

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 10 - 0 - 0
Yeas: Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker
Nays: 0
Exc.: 0
Prepared By: Shannon Sivell, Counsel
Meeting Dates: 4/1, 4/9, 4/14

WHAT THE MEASURE DOES: Extends the statute of limitations for certain sex crimes if defendant is identified on the basis of DNA sample comparisons.

ISSUES DISCUSSED:

- Victim's rights
- Quality of DNA evidence
- Due process concerns for defendants

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: HB 3263 would extend the statute of limitations indefinitely for certain crimes in cases where a DNA sample was taken at the time of the offense and at some later point the offender is identified on the basis of that sample. The extension would apply to first degree rape, sodomy, unlawful sexual penetration and sex abuse.

In 2007, the legislature took the first steps towards eliminating statutes of limitations in some DNA cases. HB 2153 extended the statute of limitations in first and second degree offenses to 25 years for cases involving DNA evidence taken at the time of the crime.