

By: Representative Zuber

To: Judiciary B

HOUSE BILL NO. 1296

1 AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE TIME LIMITATION ON BRINGING PROSECUTION IN CHILD ABUSE  
3 CASES; 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. A person shall not be prosecuted for any offense,  
8 with the exception of murder, manslaughter, aggravated assault,  
9 kidnapping, arson, burglary, forgery, counterfeiting, robbery,  
10 larceny, rape, embezzlement, obtaining money or property under  
11 false pretenses or by fraud, felonious abuse or battery of a child  
12 as described in Section 97-5-39, touching or handling a child for  
13 lustful purposes as described in Section 97-5-23, sexual battery  
14 of a child as described in Section 97-3-95(c) or exploitation of  
15 children as described in Section 97-5-33, unless the prosecution  
16 for such offense be commenced within two (2) years next after the  
17 commission thereof, but nothing contained in this section shall  
18 bar any prosecution against any person who shall abscond or flee  
19 from justice, or shall absent himself from this state or out of  
20 the jurisdiction of the court, or so conduct himself that he  
21 cannot be found by the officers of the law, or that process cannot  
22 be served upon him.

23 Any prosecutions for felonious abuse or battery of a child as  
24 described in Section 97-5-39, touching or handling a child for  
25 lustful purposes as described in Section 97-5-23, sexual battery  
26 of a child as described in Section 97-3-95(c) or exploitation of

27 children as described in Section 97-5-33, shall be commenced on or  
28 before the child's thirty-fifth birthday.

29 SECTION 2. This act shall take effect and be in force from  
30 and after July 1, 2001.