



NEW YORK

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>N.Y. PENAL LAW § 130.20 Sexual misconduct Class A misdemeanor</p> <p>N.Y. PENAL LAW § 130.25 Rape, third degree Class E felony</p> <p>N.Y. PENAL LAW § 130.30 Rape, second degree Class D felony</p> <p>N.Y. PENAL LAW § 130.35 Rape, first degree Class B felony</p> <p>N.Y. PENAL LAW § 130.40 Criminal sexual act, third degree Class E felony</p> <p>N.Y. PENAL LAW § 130.45 Criminal sexual act, second degree Class D felony</p> <p>N.Y. PENAL LAW § 130.50 Criminal sexual act, first degree Class B felony</p> <p>N.Y. PENAL LAW § 130.52 Forcible touching Class A misdemeanor</p>	<p>N.Y. CRIM. PROC. LAW § 30.10 Timeliness of prosecutions; periods of limitation</p> <p>(2) (a) No time limit for:</p> <ul style="list-style-type: none"> • Any class A felony • Rape in the first degree (§ 130.35) • Criminal sexual act in the first degree (§ 130.50) • Aggravated sexual abuse in the first degree (§ 130.70) • Course of sexual conduct against a child in the first degree (§ 130.75) <p>(2) (b) For any other felony, within five years after commission of the offense</p> <p>(2) (c) For any misdemeanor, within two years after commission of the offense</p> <p>(3) (e) For course of sexual conduct against a child in the second degree (§ 130.80), within five years of the commission of the most recent act of sexual conduct</p> <p>(3) (f) For a sexual offense defined in Article 130 of the Penal Law with a victim that was under 18 at the time of commission of the offense, other than those listed in (2) (a), the period of limitations does not begin to run until victim has reached the age of 18 or the offense is reported to a law enforcement</p>	

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<p>N.Y. PENAL LAW § 130.53 Persistent sexual abuse Class E felony</p> <p>N.Y. PENAL LAW § 130.55 Sexual abuse, third degree Class B misdemeanor</p> <p>N.Y. PENAL LAW § 130.60 Sexual abuse, second degree Class A misdemeanor</p> <p>N.Y. PENAL LAW § 130.65 Sexual abuse, first degree Class D felony</p> <p>N.Y. PENAL LAW § 130.65-a Aggravated sexual abuse, fourth degree Class E felony</p> <p>N.Y. PENAL LAW § 130.66 Aggravated sexual abuse, third degree Class D felony</p> <p>N.Y. PENAL LAW § 130.67 Aggravated sexual abuse, second degree Class C felony</p> <p>N.Y. PENAL LAW § 130.70 Aggravated sexual abuse, first degree Class B felony</p>	<p>agency, whichever occurs earlier; also applies to:</p> <ul style="list-style-type: none"> • Incest in the first degree (§ 255.27) • Incest in the second degree (§ 255.26) • Incest in the third degree (§ 255.25) • Use of a child in a sexual performance (§ 263.05) <p>(4) Statute of limitations tolled: (a) during any period which (i) the defendant was continuously outside this state or (ii) the whereabouts of the defendant were unknown and unascertainable by the exercise of reasonable diligence. However, the period of limitation shall not be extended by more than 5 years beyond the otherwise applicable period or (b) When a prosecution is commenced within the prescribed period and when an accusatory instrument upon which such prosecution is based is dismissed under circumstances permitting the lodging of another charge for the same offense or an offense based on the same conduct, the period from the commencement of the defeated prosecution to the dismissal of the accusatory instrument.</p>	
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<p>N.Y. PENAL LAW § 130.75 Course of sexual conduct against a child, first degree Class B felony</p>		
<p>N.Y. PENAL LAW § 130.80 Course of sexual conduct against a child, second degree Class D felony</p>		
<p>N.Y. PENAL LAW § 130.90 Facilitating a sex offense with a controlled substance Class D felony</p>		
<p>N.Y. PENAL LAW § 130.95 Predatory sexual assault Class A-II felony</p>		
<p>N.Y. PENAL LAW § 130.96 Predatory sexual assault against a child Class A-II felony</p>		
<p>N.Y. PENAL LAW § 255.25 Incest, third degree Class E felony</p>		
<p>N.Y. PENAL LAW § 255.26 Incest, second degree Class D felony</p>		
<p>N.Y. PENAL LAW § 255.27 Incest, first degree Class B felony</p>		

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