



General Assembly

February Session, 2022

Raised Bill No. 461

LCO No. 3461



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE STATUTE OF LIMITATIONS FOR CRIMES
COMMITTED AGAINST THE ELDERLY.***

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 Section 54-193 of the general statutes is repealed and the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, 2022, and*
3 *applicable to any offense committed on or after October 1, 2022, and to any*
4 *offense committed prior to October 1, 2022, for which the statute of limitations*
5 *in effect at the time of the commission of the offense had not yet expired as of*
6 *October 1, 2022*):

7 (a) There shall be no limitation of time within which a person may be
8 prosecuted for (1) (A) 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 of
10 section 53a-54d or 53a-169, or (B) any other offense involving sexual
11 abuse, sexual exploitation or sexual assault if the victim of the offense
12 was a minor at the time of the offense, including, but not limited to, a
13 violation of subdivision (2) of subsection (a) of section 53-21, (2) a
14 violation of section 53a-165aa or 53a-166 in which such person renders
15 criminal assistance to another person who has committed an offense set

16 forth in subdivision (1) of this subsection, (3) a violation of section 53a-
17 156 committed during a proceeding that results in the conviction of
18 another person subsequently determined to be actually innocent of the
19 offense or offenses of which such other person was convicted, or (4) a
20 motor vehicle violation or offense that resulted in the death of another
21 person and involved a violation of subsection (a) of section 14-224.

22 (b) (1) Except as provided in subsection (a) or (c) of this section or
23 subdivision (2) of this subsection, no person may be prosecuted for a
24 violation of a (A) class B felony violation of section 53a-70, 53a-70a or
25 53a-70b, (B) class C felony violation of section 53a-71 or 53a-72b, or (C)
26 class D felony violation of section 53a-72a, except within twenty years
27 next after the offense has been committed.

28 (2) Except as provided in subsection (a) of this section, no person may
29 be prosecuted for any offense involving sexual abuse, sexual
30 exploitation or sexual assault of a victim if the victim was eighteen,
31 nineteen or twenty years of age at the time of the offense, except not
32 later than thirty years next after such victim attains the age of twenty-
33 one years.

34 (3) ~~[No]~~ Except as provided in subsection (c) of this section, no person
35 may be prosecuted for a class A misdemeanor violation of section 53a-
36 73a if the victim at the time of the offense was twenty-one years of age
37 or older, except within ten years next after the offense has been
38 committed.

39 (c) Except as provided in subsection (a) of this section or in the case
40 of an offense set forth in subsection (b) of this section for which the time
41 period for prosecution of such offense is longer under said subsection
42 (b) than under this subsection, no person may be prosecuted for an
43 offense against an elderly person within five years next of the discovery
44 of the commission of the offense in the course of an investigation of
45 exploitation of the elderly person or the death of the elderly person,
46 whichever is sooner. For purposes of this subsection, "elderly" and
47 "exploitation" have the same meanings as provided in section 17b-450.

48 (d) No person may be prosecuted for any offense, other than an
 49 offense set forth in subsection (a), ~~or~~ (b) or (c) of this section, for which
 50 the punishment is or may be imprisonment in excess of one year, except
 51 within five years next after the offense has been committed.

52 ~~[(d)]~~ (e) No person may be prosecuted for any offense, other than an
 53 offense set forth in subsection (a), (b), ~~or~~ (c) or (d) of this section, except
 54 within one year next after the offense has been committed.

55 ~~[(e)]~~ (f) If the person against whom an indictment, information or
 56 complaint for any of said offenses is brought has fled from and resided
 57 out of this state during the period so limited, it may be brought against
 58 such person at any time within such period, during which such person
 59 resides in this state, after the commission of the offense.

60 ~~[(f)]~~ (g) When any suit, indictment, information or complaint for any
 61 crime may be brought within any other time than is limited by this
 62 section, it shall be brought within such time.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2022, and applicable to any offense committed on or after October 1, 2022, and to any offense committed prior to October 1, 2022, 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, 2022</i> | 54-193 |

Statement of Purpose:

To extend the statute of limitations for the prosecution of crimes committed against the elderly.

[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.]