

HB3011



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3011

by Rep. Dennis M. Reboletti

SYNOPSIS AS INTRODUCED:

720 ILCS 5/3-5

from Ch. 38, par. 3-5

Amends the Criminal Code of 2012. Provides that a prosecution for residential arson may be commenced at any time (rather than within 3 years after commission of the offense).

LRB098 08455 RLC 38562 b

A BILL FOR

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 2012 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 residential arson, aggravated arson, forgery, child
16 pornography under paragraph (1) of subsection (a) of Section
17 11-20.1, aggravated child pornography under paragraph (1) of
18 subsection (a) of Section 11-20.1B, or (2) any offense
19 involving sexual conduct or sexual penetration, as defined by
20 Section 11-0.1 of this Code in which the DNA profile of the
21 offender is obtained and entered into a DNA database within 10
22 years after the commission of the offense, may be commenced at
23 any time. Clause (2) of this subsection (a) applies if either:

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

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

13 (Source: P.A. 95-899, eff. 1-1-09; 96-292, eff. 1-1-10;
14 96-1551, eff. 7-1-11.)