

## **BILL ANALYSIS**

Senate Research Center  
77R963 PEP-D

S.B. 117  
By: Wentworth  
Criminal Justice  
1/25/2001  
As Filed

### **DIGEST AND PURPOSE**

Currently, Texas law provides for a five-year statute of limitations for the offense of sexual assault. Because of the development of evidentiary techniques such as DNA testing, prosecutors may develop leads several years after a sexual assault has been committed. As proposed, S.B. 117 would extend the limitations period for sexual assault from five to 15 years. In cases involving a juvenile victim, the 15-year period would begin to run from the victim's 18th birthday. The 15-year limitations period would allow police departments and prosecutors the opportunity to use DNA evidence to address previously unsolved cases.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 12.01, Code of Criminal Procedure, to authorize a felony indictment presentation within 15 years from the date of the commission of the offense of sexual assault, and not afterward, except as provided in Subdivision (6), or as provided in Article 12.03. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 2001.  
Makes application of this Act prospective.