



**CRIMINAL STATUTE OF LIMITATIONS
SEXUAL OFFENSES** (Current Through 2006)

STATE/STATUTE	TIME FOR PROSECUTING SEX OFFENSES	EXTENSIONS WHERE VICTIM IS A MINOR
<p>Alabama §§ 15-3-1, 15-3-2, 15-3-5</p>	<p>felonies involving use, attempted use, or threat of violence to a person, or involving serious physical injury or death of a person - no limitation</p> <p>other felonies -- 3 years</p> <p>misdemeanors -- 12 months</p>	<p>no limitation of time for prosecuting any sex offense involving a minor under 16</p>
<p>Alaska §§ 12.10.010, 12.10.020</p>	<p>most sex offenses -- 10 years</p> <p>sexual abuse Class A or Class B felony -- no limitation</p>	<p>no limitation of time for prosecuting most sex crimes against children under 18</p>
<p>Arizona § 13-107</p>	<p>most sex offenses (class 2 - 6 felonies) -- 7 years after actual discovery of the offense by the state or the agency with jurisdiction of the offense or discovery which should have occurred with the exercise of reasonable diligence, whichever occurs first</p> <p>violent sexual assault -- no limitation</p> <p>misdemeanors -- 1 year</p> <p>Time does not run for any serious offense during the time the identity of the offender is unknown.</p>	
<p>Arkansas § 5-1-109</p>	<p>class Y and Class A felonies, such as exposing another person to HIV -- 6 years</p> <p>class B, D, or D, or unclassified felonies, which include most other sex offenses, 3 years</p> <p>misdemeanors -- 1 year</p>	<p>prosecution may be brought for most sex offenses against minors if the offense was not previously reported to law enforcement or a prosecutor, and the normal time period has not expired since victim has reached the age of 18</p>

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<p>California §§ PC 799, 800, 801, 802, 803</p>	<p>offense punishable by death or life imprisonment or life imprisonment without possibility of parole - no limitation</p> <p>offenses punishable by imprisonment for 8 or more years -- 6 years</p> <p>other offense punishable by imprisonment -- 3 years</p> <p>misdemeanor violation of 647.6 with minor under 14 - 3 years</p> <p>sexual offense by physician or psychotherapist with patient -- 2 years</p>	<p>most sex offenses involving children -- 1 year of the date a person of any age informs police of a crime involving substantial sexual conduct against that person when he or she was under 18, if the applicable limitation period has expired; and if there is independent evidence that corroborates the victim's claim</p>
<p>Colorado §§ 16-5-401, 18-3-411(2)</p>	<p>most sex offenses - 10 years</p> <p>misdemeanor third degree sexual assaults -- 5 years</p>	<p>New legislation effective 7/06: Any sex offense against a child – no limit (CO Legis 119 (2006))</p>
<p>Connecticut §§ 54-193; 54-193a</p>	<p>most sexual felonies -- 5 years</p> <p>Class A felony sexual assault – no limit</p> <p>misdemeanors -- 1 year</p>	<p>offenses against minors -- within 30 years of the date victim attains majority, or five years after victim notifies police or prosecutor, whichever is earlier, but no limit shall be less than 5 years after commission of the offense</p>
<p>District of Columbia § 23-113</p>	<p>1st and 2nd degree sexual abuse and child sexual abuse – 15 years</p> <p>Other sexual abuse – 10 years</p>	
<p>Delaware §§ 11-205</p>	<p>Any sexual offense – no limitation</p>	

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<p>Florida § 775.15</p>	<p>first or second degree sexual battery -- if reported to police within 72 hours, no limitation on time to bring prosecution</p> <p>capital or life felony, such as the most serious forms of sexual battery -- no limitation</p> <p>first degree felonies -- 4 years</p> <p>other felonies -- 3 years</p> <p>first degree misdemeanor -- 2 years</p> <p>other misdemeanors -- 1 year</p>	<p>if victim of sexual battery, lewd, lascivious, or indecent assault or act upon or in presence of child, or of incest is under 18 -- limitations period for prosecuting doesn't begin to run until victim turns 18 or violation is reported to law enforcement or another government agency, whichever is earlier</p>
<p>Georgia § 17-3-1</p>	<p>forcible rape -- 15 years</p> <p>other felonies -- 4 years</p> <p>misdemeanors -- 2 years</p>	<p>felonies against victims who are under 18 must be brought within 7 years after the commission of the crime</p>
<p>Hawaii § 701-108</p>	<p>class A felony -- 6 years</p> <p>other felony -- 3 years</p> <p>misdemeanor -- 2 years</p>	<p>time period for sexual offense does not begin to run until victim turns 18</p>
<p>Idaho § 19-401, 19-402</p>	<p>most felonies -- 5 years</p> <p>rape: no limitation</p> <p>sexual exploitation by a medical care provider -- 2 years</p> <p>misdemeanors -- 1 year</p>	<p>New legislation effective 7/06: Sexual abuse of child or lewd conduct with a child -- no limitation</p> <p>ritualized abuse of a child -- 3 years after initial disclosure by victim</p>

