

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1170 Session of
2003

INTRODUCED BY BEBKO-JONES, BARD, BELARDI, BELFANTI, BROWNE,
CAPPELLI, CAWLEY, CIVERA, CRUZ, DeWEESE, EGOLF, FLICK,
FREEMAN, GEORGE, GRUCELA, HARHAI, HORSEY, JAMES, JOSEPHS,
LEDERER, LEVDANSKY, LAUGHLIN, MANN, McGEEHAN, MELIO, PALLONE,
PAYNE, PETRARCA, READSHAW, ROONEY, SHANER, SURRA, TANGRETTI,
TIGUE, TRUE, WASHINGTON AND YOUNGBLOOD, APRIL 15, 2003

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 15, 2003

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

1 connection with a murder of the first or second degree, as
2 set forth in 18 Pa.C.S. § 2502(a) or (b) and (d) (relating to
3 murder).

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

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

13 Section 3121 (relating to rape).

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

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

18 Section 3124.1 (relating to sexual assault).

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

21 Section 3126 (relating to indecent assault).

22 Section 3127 (relating to indecent exposure).

23 Section 4302 (relating to incest).

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

26 Section 6301 (relating to corruption of minors).

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

29 § 5552. Other offenses.

30 * * *

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

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

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

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

23 Section 3121 (relating to rape).

24 Section 3122.1 (relating to statutory sexual
25 assault).

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

28 Section 3124.1 (relating to sexual assault).

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

1 Section 3126 (relating to indecent assault).
2 Section 3127 (relating to indecent exposure).
3 Section 4302 (relating to incest).
4 Section 4304 (relating to endangering welfare of
5 children).
6 Section 6301 (relating to corruption of minors).
7 Section 6312(b) (relating to sexual abuse of
8 children).]

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