

Senate Bill 325

By: Senators Karinshak of the 48th, Robertson of the 29th, Thompson of the 14th, Tate of the 38th, Jones of the 25th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 17 of the Official Code of Georgia Annotated, relating to
2 limitations on prosecution, so as to revise the statute of limitations for when a corporation
3 may be prosecuted for trafficking of persons for labor or sexual servitude; to provide for
4 related matters; to provide for applicability; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 style="text-align:center">**SECTION 1.**

8 Chapter 3 of Title 17 of the Official Code of Georgia Annotated, relating to limitations on
9 prosecution, is amended by revising Code Section 17-3-1, relating to limitations on
10 prosecution generally, as follows:

11 "17-3-1.

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

13 (b) Except as otherwise provided in Code Section 17-3-2.1, prosecution for other crimes
14 punishable by death or life imprisonment shall be commenced within seven years after the
15 commission of the crime except as provided by subsection ~~(d)~~ (e) of this Code section;
16 provided, however, that prosecution for the crime of forcible rape shall be commenced
17 within 15 years after the commission of the crime.

18 (c) Except as otherwise provided in Code Section 17-3-2.1, prosecution for felonies other
19 than those specified in subsections (a), (b), ~~and (d)~~, and (e) of this Code section shall be
20 commenced within four years after the commission of the crime, provided that prosecution
21 for felonies committed against victims who are at the time of the commission of ~~the~~ such
22 offense under the age of 18 years shall be commenced within seven years after the
23 commission of the crime.

24 (d) Except as otherwise provided in Code Section 17-3-2.1, a prosecution under subsection
25 (j) of Code Section 16-5-46 shall be commenced within ten years after the commission of
26 the crime, provided that prosecution under such subsection for crimes committed against

27 victims who are at the time of the commission of such offense under the age of 18 years
28 shall be commenced within ten years of the victim reaching 18 years of age.

29 (e) A prosecution for the following offenses may be commenced at any time when
30 deoxyribonucleic acid (DNA) evidence is used to establish the identity of the accused:

- 31 (1) Armed robbery, as defined in Code Section 16-8-41;
- 32 (2) Kidnapping, as defined in Code Section 16-5-40;
- 33 (3) Rape, as defined in Code Section 16-6-1;
- 34 (4) Aggravated child molestation, as defined in Code Section 16-6-4;
- 35 (5) Aggravated sodomy, as defined in Code Section 16-6-2; or
- 36 (6) Aggravated sexual battery, as defined in Code Section 16-6-22.2;

37 provided, however, that a sufficient portion of the physical evidence tested for DNA is
38 preserved and available for testing by the accused and provided, further, that if the DNA
39 evidence does not establish the identity of the accused, the limitation on prosecution shall
40 be as provided in subsections (b) and (c) of this Code section.

41 (e)(f) Prosecution for misdemeanors shall be commenced within two years after the
42 commission of the crime."

43 **SECTION 2.**

44 This Act shall apply to the commission of crimes that occur on or after July 1, 2020.

45 **SECTION 3.**

46 All laws and parts of laws in conflict with this Act are repealed.