



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0885

Introduced 2/2/2005, by Rep. John J. Millner

SYNOPSIS AS INTRODUCED:

720 ILCS 5/3-5

from Ch. 38, par. 3-5

Amends the Criminal Code of 1961. Provides that a prosecution for the offense of leaving the scene of a motor vehicle accident involving death or personal injuries or failing to give information and render aid following a motor vehicle accident that involves death or personal injuries or damage to an attended vehicle may be commenced at any time.

LRB094 05933 RLC 35988 b

1 AN ACT concerning 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 changing
5 Section 3-5 as follows:

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

7 Sec. 3-5. General Limitations.

8 (a) A prosecution for: (1) first degree murder, attempt to
9 commit first degree murder, second degree murder, involuntary
10 manslaughter, reckless homicide, leaving the scene of a motor
11 vehicle accident involving death or personal injuries under
12 Section 11-401 of the Illinois Vehicle Code, failing to give
13 information and render aid under Section 11-403 of the Illinois
14 Vehicle Code, concealment of homicidal death, treason, arson,
15 aggravated arson, forgery, or (2) any offense involving sexual
16 conduct or sexual penetration as defined by Section 12-12 of
17 this Code in which the DNA profile of the offender is obtained
18 and entered into a DNA database within 10 years after the
19 commission of the offense and the identity of the offender is
20 unknown after a diligent investigation by law enforcement
21 authorities, may be commenced at any time. Clause (2) of this
22 subsection (a) applies if either: (i) the victim reported the
23 offense to law enforcement authorities within 2 years after the
24 commission of the offense unless a longer period for reporting
25 the offense to law enforcement authorities is provided in
26 Section 3-6 or (ii) the victim is murdered during the course of
27 the offense or within 2 years after the commission of the
28 offense.

29 (b) Unless the statute describing the offense provides
30 otherwise, or the period of limitation is extended by Section
31 3-6, a prosecution for any offense not designated in Subsection
32 (a) must be commenced within 3 years after the commission of

1 the offense if it is a felony, or within one year and 6 months
2 after its commission if it is a misdemeanor.

3 (Source: P.A. 92-752, eff. 8-2-02; 93-834, eff. 7-29-04.)