

Criminal Statutes of Limitations Tennessee

Last Updated: March 2020

Aggravated rape

Question	Answer
What is the statute of limitations for this crime?	<p>Aggravated rape is a Class A felony.</p> <ol style="list-style-type: none">1. The time limit is within 15 years after the commission of the crime.2. When committed against a child prior to July 1, 1997, within 4 years of the commission of the offense or by the time the child attains the age of majority, whichever occurs later.3. When committed against a child on or after July 1, 1997, but prior to June 20, 2006, no later than when the child reaches 21, or within 15 years of the commission of the crime, whichever is later.4. When committed against a child on or after June 20, 2006, but prior to July 1, 2014, no later than 25 years from the date on which victim attains the age of 18.5. If the victim notifies law enforcement of the office of the attorney general within 3 years of the offense, and the offense was committed on or after July 1, 2014, or prior to July 1, 2014, unless prosecution is barred because the applicable time limitation expired prior to July 1, 2014, then there is no time limitation.6. When committed against a minor under 18, any time after the commission of the offense if: (A) the victim was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.
Statutory citation(s):	<ol style="list-style-type: none">1. Citation for the crime: Tenn. Code § 39-13-502.2. Citation for the statute of limitations: Tenn. Code § 40-2-101.

Rape

Question	Answer
What is the statute of limitations for this crime?	<p>Rape is a Class B felony.</p> <ol style="list-style-type: none">1. The time limit is within 8 years of the commission of the offense.2. When committed against a child prior to July 1, 1997, within 4 years of the commission of the offense or by the time the child attains the age of majority, whichever occurs later.3. When committed against a child on or after July 1, 1997, but prior to June 20, 2006, no later than when the child reaches 21, or within 8 years of the commission of the crime, whichever is later.4. When committed against a child on or after June 20, 2006, but prior to July 1, 2014, no later than 25 years from the date on which victim attains the age of 18.5. If the victim notifies law enforcement of the office of the attorney general within 3 years of the offense, and the offense was committed on or after July 1, 2014, or prior to July 1, 2014, unless prosecution is barred because the applicable time limitation expired prior to July 1, 2014, then there is no time limitation.6. When committed against a minor under 18, any time after the commission of the offense if: (A) the victim was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.
Statutory citation(s):	<ol style="list-style-type: none">1. Citation for the crime: Tenn. Code § 39-13-503.2. Citation for the statute of limitations: Tenn. Code § 40-2-101.

Aggravated sexual battery

Question	Answer
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<p>What is the statute of limitations for this crime?</p>	<p>Aggravated sexual battery is a Class B felony.</p> <ol style="list-style-type: none"> 1. The time limit is within 8 years of the commission of the offense. 2. When committed against a child prior to July 1, 1997, within 4 years of the commission of the offense or by the time the child attains the age of majority, whichever occurs later. 3. When committed against a child on or after July 1, 1997, but prior to June 20, 2006, no later than when the child reaches 21, or within 8 years of the commission of the crime, whichever is later. 4. When committed against a child on or after June 20, 2006, no later than 25 years from the date on which victim attains the age of 18. 5. When committed against a minor under 18, any time after the commission of the offense if: (A) the victim was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.
<p>Statutory citation(s):</p>	<ol style="list-style-type: none"> 1. Citation for the crime: Tenn. Code § 39-13-504. 2. Citation for the statute of limitations: Tenn. Code § 40-2-101.

Sexual battery

Question	Answer
<p>What is the statute of limitations for this crime?</p>	<p>Sexual battery is a Class E felony.</p> <ol style="list-style-type: none"> 1. The time limit is within 2 years of the commission of the offense. 2. When committed against a child prior to July 1, 1997, within 4 years of the commission of the offense or by the time the child attains the age of majority, whichever occurs later. 3. When committed against a child on or after July 1, 1997, but prior to June 20, 2006, no later than when the child reaches 21, or within 2 years of the commission of the crime, whichever is later. 4. When committed against a child on or after June 20, 2006, no later than 25 years from the date on which victim attains the age of 18. 5. When committed against a minor under 18, any time after the commission of the offense if: (A) the victim

	<p>was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.</p>
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Tenn. Code § 39-13-505. 2. Citation for the statute of limitations: Tenn. Code § 40-2-101.

Statutory rape

Question	Answer
<p>What is the statute of limitations for this crime?</p>	<p>This crime is:</p> <ul style="list-style-type: none"> • Mitigated statutory rape, Class E felony, if victim is at least 15 but under 18, and offender is at least four but not more than five years older than victim. • Statutory rape, Class E felony, if: <ul style="list-style-type: none"> • Victim is at least 13 but under 15, and offender is at least four years older but less than 10 years older than victim, or • Victim is at least 15 but under 18, and offender is more than five years older but less than 10 years older than victim. • Aggravated statutory rape, Class D felony, if victim is at least 13 but under 18, and offender is at least 10 years older than victim. <p>The statute of limitations depends on the Class of the felony:</p> <ol style="list-style-type: none"> 1. For a Class E felony, within two years after commission of the offense; or 2. For aggravated statutory rape, if offense is committed on or after July 1, 2016, then within 15 years from the date the victim becomes 18, but if offense is committed before July 1, 2016, then within 4 years from the date of the offense. 3. For a Class D felony, within four years after commission of the offense.

