

HB 1590 -- STATUTE OF LIMITATIONS

SPONSOR: Smith (163)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 9 to 0. Voted "Do Pass" by the Rules-Legislative Oversight Committee by a vote of 13 to 0.

Currently, there are various time periods during which the statute of limitations for prosecutions is tolled. This bill adds to the various time periods any period of time after which a DNA profile is developed from evidence collected in relation to the commission of a crime and included in a published laboratory report until the date upon which the accused is identified by name based upon a match between the DNA evidence profile and the known DNA profile of the accused.

Currently, prosecutions for unlawful sexual offenses must be commenced within 30 years after the victim turns 18 unless the prosecutions are for specified offenses, in which case prosecutions may be commenced at any time. This bill removes the 30-year statute of limitations for prosecutions of unlawful sexual offenses, as defined in the bill.

This bill is the same as HB 1120 (2017).

PROPONENTS: Supporters say that over 30 other states have no statute of limitation for child sexual abuse prosecutions. Oftentimes, children who are sexually abused are not ready or able to talk about what happened to them until years later, and a statute of limitation would make dealing with the abuse problematic. There are a lot of forcible sexual offenses that have no statute of limitation for prosecution, and this should be no different.

Testifying for the bill were Representative Smith; Missouri Kids First; Greg Holtmeyer; Ben Miller, Missouri Association of Prosecuting Attorneys; and the Missouri Coalition Against Domestic and Sexual Violence

OPPONENTS: There was no opposition voiced to the committee.