

Criminal Statutes of Limitations

Louisiana

Last Updated: March 2020

First degree rape

Question	Answer
What is the statute of limitations for this crime?	1. There is no time limit upon the initiation of prosecution for first degree rape.
Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:42. This statute was amended on August 1, 2015, and what was previously deemed “aggravated rape” is now first degree rape. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 571.

Second degree rape

Question	Answer
What is the statute of limitations for this crime?	There is no time limit upon the initiation of prosecution for second degree rape.
Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:42.1. This statute was amended on August 1, 2015, and what was previously deemed “forcible rape” is now second degree rape. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 571.

Thrid degree rape

Question	Answer
What is the statute of limitations for this crime?	Legal proceedings against the perpetrator must commence within six (6) years after commission of the offense.

Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: La. Rev. Stat. § 14:43. This statute was amended on August 1, 2015, and what was previously deemed “simple rape” is now third degree rape. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572.
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Sexual battery

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by imprisonment with or without hard labor, without benefit of parole, probation, or suspension of sentence, for not more than ten (10) years; or if offender was seventeen (17) years of age or older and the victim was either (i) under thirteen (13) years of age, (ii) has paraplegia, quadriplegia, is otherwise physically incapable of preventing the act or is incapable, through unsoundness of mind, and the offender knew or should have known of the victim’s incapacity or (iii) is sixty-five (65) years of age or older, punishable by imprisonment at hard labor for not less than twenty-five (25) nor more than ninety-nine (99) years.</p> <ol style="list-style-type: none"> 1. If the offense was committed against a victim under seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: La. Rev. Stat. § 14:43.1. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 571.1; La. Code Crim. Proc. art. 575.

Misdemeanor sexual battery

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 1. This crime is punishable by a fine of not more than one thousand dollars or imprisonment for not more than six months, or both. 2. Legal proceedings against the perpetrator must commence within two (2) years after commission of the offense.

Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:43.1.1. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572.
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Second degree sexual battery

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by imprisonment with or without hard labor, without benefit of parole, probation, or suspension of sentence, for not more than fifteen (15) years, or if offender was seventeen (17) years of age or over and victim either (i) is under thirteen (13) years of age, (ii) has paraplegia, quadriplegia, or is otherwise physically incapable of preventing the act or is incapable, through unsoundness of mind, and the offender knew or should have known of the victim's incapacity or (iii) is sixty-five (65) years of age or older, punishable by imprisonment at hard labor for not less than twenty-five (25) nor more than ninety-nine (99) years.</p> <ol style="list-style-type: none"> 1. If the offense was committed against a victim under age seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:43.2. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 571.1; La. Code Crim. Proc. art. 575.

Oral sexual battery

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by imprisonment with or without hard labor, without benefit of parole, probation, or suspension of sentence, for not more than ten (10) years when the victim, who is not the spouse of the offender, is under the age of fifteen years and is at least three years younger than the offender; or if offender was seventeen (17) years of age or older and the victim was either (i) under thirteen (13) years of age, (ii) has paraplegia, quadriplegia, or is otherwise physically incapable of preventing the act or is incapable, through unsoundness of mind, and the offender knew or should have known of the victim's incapacity or (iii) is sixty-five</p>

	<p>(65) years of age or older, punishable by imprisonment at hard labor for not less than twenty-five (25) nor more than ninety-nine (99) years.</p> <ol style="list-style-type: none"> 1. If the offense was committed against a victim under the age of seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: La. Rev. Stat. § 14:43.3. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 571.1; La. Code Crim. Proc. art. 575.

Intentional exposure to HIV

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by a fine of not more than five thousand dollars (\$5,000), and/or by imprisonment with or without hard labor for not more than ten (10) years. If, however, victim was a first responder, this crime is punishable by a fine of not more than six thousand dollars (\$6,000), and/or by imprisonment, with or without hard labor, for not more than eleven (11) years.</p> <ol style="list-style-type: none"> 1. For a felony necessarily punishable by imprisonment at hard labor, legal proceedings against the perpetrator must commence within six (6) years after commission of the offense; or 2. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense; or 3. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense; or 4. For a misdemeanor punishable only by a fine or forfeiture, within six (6) months after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: La. Rev. Stat. § 14:43.5. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 575.

Crime Against Nature

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by fines, imprisonment with or without hard labor, or both, depending on the relationship between the perpetrator and the victim, and the age of the victim.</p> <ol style="list-style-type: none"> 1. If the offense was committed against a victim under seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense; or 4. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense; or 5. For a misdemeanor punishable only by a fine or forfeiture, within six (6) months after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: La. Rev. Stat. § 14:89. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 571.1; La. Code Crim. Proc. art. 575.

Aggravated Crime Against Nature

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by fines, imprisonment with or without hard labor, or both, depending on the relationship between the perpetrator and the victim, and the age of the victim.</p> <ol style="list-style-type: none"> 1. If the offense was committed against a victim under seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense; or 4. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense; or

	5. For a misdemeanor punishable only by a fine or forfeiture, within six (6) months after commission of the offense.
Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:89.1. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 571.1; La. Code Crim. Proc. art. 575.

