

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: S3/10/11

A Bill

SENATE BILL 320

5 By: Senators P. Malone, J. Dismang, Irvin, Laverty, G. Jeffress, J. Jeffress, Madison, Salmon, Fletcher,
6 Elliott, Teague, J. Taylor, L. Chesterfield, Crumbly, D. Wyatt, J. Key
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For An Act To Be Entitled

9 AN ACT TO REMOVE THE STATUTE OF LIMITATIONS ON SEXUAL
10 OFFENSES; AND FOR OTHER PURPOSES.
11

Subtitle

14 AN ACT TO REMOVE THE STATUTE OF
15 LIMITATIONS ON SEXUAL OFFENSES.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 5-1-109(a), concerning offenses with no
21 statute of limitations, is amended to read as follows:

22 (a)(1) A prosecution for murder may be commenced at any time.

23 (2) A prosecution may be commenced at any time for:

24 (A) Rape, § 5-14-103;

25 (B) Sexual assault in the first degree, § 5-14-124;

26 (C) Sexual assault in the second degree, § 5-14-125;

27 (D) Sexual assault in the third degree, § 5-14-126;

28 (E) Sexual assault in the fourth degree, § 5-14-127;

29 (F) Incest, § 5-26-202;

30 (G) Endangering the welfare of a minor in the first
31 degree, § 5-27-205;

32 (H) Permitting abuse of a minor, § 5-27-221;

33 (I) Engaging children in sexually explicit conduct for use
34 in visual or print medium, § 5-27-303;

35 (J) Transportation of minors for prohibited sexual
36 conduct, § 5-27-305;



1 (K) Employing or consenting to the use of a child in a
 2 sexual performance, § 5-27-402;

3 (L) Producing, directing, or promoting a sexual
 4 performance by a child, § 5-27-403;

5 (M) Computer child pornography, § 5-27-603; and

6 (N) Computer exploitation of a child in the first degree,
 7 § 5-27-605.

8
 9 SECTION 2. Arkansas Code § 5-1-109(h), concerning extended time limits
 10 on criminal prosecutions, is amended to read as follows:

11 (h) If the period prescribed in subsection (b) of this section has
 12 expired, a prosecution may nevertheless be commenced for a violation of the
 13 following offenses if, when the alleged violation occurred, the offense was
 14 committed against a minor, the violation has not previously been reported to
 15 a law enforcement agency or prosecuting attorney, and the period prescribed
 16 in subsection (b) of this section has not expired since the victim has
 17 reached eighteen (18) years of age:

18 (1) Battery in the first degree, § 5-13-201;

19 (2) Battery in the second degree, § 5-13-202;

20 (3) Aggravated assault, § 5-13-204;

21 (4) Terroristic threatening in the first degree, § 5-13-301;

22 (5) Kidnapping, § 5-11-102;

23 (6) False imprisonment in the first degree, § 5-11-103;

24 (7) Permanent detention or restraint, § 5-11-106; and

25 ~~(8) Rape, § 5-14-103;~~

26 ~~(9) Sexual assault in the first degree, § 5-14-124;~~

27 ~~(10) Sexual assault in the second degree, § 5-14-125;~~

28 ~~(11) Sexual assault in the third degree, § 5-14-126;~~

29 ~~(12) Sexual assault in the fourth degree, § 5-14-127;~~

30 ~~(13) Incest, § 5-26-202;~~

31 ~~(14) Endangering the welfare of a minor in the first degree, §~~
 32 ~~5-27-205;~~

33 ~~(15) Permitting abuse of a minor, § 5-27-221;~~

34 ~~(16) Engaging children in sexually explicit conduct for use in~~
 35 ~~visual or print medium, § 5-27-303;~~

36 ~~(17) Transportation of minors for prohibited sexual conduct, §~~

1 ~~5-27-305;~~

2 ~~(18) Employing or consenting to the use of a child in a sexual~~
3 ~~performance, § 5-27-402;~~

4 ~~(19) Producing, directing, or promoting a sexual performance by~~
5 ~~a child, § 5-27-403;~~

6 ~~(20) Computer child pornography, § 5-27-603;~~

7 ~~(21) Computer exploitation of a child in the first degree, § 5-~~
8 ~~27-605; and~~

9 ~~(22)~~(8) Criminal attempt, criminal solicitation, or criminal
10 conspiracy to commit any offense listed in this subsection, §§ 5-3-201, 5-3-
11 202, 5-3-301, and 5-3-401.

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/s/P. Malone

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