

# Criminal Statutes of Limitations

## Maryland

*Last Updated: March 2020*

### Rape, first degree

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Md. Code, Crim. Law § 3-303.</li><li>2. Citation for the statute of limitations: <i>Massey v. State</i>, 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i>, 223 Md. App. 779 (2015), <i>cert. denied</i>, 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).</li></ol>

### Rape, second degree

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Md. Code, Crim. Law § 3-304.</li><li>2. Citation for the statute of limitations: <i>Massey v. State</i>, 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i>, 223 Md. App. 779 (2015), <i>cert. denied</i>, 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).</li></ol>

### Sexual offense, first degree

Question	Answer
What is the statute of limitations for this crime?	This crime was been repealed effective October 1, 2017
Statutory citation(s):	This crime was been repealed effective October 1, 2017

### Sexual offense, second degree

Question	Answer
What is the statute of limitations for this crime?	This crime was been repealed effective October 1, 2017
Statutory citation(s):	This crime was been repealed effective October 1, 2017

### Sexual offense, third degree

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Md. Code, Crim. Law § 3-307.</li> <li>2. Citation for the statute of limitations: <i>Massey v. State</i>, 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i>, 223 Md. App. 779 (2015), <i>cert. denied</i>, 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).</li> </ol>

### Sexual offense, fourth degree

Question	Answer
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What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. If offender is in a position of authority at a school or the victim was a minor at the time of the offense, then prosecution must commence within three years after commission of the offense; or</li> <li>2. For other violations of the statute, prosecution must commence within one year after commission of the offense.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Md. Code, Crim. Law § 3-308.</li> <li>2. Citation for the statute of limitations: Md. Code, Cts. &amp; Jud. Proc. § 5-106(z); <i>In re Anthony R.</i>, 362 Md. 51, 73, 763 A.2d 136, 148 (2000).</li> </ol>

### Attempted rape, first degree

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Md. Code, Crim. Law § 3-309.</li> <li>2. Citation for the statute of limitations: <i>Massey v. State</i>, 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i>, 223 Md. App. 779 (2015), <i>cert. denied</i>, 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).</li> </ol>

### Attempted rape, second degree

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Md. Code, Crim. Law § 3-310.</li> <li>2. Citation for the statute of limitations: <i>Massey v. State</i>, 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i>, 223 Md. App. 779 (2015), <i>cert. denied</i>, 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).</li> </ol>

### **Attempted sexual offense, first degree**

Question	Answer
What is the statute of limitations for this crime?	This crime was been repealed effective October 1, 2017
Statutory citation(s):	This crime was been repealed effective October 1, 2017

### **Attempted sexual offense, second degree**

Question	Answer
What is the statute of limitations for this crime?	This crime was been repealed effective October 1, 2017
Statutory citation(s):	This crime was been repealed effective October 1, 2017

### **Sexual conduct between correctional or juvenile justice employee and inmate or confined child**

Question	Answer
What is the statute of limitations for this crime?	Prosecution must commence within one year after commission of the offense.
Statutory citation(s):	1. Citation for the crime: Md. Code, Crim. Law § 3-314. 2. Citation for the statute of limitations: Md. Code, Cts. & Jud. Proc. § 5-106; <i>In re Anthony R.</i> , 362 Md. 51, 73, 763 A.2d 136, 148 (2000).

## Continuing course of conduct with child

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	1. Citation for the crime: Md. Code, Crim. Law § 3-315. 2. Citation for the statute of limitations: <i>Massey v. State</i> , 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i> , 223 Md. App. 779 (2015), <i>cert. denied</i> , 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).

## Sodomy

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	1. Citation for the crime: Md. Code, Crim. Law § 3-321. 2. Citation for the statute of limitations: <i>Massey v. State</i> , 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i> , 223 Md. App. 779 (2015), <i>cert. denied</i> , 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).