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<p>Illinois §§ 720-5/3-5, 720-5/3-6</p>	<p>felony sex offenses -- 3 years, but the limitation extends to 10 years if reported within 2 years of commission</p> <p>sexual exploitation -- 2 years</p> <p>misdemeanors -- 1½ years</p> <p>sexual crimes by defendant in a professional or fiduciary relationship with victim at time of the offense -- 1 year after discovery of the offense by victim</p>	<p>most sexual crimes committed against a minor -- 20 years after victim turns 18</p>
<p>Indiana § 35-41-4-2</p>	<p>class A felony (such as rape with use or threat of deadly force, use of deadly weapon, or resulting in serious bodily injury) -- no limitation</p> <p>other felonies -- 5 years</p> <p>misdemeanors -- 2 years</p>	<p>most child sex offenses -- prosecution must be brought before victim turns 31.</p> <p>ALSO, time period does not run during time the accused conceals evidence of the offense, and the prosecutor is unaware of sufficient evidence to charge the accused and such evidence couldn't have been discovered by the prosecutor with exercise of due diligence</p>
<p>Iowa §§ 802.2, 802.2A, 802.3</p>	<p>Any sexual abuse in the 1st, 2nd, or 3rd degree – 10 years</p> <p>sexual exploitation by counselor or therapist -- 10 years after date of last treatment</p>	<p>sexual abuse in the 1st, 2nd or 3rd degree involving a victim under 18 -- 10 years after victim turns 18</p>

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<p>Kansas § 21-3106</p>	<p>rape, aggravated criminal sodomy -- 5 years</p> <p>other sexual offenses -- 2 years</p> <p>time does not run during the time the fact of the crime is concealed</p>	<p>most sexual offenses against children under 16 -- 5 years</p> <p>time period does not run during the time the fact of the crime is concealed</p> <p>whether or not the fact of the crime is concealed by the active act or conduct of the accused, if 2 or more of the following are true, time period does not run: victim is under 15 at the time of the offense; victim was of such age or intelligence that victim was unable to determine that the acts constituted a crime; victim was prevented by parent or other authority from reporting; or expert testimony shows victim repressed memory of the crime; however prosecution may not be begun after victim turns 28</p>
<p>Kentucky § 500.050</p>	<p>felonies -- no limit</p> <p>other offenses -- 1 year</p> <p>spousal sexual assault must be reported within 1 year</p>	
<p>Louisiana C.Cr.P Art. 571, 571.1, 572 and 573</p>	<p>crimes punishable by life imprisonment and forcible rape -- no limitation</p> <p>felonies necessarily punishable by imprisonment at hard labor -- 6 years</p> <p>felonies not necessarily punishable by imprisonment at hard labor -- 4 years</p> <p>misdemeanors punishable by fine or imprisonment -- 2 years</p>	<p>sex offenses against victims under 17 -- 30 years after victim turns 17</p> <p>aggravated battery of child -- limitation doesn't begin to run until victim turns 17</p>

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Maine § 17-A-8	class A, B, or C crimes -- 6 years class D or E crimes -- 3 years	incest, rape, or unlawful sexual contact -- no limitation gross sexual assault or sexual abuse of a minor, where victim under 16 – no limitation
Maryland (absence of any limitation by statute)	no limitation	
Massachusetts § 277-63	rape and assault with intent to commit rape, and rape of child -- 15 years incest -- 10 years most other offenses -- 6 years	most sex crimes against children under 16 -- time period does not begin to run until victim turns 16 or the violation is reported to law enforcement, whichever occurs first
Michigan MCL § 767.24	most offenses -- 6 years 1 st degree sexual assault – no limitation	most sexual offenses against a child under 18 -- 10 years or victim's 21st birthday, whichever is later
Minnesota §§ 148A.06; 628.26	most sexual offenses -- 9 years sexual exploitation by psychotherapist -- 5 years	sexual assaults against person under 18 -- 9 years or, if victim fails to report during that time, 3 years after reporting to law enforcement
Mississippi § 99-1-5	most felonies and misdemeanors -- 2 years rape -- no limitation	various sexual offenses against a child – no limitation
Missouri §§ 556.036, 556.037	class A felony (forcible rape, forcible sodomy) -- any time any other felony -- 3 years misdemeanors -- 1 year	sex offenses against person 18 or under -- 20 years after commission of the offense
Montana § 45-1-205	sexual assault, sexual intercourse w/out consent – 10 years	most sex offenses against minor -- 10 years after victim reaches 18

