



General Assembly

February Session, 2018

Raised Bill No. 5246

LCO No. 1263



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT ELIMINATING THE STATUTE OF LIMITATIONS IN THE CASE OF SEXUAL ASSAULT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-193 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2018, and*
3 *applicable to any offense committed on or after October 1, 2018, and to any*
4 *offense committed prior to October 1, 2018, for which the statute of*
5 *limitations in effect at the time of the commission of the offense had not yet*
6 *expired as of October 1, 2018*):

7 (a) There shall be no limitation of time within which a person may
8 be prosecuted for (1) a capital felony under the provisions of section
9 53a-54b in effect prior to April 25, 2012, a class A felony or a violation
10 of section 53a-54d or 53a-169, a class B felony violation of section 53a-
11 70 or 53a-70a or a violation of section 53a-70b, 53a-71, 53a-72a, 53a-72b
12 or 53a-73a, (2) a violation of section 53a-165aa or 53a-166 in which such
13 person renders criminal assistance to another person who has
14 committed an offense set forth in subdivision (1) of this subsection, (3)
15 a violation of section 53a-156 committed during a proceeding that

16 results in the conviction of another person subsequently determined to
17 be actually innocent of the offense or offenses of which such other
18 person was convicted, or (4) a motor vehicle violation or offense that
19 resulted in the death of another person and involved a violation of
20 subsection (a) of section 14-224.

21 (b) No person may be prosecuted for any offense, other than an
22 offense set forth in subsection (a) of this section, for which the
23 punishment is or may be imprisonment in excess of one year, except
24 within five years next after the offense has been committed.

25 (c) No person may be prosecuted for any offense, other than an
26 offense set forth in subsection (a) or (b) of this section, except within
27 one year next after the offense has been committed.

28 (d) If the person against whom an indictment, information or
29 complaint for any of said offenses is brought has fled from and resided
30 out of this state during the period so limited, it may be brought against
31 such person at any time within such period, during which such person
32 resides in this state, after the commission of the offense.

33 (e) When any suit, indictment, information or complaint for any
34 crime may be brought within any other time than is limited by this
35 section, it shall be brought within such time.

36 Sec. 2. Section 54-193a of the general statutes is repealed and the
37 following is substituted in lieu thereof (*Effective October 1, 2018, and*
38 *applicable to any offense committed on or after October 1, 2018, and to any*
39 *offense committed prior to October 1, 2018, for which the statute of*
40 *limitations in effect at the time of the commission of the offense had not yet*
41 *expired as of October 1, 2018*):

42 [Notwithstanding] Except in the case of an offense that is a class A
43 felony, a class B felony violation of section 53a-70 or 53a-70a or a
44 violation of section 53a-70b , 53a-71, 53a-72a, 53a-72b or 53a-73a, and
45 notwithstanding the provisions of section 54-193, as amended by this
46 act, no person may be prosecuted for any offense [, except a class A

47 felony,] involving sexual abuse, sexual exploitation or sexual assault of
 48 a minor except within thirty years from the date the victim attains the
 49 age of majority or within five years from the date the victim notifies
 50 any police officer or state's attorney acting in such police officer's or
 51 state's attorney's official capacity of the commission of the offense,
 52 whichever is earlier, provided if the prosecution is for a violation of
 53 subdivision (1) of subsection (a) of section 53a-71, the victim notified
 54 such police officer or state's attorney not later than five years after the
 55 commission of the offense.

56 Sec. 3. Section 54-193b of the general statutes is repealed. (*Effective*
 57 *October 1, 2018*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018, and applicable to any offense committed on or after October 1, 2018, and to any offense committed prior to October 1, 2018, for which the statute of limitations in effect at the time of the commission of the offense had not yet expired as of October 1, 2018</i>	54-193
Sec. 2	<i>October 1, 2018, and applicable to any offense committed on or after October 1, 2018, and to any offense committed prior to October 1, 2018, for which the statute of limitations in effect at the time of the commission of the offense had not yet expired as of October 1, 2018</i>	54-193a
Sec. 3	<i>October 1, 2018</i>	Repealer section

Statement of Purpose:

To allow for the prosecution of sexual assault cases without time limitations posed by statutes of limitation.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]