## Unnatural or perverted sexual practice

Question	Answer
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What is the statute of limitations for this crime?	There is no time limit for prosecution of this offense.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Md. Code, Crim. Law § 3-322.</li> <li>2. Citation for the statute of limitations: Md. Code, Crim. Law § 3-322(c); Md. Code, Cts. &amp; Jud. Proc. § 5-106(b).</li> </ol>

## Incest

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Md. Code, Crim. Law § 3-323.</li> <li>2. Citation for the statute of limitations: <i>Massey v. State</i>, 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i>, 223 Md. App. 779 (2015), <i>cert. denied</i>, 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).</li> </ol>

## Sexual solicitation of minors

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Md. Code, Crim. Law § 3-324.</li> <li>2. Citation for the statute of limitations: <i>Massey v. State</i>, 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i>, 223 Md. App. 779 (2015), <i>cert. denied</i>, 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).</li> </ol>

## Sexual abuse of a minor

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Md. Code, Crim. Law § 3-602.</li><li>2. Citation for the statute of limitations: <i>Massey v. State</i>, 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i>, 223 Md. App. 779 (2015), <i>cert. denied</i>, 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”).</li></ol>

## Indecent exposure

Question	Answer
What is the statute of limitations for this crime?	Prosecution must commence within one year after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Md. Code, Crim. Law § 11-107.</li><li>2. Citation for the statute of limitations: Md. Code, Cts. &amp; Jud. Proc. § 5-106; <i>In re Anthony R.</i>, 362 Md. 51, 73, 763 A.2d 136, 148 (2000).</li></ol>

## Knowing transfer of HIV

Question	Answer
What is the statute of limitations for this crime?	Prosecution must commence within one year after commission of the offense.

Statutory citation(s):	1. Citation for the crime: Md. Code, Health Gen. § 18-601.1. 2. Citation for the statute of limitations: Md. Code, Cts. & Jud. Proc. § 5-106; <i>In re Anthony R.</i> , 362 Md. 51, 73, 763 A.2d 136, 148 (2000).
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## Possession of visual representation of child under 16 engaged in certain sexual acts

Question	Answer
What is the statute of limitations for this crime?	1. For the offender's first offense, prosecution must commence within one year after commission of the crime; or 2. If the offender has a prior conviction for this crime, then there is no time limit to commence prosecution.
Statutory citation(s):	1. Citation for the crime: Md. Code, Crim. Law § 11-208. 2. Citation for the statute of limitations: <i>Smallwood v. State</i> , 51 Md.App. at 468, 443 A.2d at 1006 (Md. Sp. App. 1982); Md. Code, Cts. & Jud. Proc. § 5-106; <i>In re Anthony R.</i> , 362 Md. 51, 73, 763 A.2d 136, 148 (2000).

## Child pornography

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies, such as this crime.
Statutory citation(s):	1. Citation for the crime: Md. Code, Crim. Law § 11-207. 2. Citation for the statute of limitations: <i>Massey v. State</i> , 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i> , 223 Md. App. 779 (2015), <i>cert. denied</i> , 445 Md. 6, 122 A.3d 976 (2015) ("Maryland has no statute of limitations on felonies.").



## Sex Trafficking

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence prosecution for any felonies or misdemeanors punishable by imprisonment in penitentiary, such as this crime. (Although the crime is classified as a felony where the victim is a minor, and a penitentiary misdemeanor if the victim is not a minor, there is no difference with regards to the statute of limitations).
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Md. Code, Crim. Law § 3-1102.</li><li>2. Citation for the statute of limitations: Md. Code, Cts. &amp; Jud. Proc. § 5-106(b) <i>Massey v. State</i>, 320 Md. 605, 610, 579 A.2d 265, 267 (Md. 1990); <i>State v. Renfro</i>, 223 Md. App. 779 (2015), <i>cert. denied</i>, 445 Md. 6, 122 A.3d 976 (2015) (“Maryland has no statute of limitations on felonies.”); <i>In re Anthony R.</i>, 362 Md. 51, 73, 763 A.2d 136, 148 (2000).</li></ol>

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

Question	Answer
Exceptions	None specified.

## Anything else I should know?

Question	Answer
Anything else I should know?	N/A