

# Criminal Statutes of Limitations North Carolina

*Last Updated: March 2020*

## First-degree forcible rape

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-27.21. 2. Citation for the statute of limitations: <i>State v. Hardin</i> , 201 S.E.2d 74 (N.C. Ct. App. 1973).

## Second-degree forcible rape

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-27.22. 2. Citation for the statute of limitations: <i>State v. Hardin</i> , 201 S.E.2d 74 (N.C. Ct. App. 1973).

## Statutory rape of a child by an adult

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.

Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-27.23.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>
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### First-degree statutory rape

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-27.24.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>

### Statutory rape of person who is 15 years of age or younger

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-27.25.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>

### First-degree forcible sexual offense

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.

Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-27.26.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>
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## Second degree forcible sexual offense

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. §14-27.27.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>

## Statutory sexual offense with a child by an adult

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-27.28.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>

## First-degree statutory sexual offense

Question	Answer
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What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-27.29. 2. Citation for the statute of limitations: <i>State v. Hardin</i> , 201 S.E.2d 74 (N.C. Ct. App. 1973).

### **Statutory sexual offense with a person who is 15 years of age or younger**

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-27.30. 2. Citation for the statute of limitations: <i>State v. Hardin</i> , 201 S.E.2d 74 (N.C. Ct. App. 1973).

### **Sexual activity by a substitute parent or custodian**

Question	Answer
What is the statute of limitations for this crime?	No statute of limitations for any felony, including this crime.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-27.31. 2. Citation for the statute of limitations: <i>State v. Hardin</i> , 201 S.E.2d 74 (N.C. Ct. App. 1973).

### **Sexual activity with a student**

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-27.32. 2. Citation for the statute of limitations: <i>State v. Hardin</i> , 201 S.E.2d 74 (N.C. Ct. App. 1973).

## Sexual battery

Question	Answer
What is the statute of limitations for this crime?	This crime is a misdemeanor.  1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-27.33. 2. Citation for the statute of limitations: N.C. Gen. Stat. § 15-1.

## Incest

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-178. 2. Citation for the statute of limitations: <i>State v. Hardin</i> , 201 S.E.2d 74 (N.C. Ct. App. 1973).

## Indecent Exposure

Question	Answer
What is the statute of limitations for this crime?	The statute of limitations depends on the classification of the crime. <ol style="list-style-type: none"> <li>1. If a felony, no statute of limitations; or</li> <li>2. If a misdemeanor, within 2 years after commission of the offense.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-190.9.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973) and N.C. Gen. Stat. § 15-1.</li> </ol>

### First degree sexual exploitation of a minor

Question	Answer
What is the statute of limitations for this crime?	No statute of limitations for any felony, including this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-190.16.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>

### Second degree sexual exploitation of a minor

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> <li>1. No statute of limitations for any felony, including this crime.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-190.17.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>

### Third degree sexual exploitation of a minor

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-190.17A. 2. Citation for the statute of limitations: <i>State v. Hardin</i> , 201 S.E.2d 74 (N.C. Ct. App. 1973).

### Taking indecent liberties with children

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	1. Citation for the crime: N.C. Gen. Stat. § 14-202.1. 2. Citation for the statute of limitations: <i>State v. Hardin</i> , 201 S.E.2d 74 (N.C. Ct. App. 1973).

### Indecent liberties between children

Question	Answer
What is the statute of limitations for this crime?	This crime is a misdemeanor. 1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense.

Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-202.2.</li> <li>2. Citation for the statute of limitations: N.C. Gen. Stat. § 15-1.</li> </ol>
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### **Solicitation of child by computer or certain other electronic devices to commit an unlawful sex act**

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-202.3.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>

### **Taking indecent liberties with a student**

Question	Answer
What is the statute of limitations for this crime?	1. No statute of limitations for any felony, including this crime.
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: N.C. Gen. Stat. § 14-202.4.</li> <li>2. Citation for the statute of limitations: <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973).</li> </ol>

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

Question	Answer
Exceptions	<ul style="list-style-type: none"> <li>• None specified.</li> </ul>

## Anything else I should know?

Question	Answer
Anything else I should know?	<ul style="list-style-type: none"><li>• <i>State v. Hardin</i>, 201 S.E.2d 74 (N.C. Ct. App. 1973) (No statute of limitations for any felony).</li><li>• <i>State v. Taylor</i>, 713 S.E.2d 82, 90 (N.C. Ct. App. 2011) (same)</li><li>• <i>Rainey v. Burrell</i>, No. 1:14-cv-176-FDW, 2015 WL 631992 (W.D. N.C. Feb. 13, 2015) (same)</li><li>• <i>State v. Gates</i>, 781 S.E.2d 883 (N.C. Ct. App. 2016) (same)</li><li>• <i>State v. Alonzo</i>, No. COA17-1186, 2018 WL 3977546 (N.C. Ct. App. Aug. 21, 2018) (same)</li><li>• N.C. Gen. Stat. § 15-1 Statute of limitations for misdemeanors:<ul style="list-style-type: none"><li>• For all misdemeanors except malicious misdemeanors, within two years after commission of the offense.</li></ul></li></ul>