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	misdemeanor -- 1 year	
Nebraska § 29-110	felonies -- 3 years misdemeanors -- 1 ½ or 1 year, depending on severity	sex offenses against children under 16 -- 7 years after offense or after victim's 16th birthday, whichever is later
Nevada §§ 171.083, 171.085, 171.090, 171.095	sexual assault -- if written report filed by victim or representative within four years, no limitation of time to bring prosecution; if victim is disabled (does not include minority), the time period doesn't run; otherwise, 4 years to bring prosecution for sexual assault other felonies -- 3 years gross misdemeanors -- 2 years misdemeanors -- 1 year if crime committed in secret manner, prosecution must be brought within normal time limit after crime discovered	sexual abuse of a child -- anytime before victim turns 21 or, if victim does not discover offenses or should not have discovered the offense during that time, then anytime before victim turns 28
New Hampshire §§ 625:8, 639:2	class A felony -- 6 years class B felony -- 6 years misdemeanor -- 1 year	any sexual offense committed where victim under 18 -- within 22 years of victim's 18th birthday incest involving a minor -- limitations period does not begin to run until victim reaches 18, within 22 years of victim's 18 th birthday
New Jersey § 2C:1-6	prosecutions for sexual assault or aggravated sexual assault -- no limitation all other crimes -- 5 years	criminal sexual contact or endangering welfare of children when victim is under 18 -- within 5 years after victim turns 18 or 2 years after discovery, whichever is later

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New Mexico §§ 30-1-8, 30-1-9.1	capital or first degree violent felony -- no limitation second degree felony -- 6 years 3rd or 4th degree felony -- 5 years misdemeanors -- 2 years	abandonment or abuse of a child, criminal sexual penetration or sexual contact with a child -- limitations period does not begin until victim reaches 18 or violation is reported to law enforcement, whichever occurs first
New York CPL 30.10	class A felony -- any time any other felony (most sexual offenses) -- 5 years misdemeanor -- 2 years sexual conduct in the 1st or second degree -- within 5 years of the most recent assault	sexual offense or incest against a child under 18, or use of a child in a sexual performance -- time period doesn't begin till the child is 18 or offense is reported to law enforcement or the child abuse register, whichever is earlier
North Carolina N.C.G.S.A. § 15-1	felonies -- no limitation misdemeanors -- 2 years	
North Dakota §§ 29-04-02, 29-04-03, 29-04-03.1, 29-04-03.2	felonies -- 3 years misdemeanors -- 2 years	various crimes of sexual abuse of minors, where victim was under 18 -- 7 years or, if victim failed to report during that time, within 3 years after report to law enforcement sexual offenses where victim is under 15, applicable period of limitations, if any, does not begin to run until victim reaches 15
Ohio § 2901.13	felonies -- 6 years misdemeanors -- 2 years	

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<p>Oklahoma Title 22, § 152</p>	<p>rape or forcible sodomy, sodomy, lewd or indecent proposals or acts against children, involving minors in pornography, and child abuse -- 12 years after discovery of crime</p> <p>OR at any time after commission if 1) the victim notifies law enforcement within 12 years after discovery of crime and 2) physical evidence is collected and preserved that is capable of being tested to obtain a profile from DNA and 3) the identity of the offender is subsequently established through the use of a DNA profile</p>	
<p>Oregon § 131.125</p>	<p>most felony sex offenses -- 6 years</p> <p>misdemeanor sex offenses -- 4 years</p>	<p>listed felony sex offenses against a minor -- anytime before victim's 30th birthday or within 12 years after offense is reported to law enforcement or other governmental agency, whichever occurs first</p> <p>listed misdemeanor sex offenses against a minor -- anytime before victim's 22nd birthday, or within 4 years after offense is reported to law enforcement or other governmental agency, whichever occurs first</p>
<p>Pennsylvania §§ 42-5552; 42-5554</p>	<p>rape, statutory sexual assault, involuntary deviate sexual intercourse, sexual assault, aggravated indecent assault, incest, and sexual abuse of children -- 12 years after commission</p>	<p>time limitation for sexual offenses against children does not run during any time child is under 18</p> <p>other offenses against children under 18 -- time is tolled when crime involves injuries to the person of child, whether by wrongful act or neglect, or unlawful violence, or negligence of child's parents or by a person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent</p>

