

HOUSE No. 6274

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, September 22, 1986.

The committee on Bills in the Third Reading, to whom was referred the Bill increasing the statute of limitations for the crime of rape (House, No. 942, changed); and the bill extending the statute of limitations for prosecuting certain crimes involving child victims (House, No. 3759), reports recommending that the same be consolidated and amended by substitution of the accompanying bill (House, No. 6274).

For the committee,

DAVID B. COHEN.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

AN ACT RELATIVE TO THE STATUTE OF LIMITATIONS FOR PROSECUTING CERTAIN CRIMES INVOLVING CHILD VICTIMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 277 of the General Laws is hereby amended by striking
2 out section 63, as amended by chapter 123 of the acts of 1985, and
3 inserting in place thereof the following section: —

4 Section 63. An indictment for murder may be found at any time
5 after the death of the person alleged to have been murdered. An
6 indictment for the crime of crimes set forth in sections seventeen,
7 eighteen, nineteen, twenty-one, twenty-two, twenty-two A, twenty-
8 three, twenty-four and twenty-four B of chapter two hundred and
9 sixty-five or section seventeen of chapter two hundred and seventy-
10 two, or for conspiracy to commit such crime or crimes, or as
11 accessory thereto, or any one or more of them may be found and
12 filed within ten years of the date of commission of said crime or
13 crimes. An indictment for any other crime shall be found and filed
14 within six years after the crime has been committed; but any period
15 during which the defendant is not usually and publicly resident
16 within the commonwealth shall be excluded in determining the time
17 limited.

18 Notwithstanding the aforementioned provisions, if a victim of
19 the crimes or crimes set forth in section thirteen B, thirteen H,
20 twenty-two, twenty-two A, twenty-three, twenty-four B, or twenty-
21 six A of chapter two hundred and sixty-five, or section one, two,
22 three, four, four A, four B, six, seven, eight, twelve, thirteen,
23 sixteen, seventeen, twenty-four, twenty-six, twenty-eight, twenty-
24 nine, twenty-nine A, twenty-nine B, thirty-three, thirty-four, thirty-
25 five or thirty-five A of chapter two hundred and seventy-two is
26 under the age of sixteen at the time the crime is committed, the
27 period of limitation for prosecution shall not commence until the
28 victim has reached the age of sixteen or the violation is reported to a
29 law enforcement agency, whichever occurs earlier.