

By: Senator(s) Hickman

To: Judiciary, Division B

## SENATE BILL NO. 2318

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  
37 97-5-23, sexual battery of a child as described in Section  
38 97-3-95, 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  
42 97-3-54.3, shall commence such action regardless of the passage of  
43 time from the date or time the cause of action accrued or  
44 occurred; and regardless of the age of the person at the time he  
45 or she 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, felonious abuse of vulnerable persons, as  
62 described in Section 43-47-18, sexual battery as described in  
63 Section 97-3-95(1)(a) or (b) when the identity of the accused is  
64 later discovered due to results of DNA testing of biological  
65 evidence, or any human trafficking offense as described in Section  
66 97-3-54.1(1)(a), (1)(b) or (1)(c), Section 97-3-54.2, or Section  
67 97-3-54.3.

68       (b) A person shall not be prosecuted for felonious  
69 assistance-program fraud, as described in Section 97-19-71, or for  
70 felonious abuse of vulnerable persons, as described in Section



43-47-19, unless the prosecution for the offense is commenced within five (5) years after the commission thereof.

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

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

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

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

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

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



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

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

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

**SECTION 4.** This act shall take effect and be in force from and after its passage.

