

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 is obtained at the time of offense and a suspect is conclusively
12 identified by deoxyribonucleic acid testing, there is no limitation of the time within which a
13 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 obtained at the time of offense,

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