

1 H.27

2 Introduced by Representatives Grad of Moretown and Morris of Bennington

3 Referred to Committee on

4 Date:

5 Subject: Crimes and criminal procedure; limitations of prosecutions and  
6 actions; sexual assault

7 Statement of purpose of bill as introduced: This bill proposes to eliminate the  
8 statute of limitations on prosecutions for sexual assault and extend the statute  
9 of limitations for violations of 13 V.S.A. chapter 64, sexual exploitation of  
10 children.

11 An act relating to eliminating the statute of limitations on prosecutions for  
12 sexual assault

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 ~~Sec. 1. 13 V.S.A. § 4501 is amended to read:~~

15 § 4501. LIMITATION OF PROSECUTIONS FOR CERTAIN CRIMES

16 (a) Prosecutions for aggravated sexual assault, aggravated sexual assault of  
17 a child, sexual assault, human trafficking, aggravated human trafficking,  
18 murder, arson causing death, and kidnapping may be commenced at any time  
19 after the commission of the offense.

20 ~~(b) Prosecutions for manslaughter, sexual assault, lewd and lascivious~~

1 ~~conduct, sexual exploitation of children under chapter 64 of this title, sexual~~  
2 abuse of a vulnerable adult, grand larceny, robbery, burglary, embezzlement,  
3 forgery, bribery offenses, false claims, fraud under 33 V.S.A. § 141(d), and  
4 felony tax offenses shall be commenced within six years after the commission  
5 of the offense, and not after.

6 (c) Prosecutions for any of the following offenses alleged to have been  
7 committed against a child under 18 years of age shall be commenced within 40  
8 years after the commission of the offense, and not after:

9 (1) sexual assault;

10 (2) lewd and lascivious conduct;

11 (3) sexual exploitation of a minor as defined in subsection 3258(c) of  
12 this title;

13 (4) sexual exploitation of children under chapter 64 of this title;

14 (5) lewd or lascivious conduct with a child; and

15 (5)(6) manslaughter.

16 (d) Prosecutions for arson shall be commenced within 11 years after the  
17 commission of the offense, and not after.

18 (e) Prosecutions for other felonies and for misdemeanors shall be  
19 commenced within three years after the commission of the offense, and not  
20 after.

21 ~~Sec. 2. EFFECTIVE DATE~~

1 ~~This act shall take effect on July 1, 2017 and shall apply to offenses for~~  
2 ~~which the statute of limitations has not tolled as of July 1, 2017.~~

*Sec. 1. 13 V.S.A. § 4501 is amended to read:*

*§ 4501. LIMITATION OF PROSECUTIONS FOR CERTAIN CRIMES*

*(a) Prosecutions for aggravated sexual assault, aggravated sexual assault of a child, sexual assault, sexual abuse of a vulnerable adult, human trafficking, aggravated human trafficking, murder, arson causing death, and kidnapping may be commenced at any time after the commission of the offense.*

*(b) Prosecutions for manslaughter, ~~sexual assault, lewd and lascivious conduct, sexual exploitation of children under chapter 64 of this title, sexual abuse of a vulnerable adult~~, grand larceny, robbery, burglary, embezzlement, forgery, bribery offenses, false claims, fraud under 33 V.S.A. § 141(d), and felony tax offenses shall be commenced within six years after the commission of the offense, and not after.*

*(c) Prosecutions for any of the following offenses alleged to have been committed against a child under 18 years of age shall be commenced within 40 years after the commission of the offense, and not after:*

*(1) ~~sexual assault~~ sexual exploitation of children under chapter 64 of this title;*

*(2) lewd and lascivious conduct;*

*(3) sexual exploitation of a minor as defined in subsection 3258(c) of*

*this title;*

*(4) lewd or lascivious conduct with a child; and*

*(5) manslaughter.*

*(d) Prosecutions for arson shall be commenced within 11 years after the commission of the offense, and not after.*

*(e) Prosecutions for other felonies and for misdemeanors shall be commenced within three years after the commission of the offense, and not after.*

*Sec. 2. EFFECTIVE DATE*

*This act shall take effect on July 1, 2017.*