



**PENNSYLVANIA**

<b>SEXUAL OFFENSE STATUTES</b>	<b>STATUTE OF LIMITATIONS</b>	<b>DNA EXCEPTION</b>
<p>18 PA. CONS. STAT. § 3121 Rape Felony of the first degree</p> <p>18 PA. CONS. STAT. § 3122.1 Statutory sexual assault Felony of the second degree if offender engages in sexual intercourse with a victim under 16, and offender is at least four years older than victim</p> <p>18 PA. CONS. STAT. § 3123 Involuntary deviate sexual intercourse Felony of the first degree</p> <p>18 PA. CONS. STAT. § 3124.1 Sexual assault Felony of the second degree</p> <p>18 PA. CONS. STAT. § 3124.2 Institutional sexual assault Felony of the third degree when an employee or agent of the Department of corrections, a county correctional authority, youth development center, juvenile detention facility, mental health facility or institution, or any other licensed residential facility or institution engages in sexual intercourse or indecent</p>	<p>42 PA. CONS. STAT. § 5552 Other offenses</p> <p>(b)(1) For the following major sexual offenses, within 12 years after commission of the offense:</p> <ul style="list-style-type: none"> <li>• Rape (§ 3121)</li> <li>• Statutory sexual assault (§ 3122.1)</li> <li>• Involuntary deviate sexual intercourse (§ 3123)</li> <li>• Sexual assault (§ 3124.1)</li> <li>• Aggravated indecent assault (§ 3125)</li> <li>• Incest (§ 4302)</li> <li>• Sexual abuse of children (§ 6312)</li> </ul> <p>(a) For any other offense, within two years after commission of the offense</p> <p>(c) (3) For the following offenses, if committed against a minor under 18, prosecution must commence by the date the minor reaches 50 years of age:</p> <ul style="list-style-type: none"> <li>• Rape (§ 3121)</li> <li>• Statutory sexual assault (§ 3122.1)</li> <li>• Involuntary deviate sexual intercourse (§ 3123)</li> <li>• Sexual assault (§ 3124.1)</li> <li>• Aggravated indecent assault (§ 3125)</li> </ul>	<p>42 PA. CONS. STAT. § 5552 Other offenses</p> <p>(c)(1) If evidence of a misdemeanor sexual offense set forth in (c) (3) or any felony offense is obtained containing DNA, and that DNA is subsequently used to identify an otherwise unidentified individual as the perpetrator of the offense, the prosecution may be commenced within the period of limitations provided for that offense, or within one year after the identity of the individual is determined, whichever occurs later</p>

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<p>contact with an inmate, detainee, patient, or resident</p> <p>18 PA. CONS. STAT. § 3125 Aggravated indecent assault          Felony of the second degree. Felony of the first degree if victim is less than 13 years of age, in which case offense is classified as aggravated assault of a child.</p> <p>18 PA. CONS. STAT. § 3126 Indecent assault          Misdemeanor of the second degree if offender has indecent contact with victim, and:</p> <ul style="list-style-type: none"> <li>• Offender does so without victim’s consent; or</li> <li>• Victim is under 16 and offender is at least four years older than victim</li> </ul> <p>Misdemeanor of the first degree if offender has indecent contact with victim, and:</p> <ul style="list-style-type: none"> <li>• Offender does so by forcible compulsion</li> <li>• Offender does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution</li> <li>• Victim is unconscious or offender knows that victim is unaware that indecent contact is occurring</li> <li>• Offender has substantially impaired victim’s power to appraise or control victim’s conduct by administering or employing, without victim’s knowledge, drugs, intoxicants, or other means for the purpose of preventing resistance</li> </ul>	<ul style="list-style-type: none"> <li>• Indecent assault (§ 3126)</li> <li>• Incest (§ 4302)</li> <li>• Sexual abuse of children (§ 6312)</li> </ul>	
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<ul style="list-style-type: none"> <li>• Victim suffers from a mental disability that renders victim incapable of consent; or</li> <li>• Victim is under 13</li> </ul> <p>Felony of the third degree if offender has indecent contact with victim, and victim is under 13, and:</p> <ul style="list-style-type: none"> <li>• It is a second or subsequent offense;</li> <li>• There has been a course of conduct of indecent assault by offender;</li> <li>• Indecent assault was committed by touching victim's sexual parts with sexual parts of offender; or</li> <li>• Indecent assault was committed by touching offender's sexual parts with sexual parts of victim</li> </ul> <p>18 PA. CONS. STAT. § 4302 Incest Felony of the second degree</p> <p>18 PA. CONS. STAT. § 6312 Sexual abuse of children Felony of the second degree for photographing, videotaping, depicting on a computer or filming sexual acts Felony in the third degree for first offense under other subsections of this section Felony of the second degree for second or subsequent offense under other subsections of this section</p> <p>18 PA. CONS. STAT. § 6320 Sexual exploitation of children</p>		
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Felony of the second degree		
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