

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Mary M. Cheh introduced the following bill, which was referred to the Committee on _____.

To amend Title 23 of the District of Columbia Official Code to eliminate the criminal statute of limitations for first, second, third, and fourth degree sexual abuse, first and second degree child sexual abuse, first and second degree sexual abuse of a minor, first and second degree sexual abuse of a secondary education student, enticing a child, arranging for a sexual contact with a real or fictitious child, first and second degree sexual abuse of a ward, first and second degree sexual abuse of a patient or client, sexual performances using minors, trafficking in commercial sex acts, sex trafficking of children, incest, abducting or enticing child from his or her home for purposes of prostitution, inducing or compelling an individual to engage in prostitution, compelling an individual to live life of prostitution against his or her will, and causing a spouse or domestic partner to live in prostitution.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Sexual Abuse Statute of Limitations Elimination Amendment Act of 2013”.

Sec. 2. Section 23-113 of the District of Columbia Official Code is amended as follows:

(a) Paragraph (a)(1) is amended by adding new subparagraphs (G) through (EE) to read as follows:

“(G) first degree sexual abuse (§ 22-3002);

“(H) second degree sexual abuse (§ 22-3003);

1 “(I) third degree sexual abuse (§ 22-3004);
2 “(J) fourth degree sexual abuse (§ 22-3005);
3 “(K) first degree child sexual abuse (§ 22-3008);
4 “(L) second degree child sexual abuse (§ 22-3009);
5 “(M) first degree sexual abuse of a minor (§ 22-3009.01);
6 “(N) second degree sexual abuse of a minor (§ 22-3009.02);
7 “(O) first degree sexual abuse of a secondary education student (§ 22-3009.03);
8 “(P) second degree sexual abuse of a secondary education student (§ 22-3009.04);
9 “(Q) enticing a child (§22-3010);
10 “(R) arranging for a sexual contact with a real or fictitious child (§ 22-3010.02);
11 “(S) first degree sexual abuse of a ward (§ 22-3013);
12 “(T) second degree sexual abuse of a ward (§ 22-3014);
13 “(U) first degree sexual abuse of a patient or client (§ 22-3015);
14 “(V) second degree sexual abuse of a patient or client (§ 22-3016);
15 “(X) sexual performances using minors (§ 22-3102);
16 “(Y) trafficking in labor or commercial sex acts (§ 22-1833);
17 “(Z) sex trafficking of children (§ 22-1834);
18 “(AA) incest (§ 22-1901);
19 “(BB) abducting or enticing child from his or her home for purposes of
20 prostitution; harboring such child (§22-2704);
21 “(CC) pandering; inducing or compelling an individual to engage in prostitution
22 (§ 22-2705);
23 “(DD) compelling an individual to live life of prostitution against his or her will
24 (§ 22-2706);

1 “(EE) causing spouse or domestic partner to live in prostitution (§ 22-2708);

2 (b) Paragraphs (a)(2) and (a)(3) are repealed.

3 (c) Paragraph (a)(4) is amended by striking the phrase “paragraphs (1) through (3)” and
4 inserting the phrase “paragraph (1)” in its place.

5 (d) Paragraphs (d)(2), (d)(3), and (d)(4), are repealed.

6 (e) Paragraph (d)(5) is amended to read as follows:

7 “(5) The period of limitation shall not begin to run for forced labor and benefitting
8 financially from human trafficking until the victim is no longer subject to the means used to
9 obtain or maintain his or her labor or services.”.

10 Sec. 3. Applicability.

11 This act shall apply to an offense committed before its effective date only if the statute of
12 limitations for the offense has not expired prior to the effective date.

13 Sec. 4. Fiscal impact statement.

14 The Council adopts the fiscal impact statement in the committee report as the fiscal
15 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
16 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

17 Sec. 5. Effective date.

18 This act shall take effect following approval by the Mayor (or in the event of veto by the
19 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
20 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
21 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
22 Columbia.