

Introduced by

Representatives Dahl, R. Kelsch, Mock

Senators Miller, Sitte, Warner

1 A BILL for an Act to amend and reenact sections 29-04-02 and 29-04-03 of the North Dakota  
2 Century Code, relating to statute of limitations in possession of stolen property or services.

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

4 **SECTION 1. AMENDMENT.** Section 29-04-02 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **29-04-02. Prosecution for felony other than murder within three years.**

7 Except as otherwise provided by law, a prosecution for any felony other than murder must  
8 be commenced within three years after its commission, ~~or for the crime of possession of stolen~~  
9 ~~property, within three years after the property has been discovered by law enforcement~~  
10 ~~authorities.~~ Prosecution of felony offenses under chapter 12.1-23 must be commenced within  
11 the later of three years of commission of the last act that is an element of the offense, three  
12 years of discovery of the stolen property, or three years of discovery of the loss of the property  
13 or services. Nothing in this section prevents a person prosecuted for murder from being found  
14 guilty of any included offense and punished accordingly.

15 **SECTION 2. AMENDMENT.** Section 29-04-03 of the North Dakota Century Code is  
16 amended and reenacted as follows:

17 **29-04-03. Prosecution for misdemeanor or infraction within two years.**

18 A prosecution of a misdemeanor or infraction, except as otherwise provided by law, must be  
19 commenced within two years after its commission, ~~or for the crime of possession of stolen~~  
20 ~~property, within two years after the property has been discovered by law enforcement~~  
21 ~~authorities.~~ Prosecution of misdemeanor offenses under chapter 12.1-23 must be commenced  
22 within the later of two years of commission of the last act that is an element of the offense, two  
23 years of discovery of the stolen property, or two years of discovery of the loss of the property or  
24 services.