Felony carnal knowledge of a juvenile

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by a fine of not more than five thousand dollars (\$5,000) and/or by imprisonment, with or without hard labor, for not more than ten (10) years.</p> <ol style="list-style-type: none"> 1. If the offense was committed against a victim under seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense; or 4. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense; or 5. For a misdemeanor punishable only by a fine or forfeiture, within six (6) months after commission of the offense.
Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:80. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 575; La. Code Crim. Proc. art. 571.1.

Misdemeanor carnal knowledge of a juvenile

Question	Answer
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What is the statute of limitations for this crime?	This crime is punishable by a fine of not more than one thousand dollars (\$1,000), and/or by imprisonment for not more than six (6) months. For a misdemeanor punishable by a fine, or imprisonment, or both, a prosecution must be brought within two (2) years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:80.1. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 575.

Indecent behavior with juveniles

Question	Answer
What is the statute of limitations for this crime?	This crime is punishable by a fine of up to five thousand dollars (\$5,000), and/or by imprisonment with or without hard labor for not more than seven (7) years. If, however, victim is under the age of thirteen (13) and offender is at least seventeen (17) years of age or older, this crime is punishable by imprisonment at hard labor for not less than two (2) nor more than twenty-five (25) years. <ol style="list-style-type: none"> 1. If the offense was committed against a victim under seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense; or 4. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:81. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 571.1; La. Code Crim. Proc. art. 575.

Molestation of a juvenile or a person with a physical or mental disability

Question	Answer
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What is the statute of limitations for this crime?	<p>The punishment for this crime depends on the relationship between the perpetrator and the victim, and the age of the victim.</p> <ol style="list-style-type: none"> 1. If the offense was committed against a victim under seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense; or 4. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense; or 5. For a misdemeanor punishable only by a fine or forfeiture, within six (6) months after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: La. Rev. Stat. § 14:81.2. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 571.1; La. Code Crim. Proc. art. 572.

Prohibited sexual conduct between educator and student

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by a fine of up to one thousand dollars (\$1,000), and/or by imprisonment for up to six (6) months. If, however, it is a second or subsequent offense, this crime is punishable by a fine of not more than five thousand dollars (\$5,000) and by imprisonment, with or without hard labor, for not less than one (1) nor more than five (5) years.</p> <ol style="list-style-type: none"> 1. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 2. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense; or 3. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense; or 4. For a misdemeanor punishable only by a fine or forfeiture, within six (6) months after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: La. Rev. Stat. § 14:81.4. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 575.

Pornography involving juveniles

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by fines, imprisonment with or without hard labor, or both, depending on the relationship between the perpetrator and the victim, and the age of the victim.</p> <ol style="list-style-type: none"> 1. If the offense was committed against a victim under seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense; or 4. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: La. Rev. Stat. § 14:81.1 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 571.1; La. Code Crim. Proc. art. 575.

Sexting

Question	Answer
What is the statute of limitations for this crime?	<p>For a first offense, this crime is punishable by a fine of not less than one hundred dollars (\$100) nor more than two hundred and fifty dollars (\$250) and/or imprisonment for up to ten (10) days. For a second offense, this crime is punishable by a fine of not less than two hundred and fifty dollars (\$250) nor more than five hundred dollars (\$500) and/or imprisonment for not less than ten (10) days nor more than thirty (30) days. For a third or any subsequent offense, this crime is punishable by a fine of not less than five hundred dollars (\$500) nor more than seven hundred and fifty dollars (\$750) and/or imprisonment for not less than thirty (30) days and not more than six (6) months.</p> <p>This crime applies to those under the age of seventeen (17).</p>

	1. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:81.1.1. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 575.

Computer-aided solicitation of a minor

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is punishable by fines, imprisonment with or without hard labor, or both, depending on the relationship between the perpetrator and the victim, the age of the victim, and whether this is a first or subsequent conviction for the same crime.</p> <ol style="list-style-type: none"> 1. If the offense was committed against a victim under seventeen (17), then prosecution must commence within thirty (30) years from the date that the victim attains the age of eighteen (18); or 2. For a felony necessarily punishable by imprisonment at hard labor, within six (6) years after commission of the offense; or 3. For a felony not necessarily punishable by imprisonment at hard labor, within four (4) years after commission of the offense; or 4. For a misdemeanor punishable by a fine, or imprisonment, or both, within two (2) years after commission of the offense; or 5. For a misdemeanor punishable only by a fine or forfeiture, within six (6) months after commission of the offense.
Statutory citation(s):	1. Citation for the crime: La. Rev. Stat. § 14:81.3. 2. Citation for the statute of limitations: La. Code Crim. Proc. art. 572; La. Code Crim. Proc. art. 571.1; La. Code Crim. Proc. art. 575.

Are there any exceptions to the statute of limitations laws?

Question	Answer
Exceptions	Prosecutions for any sex offense that would otherwise be barred may be commenced within three (3) years after the date on which the identity of the suspect is established by DNA testing. La. Code Crim. Proc. art. 572(B)(2).

Anything else I should know?

Question	Answer
Anything else I should know?	The periods of limitation shall be interrupted and shall not run when the defendant, for purposes of avoiding detection, apprehension or prosecution, flees from the state, is outside of the state or is absent from his usual place of abode within the state, or lacks mental capacity to proceed at trial and is committed. La. Code Crim. Proc. art. 575.