

# Criminal Statutes of Limitations

## Arizona

*Last Updated: March 2020*

### Sexual abuse

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is a Class 3 felony if victim is under 15. Otherwise, this crime is a Class 5 felony.</p> <ol style="list-style-type: none"><li>1. If Class 3 or Class 5 felony, within seven years after actual discovery by the state or political subdivision having jurisdiction of the offense or discovery by the state or the political subdivision that should have occurred with the exercise of reasonable diligence, whichever first occurs.</li><li>2. Additionally, please see "Violent Sexual Assault" below for more information.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Ariz. Rev. Stat. § 13-1404.</li><li>2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(B)(1).</li></ol>

### Public sexual indecency

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is a Class 5 felony if committed against a minor. Otherwise, this crime is a Class 1 misdemeanor.</p> <ol style="list-style-type: none"><li>1. If committed against a minor and a Class 5 felony, within seven years after actual discovery by the state or political subdivision having jurisdiction of the offense or discovery by the state or the political subdivision that should have occurred with the exercise of reasonable diligence, whichever first occurs.</li><li>2. If committed against an adult and a Class 1 misdemeanor, within one year after actual discovery by the state or political subdivision having jurisdiction of the offense or discovery by the state or the political subdivision that should have occurred with the exercise of reasonable diligence, whichever first occurs.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Ariz. Rev. Stat. § 13-1403.</li><li>2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(B)(1) and § 13-107(B)(2).</li></ol>

## Sexual conduct with a minor

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is a Class 2 felony if minor is under 15; Class 6 felony if minor is at least 15 but under 18; or Class 2 felony if minor is at least 15 but accused is or was in a position of trust and the convicted person is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis except as specifically authorized by § 31-233(A) or (B) until the sentence imposed has been served or commuted.</p> <ol style="list-style-type: none"><li>1. No time limit for prosecution if a Class 2 felony.</li><li>2. If Class 6 felony, within seven years after actual discovery by the state or political subdivision having jurisdiction of the offense or discovery by the state or the political subdivision that should have occurred with the exercise of reasonable diligence, whichever first occurs.</li><li>3. Additionally, please see "Violent Sexual Assault" below for more information.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Ariz. Rev. Stat. § 13-1405.</li><li>2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A) and Ariz. Rev. Stat. § 13-107(B)(1).</li></ol>

## Sexual assault

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is a Class 2 felony.</p> <ol style="list-style-type: none"><li>1. No time limit for the prosecution of this crime.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Ariz. Rev. Stat. § 13-1406.</li><li>2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A).</li></ol>

## Unlawful sexual conduct by an adult probation department employee or juvenile court employee

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is a Class 2 felony if minor is under 15; Class 3 felony if minor is at least 15 but under 18; or Class 5 felony otherwise.</p> <p>Note: "Adult probation department employee or juvenile court employee" means an employee of an adult probation department or the juvenile court who either: (i) through the course of employment, directly provides treatment, care, control or supervision to a victim, or (ii) provides presentence or predisposition reports directly to a court regarding the victim.</p> <ol style="list-style-type: none"> <li>1. No time limit for prosecution if a Class 2 felony.</li> <li>2. If a Class 3 or Class 5 felony, within seven years after actual discovery by the state or political subdivision having jurisdiction of the offense or discovery by the state or the political subdivision that should have occurred with the exercise of reasonable diligence, whichever first occurs.</li> </ol>
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. Citation for the crime: Ariz. Rev. Stat. § 13-1409.</li> <li>2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A) and Ariz. Rev. Stat. § 13-107(B)(1).</li> </ol>

## Molestation of child under 15

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is a Class 2 felony.</p> <ol style="list-style-type: none"> <li>1. No time limit for the prosecution of this crime.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Ariz. Rev. Stat. § 13-1410.</li> <li>2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A).</li> </ol>

## Continuous sexual abuse of a child under 14

Question	Answer

What is the statute of limitations for this crime?	This crime is a Class 2 felony.  1. No time limit for the prosecution of this crime.
Statutory citation(s):	1. Citation for the crime: Ariz. Rev. Stat. § 13-1417. 2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A).

## Sexual misconduct; behavioral health professionals

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class 6 felony.  1. For Class 6 felony, within seven years after actual discovery by the state or political subdivision having jurisdiction of the offense or discovery by the state or the political subdivision that should have occurred with the exercise of reasonable diligence, whichever first occurs.
Statutory citation(s):	1. Citation for the crime: Ariz. Rev. Stat. § 13-1418. 2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(B)(1).

