

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 3 ~~2~~ years after

1 the commission of the offense unless a longer period for
2 reporting the offense to law enforcement authorities is
3 provided in Section 3-6 or (ii) the victim is murdered during
4 the course of the offense or within 2 years after the
5 commission of the offense.

6 (b) Unless the statute describing the offense provides
7 otherwise, or the period of limitation is extended by Section
8 3-6, a prosecution for any offense not designated in Subsection
9 (a) must be commenced within 3 years after the commission of
10 the offense if it is a felony, or within one year and 6 months
11 after its commission if it is a misdemeanor.

12 (Source: P.A. 93-834, eff. 7-29-04; 94-487, eff. 11-9-05;
13 94-683, eff. 11-9-05.)