
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2286 Session of
2005

INTRODUCED BY DiGIROLAMO, DECEMBER 5, 2005

REFERRED TO COMMITTEE ON JUDICIARY, DECEMBER 5, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 limitations on actions 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
18 set forth in 18 Pa.C.S. § 2502(a) or (b) and (d) (relating to

1 murder).

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

7 (6) Any of those offenses set forth in 18 Pa.C.S.
8 (relating to crimes and offenses) which are against a victim
9 under 18 years of age by an offender four or more years older
10 than the victim, as follows:

11 Section 3121 (relating to rape).

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

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

16 Section 3124.1 (relating to sexual assault).

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

19 Section 3126 (relating to indecent assault) where
20 there has been a course of conduct of indecent assault by
21 the person.

22 Section 4304 (relating to endangering welfare of
23 children) where the offense constitutes sexual abuse or
24 exploitation as set forth in 23 Pa.C.S. § 6303 (relating
25 to definitions) and there has been a course of conduct of
26 endangering welfare of children by the person.

27 Section 6301 (relating to corruption of minors) where
28 the offense constitutes sexual abuse or exploitation as
29 set forth in 23 Pa.C.S. § 6303 and there has been a
30 course of conduct of corruption of minors by the person.

1 Section 6320 (relating to sexual exploitation of
2 children).

3 § 5552. Other offenses.

4 * * *

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

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

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

21 (3) [Any] Except as provided in section 5551(6)
22 (relating to no limitation applicable), any sexual offense
23 committed against a minor who is less than 18 years of age
24 any time up to the period of limitation provided by law after
25 the minor has reached 18 years of age. As used in this
26 paragraph, the term "sexual offense" means a crime under the
27 following provisions of Title 18 (relating to crimes and
28 offenses):

29 [Section 3121 (relating to rape).

30 Section 3122.1 (relating to statutory sexual

1 assault).

2 Section 3123 (relating to involuntary deviate sexual
3 intercourse).

4 Section 3124.1 (relating to sexual assault).

5 Section 3125 (relating to aggravated indecent
6 assault).]

7 Section 3126 (relating to indecent assault).

8 Section 3127 (relating to indecent exposure).

9 Section 4302 (relating to incest).

10 Section 4304 (relating to endangering welfare of
11 children).

12 Section 6301 (relating to corruption of minors).

13 Section 6312(b) (relating to sexual abuse of
14 children).

15 * * *

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