

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 307 Session of  
2005

INTRODUCED BY BEBKO-JONES, DeWEESE, WOJNAROSKI, YOUNGBLOOD,  
TIGUE, TANGRETTI, SURRA, STERN, READSHAW, GOODMAN, GEORGE,  
FABRIZIO, SHANER, MANN, MARKOSEK, MELIO, HARHAI, LEDERER,  
GRUCELA, FREEMAN, FRANKEL, BELARDI AND BELFANTI,  
FEBRUARY 8, 2005

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 8, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for no  
3 limitation applicable and for other offenses.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Sections 5551 and 5552(c) of Title 42 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 5551. No limitation applicable.

9 A prosecution for the following offenses may be commenced at  
10 any time:

11 (1) Murder.

12 (2) Voluntary manslaughter.

13 (3) Conspiracy to commit murder or solicitation to  
14 commit murder if a murder results from the conspiracy or  
15 solicitation.

16 (4) Any felony alleged to have been perpetrated in  
17 connection with a murder of the first or second degree, as

1 set forth in 18 Pa.C.S. § 2502(a) or (b) and (d) (relating to  
2 murder).

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

8 (6) Any sexual offense committed against a minor who is  
9 less than 18 years of age. As used in this paragraph, the  
10 term "sexual offense" means a crime under the following  
11 provisions of Title 18 (relating to crimes and offenses):

12 Section 3121 (relating to rape).

13 Section 3122.1 (relating to statutory sexual  
14 assault).

15 Section 3123 (relating to involuntary deviate sexual  
16 intercourse).

17 Section 3124.1 (relating to sexual assault).

18 Section 3125 (relating to aggravated indecent  
19 assault).

20 Section 3126 (relating to indecent assault).

21 Section 3127 (relating to indecent exposure).

22 Section 4302 (relating to incest).

23 Section 4304 (relating to endangering welfare of  
24 children).

25 Section 6301 (relating to corruption of minors).

26 Section 6312(b) (relating to sexual abuse of  
27 children).

28 § 5552. Other offenses.

29 \* \* \*

30 (c) Exceptions.--If the period prescribed in subsection (a),

1 (b) or (b.1) has expired, a prosecution may nevertheless be  
2 commenced for:

3 (1) Any offense a material element of which is either  
4 fraud or a breach of fiduciary obligation within one year  
5 after discovery of the offense by an aggrieved party or by a  
6 person who has a legal duty to represent an aggrieved party  
7 and who is himself not a party to the offense, but in no case  
8 shall this paragraph extend the period of limitation  
9 otherwise applicable by more than three years.

10 (2) Any offense committed by a public officer or  
11 employee in the course of or in connection with his office or  
12 employment at any time when the defendant is in public office  
13 or employment or within five years thereafter, but in no case  
14 shall this paragraph extend the period of limitation  
15 otherwise applicable by more than eight years.

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

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).

28 Section 3125 (relating to aggravated indecent  
29 assault).

30 Section 3126 (relating to indecent assault).

1           Section 3127 (relating to indecent exposure).  
2           Section 4302 (relating to incest).  
3           Section 4304 (relating to endangering welfare of  
4 children).  
5           Section 6301 (relating to corruption of minors).  
6           Section 6312(b) (relating to sexual abuse of  
7 children).]  
8       \* \* \*  
9       Section 2. This act shall take effect in 60 days.