

1 AN ACT concerning criminal law, which may be referred to as
2 the Patrick Leahy Law.

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

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

7 (720 ILCS 5/3-5) (from Ch. 38, par. 3-5)

8 Sec. 3-5. General Limitations.

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

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

1 (a) must be commenced within 3 years after the commission of
2 the offense if it is a felony, or within one year and 6 months
3 after its commission if it is a misdemeanor.

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