

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 834, Page 12, Section 548.241, Line 10, by inserting after all of said section and line
3 the following:
4

5 "556.036. 1. A prosecution for murder, rape in the first degree, forcible rape, attempted rape
6 in the first degree, attempted forcible rape, sodomy in the first degree, forcible sodomy, sexual abuse
7 in the first degree, attempted sexual abuse in the first degree, incest, and attempted incest attempted
8 sodomy in the first degree, attempted forcible sodomy, or any class A felony may be commenced at
9 any time.

10 2. Except as otherwise provided in this section, prosecutions for other offenses must be
11 commenced within the following periods of limitation:

- 12 (1) For any felony, three years, except as provided in subdivision (4) of this subsection;
13 (2) For any misdemeanor, one year;
14 (3) For any infraction, six months;
15 (4) For any violation of section 569.040, when classified as a class B felony, or any
16 violation of section 569.050 or 569.055, five years.

17 3. If the period prescribed in subsection 2 of this section has expired, a prosecution may
18 nevertheless be commenced for:

19 (1) Any offense a material element of which is either fraud or a breach of fiduciary
20 obligation within one year after discovery of the offense by an aggrieved party or by a person who
21 has a legal duty to represent an aggrieved party and who is himself or herself not a party to the
22 offense, but in no case shall this provision extend the period of limitation by more than three years.
23 As used in this subdivision, the term "person who has a legal duty to represent an aggrieved party"
24 shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to
25 section 407.553, for purposes of offenses committed pursuant to sections 407.511 to 407.556; and

26 (2) Any offense based upon misconduct in office by a public officer or employee at any time
27 when the person is in public office or employment or within two years thereafter, but in no case
28 shall this provision extend the period of limitation by more than three years; and

29 (3) Any offense based upon an intentional and willful fraudulent claim of child support
30 arrearage to a public servant in the performance of his or her duties within one year after discovery
31 of the offense, but in no case shall this provision extend the period of limitation by more than three
32 years.

33 4. An offense is committed either when every element occurs, or, if a legislative purpose to
34 prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or
35 the person's complicity therein is terminated. Time starts to run on the day after the offense is
36 committed.

Action Taken _____ Date _____

1 5. A prosecution is commenced for a misdemeanor or infraction when the information is
2 filed and for a felony when the complaint or indictment is filed.

3 6. The period of limitation does not run:

4 (1) During any time when the accused is absent from the state, but in no case shall this
5 provision extend the period of limitation otherwise applicable by more than three years;

6 (2) During any time when the accused is concealing himself or herself from justice either
7 within or without this state;

8 (3) During any time when a prosecution against the accused for the offense is pending in
9 this state;

10 (4) During any time when the accused is found to lack mental fitness to proceed pursuant to
11 section 552.020; or

12 (5) During any period of time after which a DNA profile is developed from evidence
13 collected in relation to the commission of a crime and included in a published laboratory report until
14 the date upon which the accused is identified by name based upon a match between that DNA
15 evidence profile and the known DNA profile of the accused. For purposes of this section, the term
16 "DNA profile" means the collective results of the DNA analysis of an evidence sample."; and
17

18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.