

Sixty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1236

Introduced by

Representatives Brandenburg, Hanson, Hogan

Senators Heckaman, Robinson

1 A BILL for an Act to amend and reenact sections 29-04-02.1 and 29-04-03.1 of the North
2 Dakota Century Code, relating to prosecution of gross sexual imposition and sexual abuse of
3 minors.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 29-04-02.1 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **29-04-02.1. Prosecution for gross sexual imposition or human trafficking.**

8 Except as otherwise provided by law, a prosecution for a violation of subdivision a of
9 subsection 1 of section 12.1-20-03 or for the crime of human trafficking must be commenced in
10 the proper court within ~~seven~~nine years after the commission of the offense. If evidence
11 containing deoxyribonucleic acid or a fingerprint is obtained at the time of offense and a suspect
12 is ~~conclusively~~ identified by deoxyribonucleic acid testing or fingerprint authentication, there is
13 no limitation of the time within which a prosecution must be commenced.

14 **SECTION 2. AMENDMENT.** Section 29-04-03.1 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **29-04-03.1. Prosecution for sexual abuse of minors.**

- 17 1. Except as provided in subsection 2, a prosecution for a violation of sections
18 12.1-20-03 through 12.1-20-08 or of section 12.1-20-11 if the victim was under
19 eighteen years of age at the time the offense was committed must be commenced in
20 the proper court within ~~ten~~nine years after the commission of the offense or, if the
21 victim failed to report the offense within this limitation period, within three years after
22 the offense was reported to law enforcement authorities.
- 23 2. If,~~There is no limitation of the time within which a prosecution must be commenced if,~~
24 based upon evidence containing deoxyribonucleic acid or a fingerprint obtained at the

1 time of offense, a suspect is ~~conclusively~~ identified by deoxyribonucleic acid testing
2 ~~after the time period prescribed in subsection 1 has expired, a prosecution may be~~
3 ~~commenced within three years after the suspect is conclusively identified by the~~
4 ~~deoxyribonucleic acid testing~~ or fingerprint authentication.