

Criminal Statutes of Limitations

North Dakota

Last Updated: March 2020

Gross sexual imposition

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none">1. Prosecution against the perpetrator of this crime must commence within three years after commission of the offense; or2. If prosecuting under subdivision a of subsection 1 of this section (compelling “victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping”), prosecution against the perpetrator of this crime must commence within seven years after commission of the offense; or3. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities.
Statutory citation(s):	<ol style="list-style-type: none">1. Citation for the crime: N.D. Cent. Code § 12.1-20-03.2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-02.1 and § 29-04-03.1.

Continuous sexual abuse of a child

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none">1. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities.
Statutory citation(s):	<ol style="list-style-type: none">1. Citation for the crime: N.D. Cent. Code § 12.1-20-03.1.2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-03.1 and § 29-04-02.

Sexual imposition

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 1. Prosecution against the perpetrator of this crime must commence within three years after commission of the offense; or 2. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-04. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03.1.

Corruption or solicitation of minors

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 1. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-05. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03 and § 29-04-03.1.

Luring minors by computer or other electronic means

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 1. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities; or 2. If a felony, within three years after commission of the offense; or 3. If a misdemeanor, within two years after commission of the offense.

Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-05.1. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03 and § 29-04-03.1.
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Sexual abuse of wards

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 1. Prosecution against the perpetrator of this crime must commence within three years after commission of the offense; or 2. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-06. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03.1.

Sexual exploitation by therapist

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 1. Prosecution against the perpetrator of this crime must commence within three years after commission of the offense; or 2. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-06.1. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03.1.

Sexual assault

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 1. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities; or 2. If a felony, within three years after commission of the offense; or 3. If a misdemeanor, within two years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-07. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03 and § 29-04-03.1.

Fornication

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 1. Prosecution against the perpetrator of this crime must commence within two years after commission of the offense; or 2. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-08. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-03 and § 29-04-03.1.

Incest

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 1. Prosecution against the perpetrator of this crime must commence within three years after commission of the offense; or 2. If the victim was under 18 at the time of commission of the offense, within 21 years after commission of the offense or, if victim failed to report the offense within this limitation period, within three years after offense was reported to law enforcement authorities.

Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-11. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03.1.
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Deviate sexual act

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none"> 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"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-12. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-03.

Indecent Exposure

Question	Answer
What is the statute of limitations for this crime?	<p>The statute of limitations depends on the classification of the crime.</p> <ol style="list-style-type: none"> 1. If a felony, within 3 years after commission of the offense; or 2. If a misdemeanor, within 2 years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: N.D. Cent. Code § 12.1-20-12.1. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03.

Surreptitious intrusion

Question	Answer
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What is the statute of limitations for this crime?	The statute of limitations depends on the classification of the crime. 1. If a felony, within 3 years after commission of the offense; or 2. If a misdemeanor, within 2 years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: N.D. Cent. Code § 12.1-20-12.2. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03.

Sexual Extortion

Question	Answer
What is the statute of limitations for this crime?	The statute of limitations depends on the classification of the crime. 1. If a felony, within 3 years after commission of the offense; or 2. If a misdemeanor, within 2 years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: N.D. Cent. Code § 12.1-20-12.3. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02 and § 29-04-03.

Bigamy

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence within three years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: N.D. Cent. Code § 12.1-20-13. 2. Citation for the statute of limitations: N.D. Cent. Code § 29-04-02.

Are there any exceptions to the statute of limitations laws?

Question	Answer
Exceptions	<ul style="list-style-type: none">• N.D. Cent Code § 29-04-03.1(2) Prosecution for sexual abuse of minors:<ul style="list-style-type: none">• If, based upon evidence containing DNA or a fingerprint obtained at the time of the offense, a suspect is conclusively identified by DNA testing after the time period prescribed in subsection 1 has expired, a prosecution may be commenced within three years after the suspect is conclusively identified by the DNA testing or fingerprint authentication.

Anything else I should know?

Question	Answer
Anything else I should know?	<ul style="list-style-type: none">• N.D. Cent. Code § 29-04-03.2 Statute of limitations as to child victim:<ul style="list-style-type: none">• For any violation of Chapter 12.1-20, if victim was under 15 at the time of commission of the offense, the applicable period of limitation does not begin to run until victim reaches the age of 15.• N.D. Cent. Code § 29-04-04 Time of defendant's absence not part of limitation:<ul style="list-style-type: none">• If the defendant is out of the state, or if the defendant is within the state and subsequently leaves the state, the information may be filed, or the indictment found, within the time herein limited, after the defendant's return to the state. No time during which the defendant is not an inhabitant of, or usually resident within, this state is part of the limitation.• <i>State v. Goebel</i>, 725 N.W.2d 578 (N.D. 2007) § 29-04-03.1 and § 29-04-03.2 when read together, if the victim is under 15 at the time of the offense, the statute of limitations does not begin to run until the victim reaches the age of 15, which extends the initial seven-year period until the victim is 22, but if the victim does not report the offense to law enforcement within that seven-year period, the limitations periods runs for 3 years from the date the offense is reported.