

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, concealment of homicidal
11 death, treason, arson, aggravated arson, forgery, or (2) any
12 offense involving sexual conduct or sexual penetration as
13 defined by Section 12-12 of this Code in which the DNA profile
14 of the offender is obtained and entered into a DNA database
15 within 10 years after the commission of the offense and the
16 identity of the offender is unknown after a diligent
17 investigation by law enforcement authorities, may be commenced
18 at any time. Clause (2) of this subsection (a) applies ~~only~~ if
19 either: (i) the victim reported the offense to law enforcement
20 authorities within 2 years after the commission of the offense
21 unless a longer period for reporting the offense to law
22 enforcement authorities is provided in Section 3-6 or (ii) the
23 victim is murdered during the course of the offense or within 2
24 years after the commission of the offense.

25 (b) Unless the statute describing the offense provides
26 otherwise, or the period of limitation is extended by Section
27 3-6, a prosecution for any offense not designated in Subsection
28 (a) must be commenced within 3 years after the commission of
29 the offense if it is a felony, or within one year and 6 months
30 after its commission if it is a misdemeanor.

31 (Source: P.A. 91-801, eff. 6-13-00; 92-752, eff. 8-2-02.)

32 Section 99. Effective date. This Act takes effect upon

1 becoming law.