

1 State of Arkansas
2 88th General Assembly
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4

As Engrossed: S3/10/11 S3/15/11

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 *EXTEND* THE STATUTE OF LIMITATIONS ON SEXUAL
10 OFFENSES; AND FOR OTHER PURPOSES.
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Subtitle

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13 *AN ACT TO EXTEND THE STATUTE OF*
14 *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 for a violation of the
24 following offenses, if, when the alleged violation occurred, the offense was
25 committed against a minor, the violation has not been previously reported to
26 a law enforcement agency or prosecuting attorney, and the victim has not
27 reached the age of twenty-eight (28) years of age:

28 (A) Rape, § 5-14-103;

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

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

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

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

33 (F) Incest, § 5-26-202;

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

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



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

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

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

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

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

10 (N) Computer exploitation of a child in the first degree,
 11 § 5-27-605.

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

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

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

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

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

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

26 (5) Kidnapping, § 5-11-102;

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

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

29 ~~(8) Rape, § 5-14-103;~~

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

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

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

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

34 ~~(13) Incest, § 5-26-202;~~

35 ~~(14) Endangering the welfare of a minor in the first degree, §~~
 36 ~~5-27-205;~~

- 1 ~~(15) Permitted abuse of a minor, § 5-27-221;~~
- 2 ~~(16) Engaging children in sexually explicit conduct for use in~~
- 3 ~~visual or print medium, § 5-27-303;~~
- 4 ~~(17) Transportation of minors for prohibited sexual conduct, §~~
- 5 ~~5-27-305;~~
- 6 ~~(18) Employing or consenting to the use of a child in a sexual~~
- 7 ~~performance, § 5-27-402;~~
- 8 ~~(19) Producing, directing, or promoting a sexual performance by~~
- 9 ~~a child, § 5-27-403;~~
- 10 ~~(20) Computer child pornography, § 5-27-603;~~
- 11 ~~(21) Computer exploitation of a child in the first degree, § 5-~~
- 12 ~~27-605; and~~
- 13 ~~(22)~~(8) Criminal attempt, criminal solicitation, or criminal
- 14 conspiracy to commit any offense listed in this subsection, §§ 5-3-201, 5-3-
- 15 202, 5-3-301, and 5-3-401.

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/s/P. Malone