



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-0021/1
CMH:wlj

2023 SENATE BILL 757

December 8, 2023 – Introduced by Senator JACQUE, cosponsored by Representatives PENTERMAN, BRANDTJEN, JACOBSON, MAXEY, SUBECK, WICHGERS and GUSTAFSON. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to amend** 939.74 (2) (ar) and 939.74 (2d) (c); and **to create** 939.74 (2) (ah)
2 of the statutes; **relating to:** statute of limitations for second-degree sexual
3 assault.

Analysis by the Legislative Reference Bureau

Current law limits the time a prosecutor has to file a criminal complaint against a person—this is commonly called a statute of limitations. The limit varies by the nature and severity of the crime; for instance, for most felonies the limit is six years after the commission of the crime, but there is no limit for homicide or first-degree sexual assault. Under current law, a criminal complaint for second-degree sexual assault must be filed within 10 years after the assault. This bill extends the period so that a criminal complaint for second-degree sexual assault must be filed within 20 years after the assault.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 939.74 (2) (ah) of the statutes is created to read:
5 939.74 (2) (ah) A prosecution for a violation of s. 940.225 (2) may be commenced
6 within 20 years after the commission of the violation.

