



ARKANSAS

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>ARK. CODE § 5-14-103 Rape Class Y felony</p> <p>ARK. CODE § 5-14-110 Sexual indecency with a child Class D felony</p> <p>ARK. CODE § 5-14-123 Knowingly transmitting AIDS, HIV Class A felony</p> <p>ARK. CODE § 5-14-124 Sexual assault, first degree Class A felony</p> <p>ARK. CODE § 5-14-125 Sexual assault, second degree Class B felony, except if offender is a minor and victim is less than 14 and not offender's spouse then Class D felony</p> <p>ARK. CODE § 5-14-126 Sexual assault, third degree Class C felony</p> <p>ARK. CODE § 5-14-127 Sexual assault, fourth degree Class D felony if (i) offender over 20 engages in sexual intercourse or deviate sexual activity</p>	<p>ARK. CODE § 5-1-109 Statute of limitations</p> <p>(b) (1) (A) For class Y and class A felonies, within six years after commission of the offense</p> <p>(b) (2) For class B, class C, class D, and unclassified felonies, within three years after commission of the offense</p> <p>(b) (3) For misdemeanors and violations, within one year after commission of the offense</p> <p>(g) The period of limitation does not run:</p> <p>(1) During any time when the accused is continually absent from the state or has no reasonably ascertainable place of abode or work within the state (cannot extend period by more than three (3) years); or</p> <p>(2) During any period when a prosecution against the accused for the same conduct is pending in this state.</p> <p>(h) For the following offenses, even if the statute of limitations has run, prosecution can be commenced if the offense was committed against a minor, the offense has not previously been reported to a law enforcement agency or prosecuting attorney, and the statute of limitations has not expired since the victim has reached 18 years of age:</p>	<p>ARK. CODE § 5-1-109 Statute of limitations</p> <p>(b) (1) (B) 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</p>

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<p>with victim under 16 and not offender's spouse or (ii) offender is employed with the Department of Correction, Department of Community Correction, Department of Human Services, or any city or county jail and victim is in the custody thereof and not offender's spouse</p> <p>Class A misdemeanor if offender engages in sexual contact with victim under 16 and not offender's spouse</p> <p>ARK. CODE § 5-26-202 Incest Class C felony</p>	<ul style="list-style-type: none"> • Rape (§ 5-14-103) • Sexual assault in the first degree (§ 5-14-124) • Sexual assault in the second degree (§ 5-14-125) • Sexual assault in the third degree (§ 5-14-126) • Sexual assault in the fourth degree (§ 5-14-127) • Incest (§ 5-26-202) <p>Young v. Norris, 226 S.W.3d 797, 799-800 (Ark. 2006)</p> <p>Marriage does not remove victim's disability as a minor for purposes of the statute of limitations. Offender does not have a vested right in statute of limitations until the bar in the statute has become effective and the legislature may extend the limitations period and apply such extension to any cause of action which was not barred at the time the new statute becomes effective.</p>	
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