

AN ACT concerning criminal law.

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

Section 5. The Criminal Code of 2012 is amended by changing
Section 3-7 as follows:

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

Sec. 3-7. Periods excluded from limitation.

(a) The period within which a prosecution must be commenced
does not include any period in which:

(1) the ~~(a) The~~ defendant is not usually and publicly
resident within this State; or

(2) the ~~(b) The~~ defendant is a public officer and the
offense charged is theft of public funds while in public
office; or

(3) a ~~(c) A~~ prosecution is pending against the
defendant for the same conduct, even if the indictment or
information which commences the prosecution is quashed or
the proceedings thereon are set aside, or are reversed on
appeal; or

(4) a ~~(d) A~~ proceeding or an appeal from a proceeding
relating to the quashing or enforcement of a Grand Jury
subpoena issued in connection with an investigation of a
violation of a criminal law of this State is pending.

However, the period within which a prosecution must be commenced includes any period in which the State brings a proceeding or an appeal from a proceeding specified in this paragraph (4) subsection (d); or

(5) a ~~(e)~~ A material witness is placed on active military duty or leave. In this paragraph (5) subsection (e), "material witness" includes, but is not limited to, the arresting officer, occurrence witness, or the alleged victim of the offense; or

(6) the ~~(f)~~ The victim of unlawful force or threat of imminent bodily harm to obtain information or a confession is incarcerated, and the victim's incarceration, in whole or in part, is a consequence of the unlawful force or threats; or -

(7) the sexual assault evidence is collected and submitted to the Department of State Police until the completion of the analysis of the submitted evidence.

(b) For the purposes of this Section:

"Completion of the analysis of the submitted evidence" means analysis of the collected evidence and conducting of laboratory tests and the comparison of the collected evidence with the genetic marker grouping analysis information maintained by the Department of State Police under Section 5-4-3 of the Unified Code of Corrections and with the information contained in the Federal Bureau of Investigation's National DNA database.

"Sexual assault" has the meaning ascribed to it in Section 1a of the Sexual Assault Survivors Emergency Treatment Act.

"Sexual assault evidence" has the meaning ascribed to it in Section 5 of the Sexual Assault Evidence Submission Act.

(Source: P.A. 93-417, eff. 8-5-03; 94-1113, eff. 1-1-08.)