

S.F. No. 2209, as introduced - 87th Legislative Session (2011-2012) [12-4299]

2.1 preserved that is capable of being tested for its DNA characteristics. If this evidence is not
2.2 collected and preserved and the victim was 18 years old or older at the time of the offense,
2.3 the prosecution must be commenced within nine years after the commission of the offense.

2.4 (g) Indictments or complaints for violation of sections 609.466 and 609.52,
2.5 subdivision 2, clause (3), item (iii), shall be found or made and filed in the proper court
2.6 within six years after the commission of the offense.

2.7 (h) Indictments or complaints for violation of section 609.2335, 609.52, subdivision
2.8 2, clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where the value of
2.9 the property or services stolen is more than \$35,000, shall be found or made and filed in
2.10 the proper court within ~~five~~ ten years after the commission of the offense.

2.11 (i) Except for violations relating to false material statements, representations or
2.12 omissions, indictments or complaints for violations of section 609.671 shall be found or
2.13 made and filed in the proper court within five years after the commission of the offense.

2.14 (j) Indictments or complaints for violation of sections 609.561 to 609.563, shall
2.15 be found or made and filed in the proper court within five years after the commission
2.16 of the offense.

2.17 (k) In all other cases, indictments or complaints shall be found or made and filed in
2.18 the proper court within three years after the commission of the offense.

2.19 (l) The limitations periods contained in this section shall exclude any period of time
2.20 during which the defendant was not an inhabitant of or usually resident within this state.

2.21 (m) The limitations periods contained in this section for an offense shall not include
2.22 any period during which the alleged offender participated under a written agreement in a
2.23 pretrial diversion program relating to that offense.

2.24 (n) The limitations periods contained in this section shall not include any period
2.25 of time during which physical evidence relating to the offense was undergoing DNA
2.26 analysis, as defined in section 299C.155, unless the defendant demonstrates that the
2.27 prosecuting or law enforcement agency purposefully delayed the DNA analysis process in
2.28 order to gain an unfair advantage.

2.29 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to crimes
2.30 committed on or after that date.