## Unlawful sexual conduct; correctional employees

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class 2 felony if minor is under 15; Class 3 felony if minor is at least 15 but under 17; or Class 5 felony otherwise.  1. No time limit for prosecution if a Class 2 felony. 2. If a Class 3 or Class 5 felony, within seven years after actual discovery by the state or political subdivision having jurisdiction of the offense or discovery by the state or the political subdivision that should have occurred with the exercise of reasonable diligence, whichever first occurs.
Statutory citation(s):	1. Citation for the crime: Ariz. Rev. Stat. § 13-1419. 2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A) and Ariz. Rev. Stat. § 13-107(B)(1).

## Violent sexual assault

Question	Answer
What is the statute of limitations for this crime?	<p>This crime modifies the offenses of Sexual Abuse (§ 13-1404), Sexual Conduct with a Minor (§ 13-1405), Sexual Assault (§ 13-1406), and Molestation of a Child under 15 (§ 13-1410) when those offenses involve a deadly weapon, dangerous instrument, or knowing infliction of serious physical injury, and the perpetrator has a prior felony conviction for any sex offense.</p> <p>This crime modifies the above offenses by:</p> <ol style="list-style-type: none"><li>1. Eliminating the time limit for the prosecution of those crimes, if such time limits apply.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Ariz. Rev. Stat. § 13-1423.</li><li>2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A).</li></ol>

## Commercial sexual exploitation of a minor

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is a Class 2 felony.</p> <ol style="list-style-type: none"><li>1. No time limit for the prosecution of this crime.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Ariz. Rev. Stat. § 13-3552.</li><li>2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A).</li></ol>

## Sexual exploitation of a minor

Question	Answer
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What is the statute of limitations for this crime?	This crime is a Class 2 felony. 1. No time limit for the prosecution of this crime.
Statutory citation(s):	1. Citation for the crime: Ariz. Rev. Stat. § 13-3553. 2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A).

### **Luring a minor for sexual exploitation**

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class 3 felony. 1. For Class 3 felony, within seven years after actual discovery by the state or political subdivision having jurisdiction of the offense or discovery by the state or the political subdivision that should have occurred with the exercise of reasonable diligence, whichever first occurs.
Statutory citation(s):	1. Citation for the crime: Ariz. Rev. Stat. § 13-3554. 2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(B)(1).

### **Aggravated luring of a minor for sexual exploitation**

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class 2 felony. 1. No time limit for the prosecution of this crime.
Statutory citation(s):	1. Citation for the crime: Ariz. Rev. Stat. § 13-3560. 2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(A).

### **Incest**

Question	Answer
What is the statute of limitations for this crime?	This crime is a Class 4 felony. 1. For Class 4 felony, within seven years after actual discovery by the state or political subdivision having jurisdiction of the offense or discovery by the state or the political subdivision that should have occurred with the exercise of reasonable diligence, whichever first occurs.
Statutory citation(s):	1. Citation for the crime: Ariz. Rev. Stat. § 13-3608. 2. Citation for the statute of limitations: Ariz. Rev. Stat. § 13-107(B)(1).

### Are there any exceptions to the statute of limitations laws?

Question	Answer
Exceptions	<ul style="list-style-type: none"> <li>• Ariz. Rev. Stat. § 13-107 Time limitations <ul style="list-style-type: none"> <li>• (e) For the following offenses, the period of limitation does not run during any time when the identity of the offender is unknown: <ul style="list-style-type: none"> <li>• Sexual assault (§ 13-1406)</li> <li>• Sexual conduct with a minor under 15 (§ 13-1405)</li> <li>• Any dangerous crime against children as defined in Ariz. Rev. Stat. § 13-604.01</li> <li>• Molestation of a Child (Ariz. Rev. Stat. § 13-1410)</li> <li>• Sexual conduct with a minor (Ariz. Rev. Stat. § 13-1405)</li> <li>• Sexual Abuse (Ariz. Rev. Stat. § 13-1404)</li> <li>• Continuous sexual abuse of a child (Ariz. Rev. Stat. § 13-1417)</li> </ul> </li> </ul> </li> </ul>

### Anything else I should know?

Question	Answer
What is the statute of limitations for this crime?	<ul style="list-style-type: none"> <li>• <i>State v. Gum</i>, 153 P.3d 418, 425–26 (Ariz. Ct. App. 2007) <ul style="list-style-type: none"> <li>• Time limit for the prosecution of serious offenses enumerated in § 13-604 (including sexual assault) committed prior to the §13-107 amendment effective date of July 21, 1997 is tolled until the state knows the identity of the offender, if as of such amendment date the previous seven year limitation period had not expired. <i>See also State v. Aguilar</i>, 178 P.3d 497, 503 (Ariz. Ct. App. 2008). <i>But see Taylor v. Cruikshank</i>, 148 P.3d 84, 91 (Ariz. Ct. App. 2006) (holding that the 1997 amendment</li> </ul> </li> </ul>

does not apply to crimes committed before its effective date, and thus the statute begins to run when the state discovers or should have discovered that an offense was committed).