

Senate Amendments to House Bill No. 1323

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 or any human trafficking offense as
20 described in Section 97-3-54.1(1)(a), (1)(b) or (1)(c), Section
21 97-3-54.2, or Section 97-3-54.3.

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

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

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

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

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

44 (3) Nothing contained in this section shall bar any
45 prosecution against any person who shall abscond or flee from
46 justice, or shall absent himself from this state or out of the
47 jurisdiction of the court, or so conduct himself that he cannot be

48 found by the officers of the law, or that process cannot be served
49 upon him.

50 **SECTION 2.** This act shall take effect and be in force from
51 and after July 1, 2024, and shall stand repealed on June 30, 2024.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.

SS08\HB1323PS.J

Amanda White
Secretary of the Senate