

Effective 5/6/2026

76-1-302 Time limitations for prosecution of offenses -- Specific exceptions -- Provisions if DNA evidence would identify the defendant -- Commencement of prosecution.

- (1) Except as otherwise provided by Subsection (2) or another provision of the Utah Code, a prosecution for:
 - (a) a felony or negligent homicide shall be commenced within four years after it is committed;
 - (b) a misdemeanor other than negligent homicide shall be commenced within two years after it is committed; and
 - (c) any infraction shall be commenced within one year after it is committed.
- (2)
 - (a) A prosecution for:
 - (i) an offense listed in Subsections 76-3-203.5(1)(c)(i)(A) through (CC) may be commenced at any time if the identity of the person who committed the crime is unknown but DNA evidence is collected that would identify the person at a later date;
 - (ii) an offense of forcible sexual abuse, as described in Section 76-5-404, shall be commenced within eight years after the offense is committed, if within four years after the offense's commission, the offense is reported to a law enforcement agency;
 - (iii) an offense of incest, as described in Section 76-7-102, shall be commenced within eight years after the offense is committed, if within four years after the offense's commission, the offense is reported to a law enforcement agency;
 - (iv) an offense of unlawfully marrying a minor, as described in Section 76-7-105, shall be commenced within 15 years after the day on which a minor to the marriage turns 18 years old;
 - (v) an offense of transporting a minor out of state for an illegal marriage, as described in Section 76-7-109, shall be commenced within 15 years after the day on which a minor to the marriage turns 18 years old; and
 - (vi) an offense of traveling out of state to marry a minor, as described in Section 76-7-110, shall be commenced within 15 years after the day on which a minor to the marriage turns 18 years old.
 - (b) Subsection (2)(a)(i) does not apply if the statute of limitations on the offense has run as of May 5, 2003, and no charges have been filed.
- (3) If the statute of limitations would have run but for the provisions of Subsection (2)(a)(i) and identification of a perpetrator is made through DNA, a prosecution shall be commenced within four years of confirmation of the identity of the perpetrator.
- (4) A prosecution is commenced upon:
 - (a) the finding and filing of an indictment by a grand jury;
 - (b) the filing of a complaint or information; or
 - (c) the issuance of a citation.

Amended by Chapter 451, 2026 General Session