

1999 ASSEMBLY BILL 497

October 5, 1999 – Introduced by Representatives WALKER, WASSERMAN, AINSWORTH, BALOW, BERCEAU, COGGS, GOETSCH, GUNDERSON, KELSO, KESTELL, LADWIG, LA FAVE, F. LASEE, JESKEWITZ, MUSSER, OWENS, PETTIS, PLALE, PORTER, REYNOLDS, SPILLNER, STONE, SUDER, SYKORA, SERATTI, UNDERHEIM, VRAKAS and ZIEGELBAUER, cosponsored by Senators DARLING, COWLES, PANZER, ROESSLER, ROSENZWEIG, ZIEN and HUELSMAN. Referred to Committee on Corrections and the Courts.

1 **AN ACT to amend** 939.74 (2) (a) and 939.74 (2) (c) of the statutes; **relating to:**
 2 time limits for prosecution of certain crimes of sexual assault.

Analysis by the Legislative Reference Bureau

Under current law, the time limit for commencing a prosecution for a crime is generally six years for a felony and three years for a misdemeanor, as measured from the date that the criminal act was committed. One of the exceptions to the general rule is for certain homicide offenses, which have no time limit; thus, prosecution for the offense may be commenced at any time. In addition, current law provides that for some serious crimes against children (such as sexual assault of a child, repeated acts of sexual assault of a child, incest with a child, sexual exploitation of a child and certain kinds of physical abuse of a child) a prosecution may be commenced any time before the victim reaches 31 years of age.

This bill eliminates the time limit on prosecutions for first and second degree sexual assault, first and second degree sexual assault of a child and repeated acts of sexual assault of a child. Thus, under the bill, a prosecution for these crimes may be commenced at any time.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 939.74 (2) (a) of the statutes is amended to read:

