

CHAPTER 921

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INTRODUCED BY Senators Beall and Lara
(Principal coauthor: Assembly Member Skinner)
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JANUARY 29, 2014

An act to amend Section 801.1 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 926, Beall. Crimes: statute of limitation: felony sex crimes.

Under existing law, prosecution for specified felony sex offenses, including rape, sodomy, lewd or lascivious acts, oral copulation, continuous sexual abuse of a child, and acts of sexual penetration, that are alleged to have been committed when the victim was under 18 years of age, may be commenced at any time prior to the victim's 28th birthday.

This bill would authorize prosecution of those crimes at any time prior to the victim's 40th birthday when the crime was committed on or after January 1, 2015, or for which the previous statute of limitations has not run as of January 1, 2015.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 801.1 of the Penal Code is amended to read:

801.1. (a) (1) Notwithstanding any other limitation of time described in this chapter, prosecution for a felony offense described in Section 261, 286, 288, 288.5, 288a, or 289, or Section 289.5, as enacted by Chapter 293 of the Statutes of 1991 relating to penetration by an unknown object, that is alleged to have been committed when the victim was under 18 years of age, may be commenced any time prior to the victim's 40th birthday.

(2) Paragraph (1) shall only apply to crimes that were committed on or after January 1, 2015, or for which the statute of limitations that was in effect prior to January 1, 2015, has not run as of January 1, 2015.

(b) Notwithstanding any other limitation of time described in this chapter, if subdivision (a) does not apply, prosecution for a felony offense described in subdivision (c) of Section 290 shall be commenced within 10 years after commission of the offense.