

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1901 Session of
2005

INTRODUCED BY MANN, ALLEN, BALDWIN, BELFANTI, BIANCUCCI, BOYD,
BUXTON, CALTAGIRONE, CAPPELLI, CRAHALLA, CURRY, FABRIZIO,
FRANKEL, GEORGE, GINGRICH, GOOD, GOODMAN, GRUCELA, HESS,
MACKERETH, MCGEEHAN, MCILHATTAN, S. MILLER, O'NEILL,
PETRARCA, PHILLIPS, PISTELLA, SATHER, SIPTROTH, SHANER,
TIGUE, TRUE, WALKO AND YOUNGBLOOD, JULY 28, 2005

REFERRED TO COMMITTEE ON JUDICIARY, JULY 28, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing, in
3 criminal proceedings, for no limitation applicable for
4 certain offenses and for limitation period for certain sexual
5 offenses.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Sections 5551 and 5552(b.1) and (c)(3) of Title
9 42 of the Pennsylvania Consolidated Statutes are amended to
10 read:

11 § 5551. No limitation applicable.

12 A prosecution for the following offenses may be commenced at
13 any time:

14 (1) Murder.

15 (2) Voluntary manslaughter.

16 (3) Conspiracy to commit murder or solicitation to
17 commit murder if a murder results from the conspiracy or

1 solicitation.

2 (4) Any felony alleged to have been perpetrated in
3 connection with a murder of the first or second degree, as
4 set forth in 18 Pa.C.S. § 2502(a) or (b) and (d) (relating to
5 murder).

6 (5) A violation of 75 Pa.C.S. § 3742 (relating to
7 accidents involving death or personal injury) or 3732
8 (relating to homicide by vehicle) if the accused was the
9 driver of a vehicle involved in an accident resulting in the
10 death of any person.

11 (6) Statutory sexual assault as set forth in 18 Pa.C.S.
12 § 3122.1 (relating to statutory sexual assault).

13 (7) Sexual assault as set forth in 18 Pa.C.S. § 3124.1
14 (relating to sexual assault) committed against a minor who is
15 less than 18 years of age.

16 § 5552. Other offenses.

17 * * *

18 (b.1) Major sexual offenses.--A prosecution for any of the
19 following [offenses] provisions of Title 18 (relating to crimes
20 and offenses) must be commenced within 12 years after it is
21 committed:

22 Section 3121 (relating to rape).

23 [Section 3122.1 (relating to statutory sexual
24 assault).]

25 Section 3123 (relating to involuntary deviate sexual
26 intercourse).

27 Section 3124.1 (relating to sexual assault), except
28 as otherwise provided for under section 5551(7) (relating
29 to no limitation applicable) of this title.

30 Section 3125 (relating to aggravated indecent

1 assault).

2 Section 4302 (relating to incest).

3 Section 6312 (relating to sexual abuse of children).

4 (c) Exceptions.--If the period prescribed in subsection (a),
5 (b) or (b.1) has expired, a prosecution may nevertheless be
6 commenced for:

7 * * *

8 (3) Any sexual offense committed against a minor who is
9 less than 18 years of age any time up to the period of
10 limitation provided by law after the minor has reached 18
11 years of age. As used in this paragraph, the term "sexual
12 offense" means a crime under the following provisions of
13 Title 18 (relating to crimes and offenses):

14 Section 3121 (relating to rape).

15 [Section 3122.1 (relating to statutory sexual
16 assault).]

17 Section 3123 (relating to involuntary deviate sexual
18 intercourse).

19 [Section 3124.1 (relating to sexual assault).]

20 Section 3125 (relating to aggravated indecent
21 assault).

22 Section 3126 (relating to indecent assault).

23 Section 3127 (relating to indecent exposure).

24 Section 4302 (relating to incest).

25 Section 4304 (relating to endangering welfare of
26 children).

27 Section 6301 (relating to corruption of minors).

28 Section 6312(b) (relating to sexual abuse of
29 children).

30 * * *

1 Section 2. This act shall take effect in 60 days.