	<p>4. When committed against a minor under 18, any time after the commission of the offense if: (A) the victim was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.</p>
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Tenn. Code § 39-13-506. 2. Citation for the statute of limitations: Tenn. Code § 40-2-101.

Rape of a child more than three but under 13

Question	Answer
What is the statute of limitations for this crime?	<p>Rape of a child more than three but under 13 is a Class A felony</p> <ol style="list-style-type: none"> 1. The time limit is within 15 years of the commission of the offense; 2. When committed against a child on or after July 1, 1997, but prior to June 20, 2006, within 15 years of the commission of the offense or by the time the child attains the age of 21, whichever occurs later; 3. When committed against a child on or after June 20, 2006, but prior to July 1, 2014, no later than 25 years from the date on which victim attains the age of 18. 4. When committed against a minor under 18, any time after the commission of the offense if: (A) the victim was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.

Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Tenn. Code § 39-13-522. 2. Citation for the crime: Tenn. Code § 40-2-101.
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Sexual battery by an authority figure

Question	Answer
What is the statute of limitations for this crime?	<p>Sexual battery by an authority figure is a Class C felony.</p> <ol style="list-style-type: none"> 1. The time limit is within 4 years after the commission of the crime; 2. When committed against a child on or after June 20, 2006, no later than 25 years from the date on which victim attains the age of 18. 3. When committed against a minor under 18, any time after the commission of the offense if: (A) the victim was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Tenn. Code § 39-13-527. 2. Citation for the statute of limitations: Tenn. Code § 40-2-101.

Aggravated rape of a child three years or less

Question	Answer
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<p>What is the statute of limitations for this crime?</p>	<p>Aggravated rape of a child three years or less is a Class A felony.</p> <ol style="list-style-type: none"> 1. The time limit is within 15 years of the commission of the offense. 2. When committed against a child on or after June 1, 2007, but prior to July 1, 2014, no later than 25 years from the date on which victim attains the age of 18. 3. When committed against a minor under 18 any time after the commission of the offense if: (A) the victim was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.
<p>Statutory citation(s):</p>	<ol style="list-style-type: none"> 1. Citation for the crime: Tenn. Code § 39-13-531. 2. Citation for the statute of limitations: Tenn. Code § 40-2-101.

Statutory rape by an authority figure

Question	Answer
<p>What is the statute of limitations for this crime?</p>	<p>Statutory rape by an authority figure is a Class B felony.</p> <ol style="list-style-type: none"> 1. The time limit is within 8 years of the commission of the offense. 2. When committed against a child on or after July 1, 2007, no later than 25 years from the date on which victim attains the age of 18. 3. When committed against a minor under 18 any time after the commission of the offense if: (A) the victim was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the

	allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.
Statutory citation(s):	1. Citation for the crime: Tenn. Code § 39-13-532. 2. Citation for the statute of limitations: Tenn. Code § 40-2-101.

Incest

Question	Answer
What is the statute of limitations for this crime?	<p>Incest is a Class C felony.</p> <ol style="list-style-type: none"> 1. The time limit is within 4 years after the commission of the offense; 2. When committed against a child prior to July 1, 1997, within 4 years after commission of the offense or by the time the child attains the age of majority, whichever occurs later; 3. When committed against a child on or after July 1, 1997, but prior to June 20, 2006, within 4 years of the commission of the offense or by the time the child attains the age of 21, whichever occurs later; 4. When committed against a child on or after June 20, 2006, no later than 25 years from the date on which victim attains the age of 18. 5. When committed against a minor under 18 any time after the commission of the offense if: (A) the victim was under 13 at the time of the offense; or (B) (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim reported the offense to another person prior to the victim attaining 23 years of age. (X) Except as provided in (Y), a person may be prosecuted, tried and punished for the above-listed offenses at any time after the commission of an offense if: (i) the victim was at least 13 years of age but no more than 17 years of age at the time of the offense, and (ii) the victim did not meet the reporting requirements of (Y). (Y) In order to commence prosecution for an offense listed above under the circumstances described in (X), at a date that is more than 25 years from the date the victim becomes 18, the prosecution is required to offer admissible and credible evidence corroborating the allegations or similar acts by the defendant. This Section applies to offenses committed on or after July 1, 2019 or committed prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation expired prior to July 1, 2019.
Statutory citation(s):	1. Citation for the crime: Tenn. Code § 39-15-302. 2. Citation for the statute of limitations: Tenn. Code § 40-2-101.

Are there any exceptions to the statute of limitations laws?

Question	Answer
Exceptions	<ul style="list-style-type: none">• