

1 AN ACT in relation to criminal law.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Criminal Code of 1961 is amended by  
5 changing Section 3-6 as follows:

6 (720 ILCS 5/3-6) (from Ch. 38, par. 3-6)

7 Sec. 3-6. Extended limitations. The period within which  
8 a prosecution must be commenced under the provisions of  
9 Section 3-5 or other applicable statute is extended under the  
10 following conditions:

11 (a) A prosecution for theft involving a breach of a  
12 fiduciary obligation to the aggrieved person may be commenced  
13 as follows:

14 (1) If the aggrieved person is a minor or a person  
15 under legal disability, then during the minority or legal  
16 disability or within one year after the termination  
17 thereof.

18 (2) In any other instance, within one year after  
19 the discovery of the offense by an aggrieved person, or  
20 by a person who has legal capacity to represent an  
21 aggrieved person or has a legal duty to report the  
22 offense, and is not himself or herself a party to the  
23 offense; or in the absence of such discovery, within one  
24 year after the proper prosecuting officer becomes aware  
25 of the offense. However, in no such case is the period of  
26 limitation so extended more than 3 years beyond the  
27 expiration of the period otherwise applicable.

28 (b) A prosecution for any offense based upon misconduct  
29 in office by a public officer or employee may be commenced  
30 within one year after discovery of the offense by a person  
31 having a legal duty to report such offense, or in the absence

1 of such discovery, within one year after the proper  
2 prosecuting officer becomes aware of the offense. However, in  
3 no such case is the period of limitation so extended more  
4 than 3 years beyond the expiration of the period otherwise  
5 applicable.

6 (c) Except as otherwise provided in subsection (a) of  
7 Section 3-5 of this Code and subdivision (i) or (j) of this  
8 Section, a prosecution for any offense involving sexual  
9 conduct or sexual penetration, as defined in Section 12-12 of  
10 this Code, where the victim and defendant are family members,  
11 as defined in Section 12-12 of this Code, may be commenced  
12 within one year of the victim attaining the age of 18 years.

13 (d) A prosecution for child pornography, indecent  
14 solicitation of a child, soliciting for a juvenile  
15 prostitute, juvenile pimping or exploitation of a child may  
16 be commenced within one year of the victim attaining the age  
17 of 18 years. However, in no such case shall the time period  
18 for prosecution expire sooner than 3 years after the  
19 commission of the offense. When the victim is under 18 years  
20 of age, a prosecution for criminal sexual abuse may be  
21 commenced within one year of the victim attaining the age of  
22 18 years. However, in no such case shall the time period for  
23 prosecution expire sooner than 3 years after the commission  
24 of the offense.

25 (e) Except as otherwise provided in subdivision (j), a  
26 prosecution for any offense involving sexual conduct or  
27 sexual penetration, as defined in Section 12-12 of this Code,  
28 where the defendant was within a professional or fiduciary  
29 relationship or a purported professional or fiduciary  
30 relationship with the victim at the time of the commission of  
31 the offense may be commenced within one year after the  
32 discovery of the offense by the victim.

33 (f) A prosecution for any offense set forth in Section  
34 44 of the "Environmental Protection Act", approved June 29,

1 1970, as amended, may be commenced within 5 years after the  
2 discovery of such an offense by a person or agency having the  
3 legal duty to report the offense or in the absence of such  
4 discovery, within 5 years after the proper prosecuting  
5 officer becomes aware of the offense.

6 (g) (Blank).

7 (h) (Blank).

8 (i) Except as otherwise provided in subdivision (j), a  
9 prosecution for criminal sexual assault, aggravated criminal  
10 sexual assault, or aggravated criminal sexual abuse may be  
11 commenced within 10 years after of the commission of the  
12 offense ~~if the victim reported the offense to law enforcement~~  
13 ~~authorities--within--2--years--after--the--commission--of--the~~  
14 ~~offense.~~

15 Nothing in this subdivision (i) shall be construed to  
16 shorten a period within which a prosecution must be commenced  
17 under any other provision of this Section.

18 (j) When the victim is under 18 years of age at the time  
19 of the offense, a prosecution for criminal sexual assault,  
20 aggravated criminal sexual assault, predatory criminal sexual  
21 assault of a child, or aggravated criminal sexual abuse or a  
22 prosecution for failure of a person who is required to report  
23 an alleged or suspected commission of any of these offenses  
24 under the Abused and Neglected Child Reporting Act may be  
25 commenced within 10 years after the child victim attains 18  
26 years of age.

27 Nothing in this subdivision (j) shall be construed to  
28 shorten a period within which a prosecution must be commenced  
29 under any other provision of this Section.

30 (Source: P.A. 91-475, eff. 1-1-00; 91-801, eff. 6-13-00;  
31 92-752, eff. 8-2-02; 92-801, eff. 8-16-02; revised 9-11-02.)

32 Section 99. Effective date. This Act takes effect upon  
33 becoming law.