promoting prostitution under Section 97-29-51(2) when the person
18 involved is a minor, felonious abuse of vulnerable persons, as



19 described in Section 43-47-18, sexual battery as described in
20 Section 97-3-95(1) (a) or (b) when the identity of the accused is
21 later discovered due to results of DNA testing of biological
22 evidence, or any human trafficking offense as described in Section
23 97-3-54.1(1) (a), (1) (b) or (1) (c), Section 97-3-54.2, or Section
24 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 * * *
28 Section 43-47-19, unless the prosecution for the offense is
29 commenced within five (5) years * * * after the commission
30 thereof.

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

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

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



43 (2) A person shall not be prosecuted for any other offense
44 not listed in this section unless the prosecution for the offense
45 is commenced within two (2) years * * * after the commission
46 thereof.

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

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

