MISSISSIPPI LEGISLATURE REGULAR SESSION 2010

By: Representative Turner

To: Judiciary B

HOUSE BILL NO. 607

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME LIMITATION ON PROSECUTIONS OF THE OFFENSE OF LARCENY OF TIMBER; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 99-1-5, Mississippi Code of 1972, is amended as follows:

99-1-5. The passage of time shall never bar prosecution against any person for the offenses of murder, manslaughter, aggravated assault, kidnapping, arson, burglary, forgery, counterfeiting, robbery, larceny, rape, embezzlement, obtaining money or property under false pretenses or by fraud, felonious abuse or battery of a child as described in Section 97-5-39, touching or handling a child for lustful purposes as described in Section 97-5-23, sexual battery of a child as described in Section 97-3-95(1)(c), (d) or (2), or exploitation of children as described in Section 97-5-33. A person shall not be prosecuted for conspiracy, as described in Section 97-1-1, or for felonious assistance program fraud, as described in Section 97-19-71, unless the prosecution for such offense be commenced within five (5) years next after the commission thereof. <u>A person shall not be prosecuted for larceny of timber as described in Section 97-17-59, unless the prosecution for such offense be commenced within six (6) years next after the commission thereof.</u> A person shall not be prosecuted for any other offense not listed in this section unless the prosecution for such offense be commenced within two (2) years next after the commission thereof. Nothing contained in this section shall bar any prosecution against any person who

shall abscond or flee from justice, or shall absent himself from this state or out of the jurisdiction of the court, or so conduct himself that he cannot be found by the officers of the law, or that process cannot be served upon him.

SECTION 2. This act shall take effect and be in force from and after July 1, 2010.