

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S3/6/17
A Bill

SENATE BILL 223

By: Senator Rapert

For An Act To Be Entitled

AN ACT TO AMEND THE STATUTES OF LIMITATION FOR
FRAUDULENT INSURANCE ACTS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE STATUTES OF LIMITATION FOR
FRAUDULENT INSURANCE ACTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-1-109(b), concerning the statute of limitations for criminal offenses, is amended to read as follows:

(b) Except as otherwise provided in this section, a prosecution for another offense shall be commenced within the following periods of limitation after the offense's commission:

(1)(A) Class Y felony or Class A felony, six (6) years.

(B) However, for rape, § 5-14-103, the period of limitation is eliminated if biological evidence of the alleged perpetrator is identified that is capable of producing a deoxyribonucleic acid (DNA) profile;

(2)(A) Except as provided in subdivision (b)(2)(B)(i) of this section, Class B felony, Class C felony, Class D felony, or an unclassified felony, three (3) years.

(B)(i) Prosecution may be commenced for a violation of § 23-66-502 as follows:

(a) Within three (3) years of completion of the last act taken to perpetrate alleged fraud; or

(b) Within five (5) years of any alleged



violation of § 23-66-502 involving a motor vehicle purposely used to cause a motor vehicle accident for the purpose of filing an insurance claim.

(ii) If a prosecution could not be commenced within the time period prescribed by subdivision (b)(2)(B)(i) of this section because it was not reasonably possible to discover the alleged fraud at the time of the violation, the time period prescribed shall be extended for a period of three (3) years.

(iii) The period of limitation under this subdivision (b)(2)(B) may not extend more than ten (10) years after the date of the violation of § 23-66-502;

(3)(A) Misdemeanor or violation, one (1) year.

(B) However:

(i) For failure to notify by a mandated reporter in the first degree, § 12-18-201, and failure to notify by a mandated reporter in the second degree, § 12-18-202, the period of limitation is ten (10) years after the child victim reaches eighteen (18) years of age if the child in question was subject to child maltreatment; and

(ii) For a nine-point or greater violation of an Arkansas State Game and Fish Commission regulation, the period of limitation is three (3) years; and

(4) Municipal ordinance violation, one (1) year unless a different period of time not to exceed three (3) years is set by ordinance of the municipal government.

/s/Rapert

APPROVED: 03/27/2017