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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 472  
133<sup>rd</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Rogers

Nicholas A. Keller, Attorney

### SUMMARY

- Eliminates the period of limitations for the criminal prosecution of a person for rape.

### DETAILED ANALYSIS

#### Statute of limitations – rape

The bill eliminates the statute of limitations for the prosecution of rape so that a prosecution for rape would not be time-barred regardless of any period of time that has elapsed since the offense was committed. Under current law, such a prosecution would be barred if not commenced within 25 years after the offense was committed or in certain cases within five years after a determination is made that DNA connected to the criminal record was connected to an identifiable person.<sup>1</sup> A conforming change requires every governmental evidence-retention entity to secure biological evidence related to a rape investigation or prosecution for the period of time that the offense remains unsolved, rather than for a period of 30 years if the offense remains unsolved.<sup>2</sup>

The bill's elimination of the statute of limitations for prosecution of rape applies to any offense committed on or after the bill's effective date and applies to offenses committed prior to the effective date of the bill if prosecution for those offenses were not barred under the law as it exists prior to the bill's effective date.<sup>3</sup>

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<sup>1</sup> R.C. 2901.13.

<sup>2</sup> R.C. 2933.82.

<sup>3</sup> Section 3.

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## HISTORY

Action	Date
Introduced	01-14-20

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