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Rhode Island § 12-12-17	rape, first degree sexual assault, or first or second degree child molestation sexual assault -- no limitation other offenses -- 3 years, generally	
South Carolina	no limitation	
South Dakota §§ 23A-42-1; 23A-42-2	class A or B or class 1 felonies (first degree rape, which is rape of child under 10) -- no limitation all other prosecutions - 7 years	rape in 2nd or 3rd degree, sexual contact with child under 16 by perpetrator 16 or older, incest -- 7 years, or any time prior to the time victim reaches 25, whichever is longer
Tennessee §§ 40-2-101, 40-2-102	offense punishable by death or life imprisonment - no limitation class A felony (aggravated rape) -- 15 years class B felony (rape, aggravated sexual battery) -- 8 years class C (incest) or D felony -- 4 years class E felony (statutory rape, sexual battery) -- 2 years misdemeanors -- 12 months	Prosecutions for rape, aggravated sexual battery, sexual battery, incest or child pornography against a child committed prior to July 1, 1997 – no later than the date the child reaches the age of majority or within 4 years after the commission of offense, whichever occurs later Prosecutions for rape, aggravated sexual battery, sexual battery, incest or child pornography against a child committed after July 1, 1997 -- no later than date the child turns 21, unless a longer statute of limitations applies
Texas CCP 12.01, 12.02	sexual assault -- 10 years most other felonies – 5 or 8 years, depending on felony misdemeanors -- 2 years No limitation for sexual assaults where DNA has been discovered that does not match victim or anyone else who's identity is readily ascertainable	indecency with a child, sexual assault, aggravated sexual assault -- 10 years from victim's 18th birthday

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Utah § 76-1-302, 76-1-303.5	felonies -- 4 years misdemeanors other than negligent homicide -- 2 years	rape of a child, object rape of a child, sodomy upon a child, aggravated sexual abuse of a child, or sexual abuse of a child -- 4 years after report of offense to law enforcement
Vermont § 13-4501	aggravated sexual assault -- no limitation sexual assault, lewd and lascivious conduct, sexual exploitation of children -- 6 years other felonies and misdemeanors -- 3 years	sexual assault, lewd and lascivious conduct and lewd and lascivious conduct with a child where victim 16 or younger -- 6 years after victim reports to law enforcement or before victim turns 24, whichever is earlier
Virginia § 19.2-8	misdemeanors -- 1 year (no limitation for felonies)	
Washington § 9A.04.080	felony sex offenses -- 3 years gross misdemeanors -- 2 years misdemeanors -- 1 year rape under 9A.44.040 or 9A.44.050, if reported within 1 year -- 10 years; if not reported within 1 year, must be prosecuted within 3 years	most sexual offenses involving children -- 7 years, or 3 years after victim's 18th birthday, whichever is later victim of rape (9A.44.040 or 9A.44.050) under 14, and rape reported to law enforcement within 1 year -- 3 years after victim turns 18 or 10 years after rape, whichever is longer; if rape not reported within 1 year -- 3 years after commission if victim was 14 or older; or 3 years after victim's 18 th birthday or 7 years after commission, whichever is longer
West Virginia § 61-11-9	misdemeanors -- 1 year (no limitation for felonies)	

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<p>Wisconsin § 939.74</p>	<p>felony sex offenses -- 6 years</p> <p>misdemeanors -- 3 years</p> <p>sexual exploitation by therapist -- time during which victim unable to seek complaint due to effects of sexual contact or due to any threats, instructions or statement from therapist shall not be included</p>	<p>1st degree sexual assault and repeated sexual assault where at least 3 incidents are 1st degree sexual assault – no limitation</p> <p>2nd degree sexual assault and repeated sexual assault where less than 3 incidents are 1st degree sexual assault – until victim reaches 45</p> <p>sexual exploitation of a child, incest with a child, child enticement, soliciting a child for prostitution -- by the time victim reaches 45</p> <p>physical abuse of child – until victim reaches 26</p>
<p>Wyoming (absence of any limitation by statute)</p>	<p>no limitation</p>	

For further information on this or other issues relating to the rights and interests of crime victims, please contact:
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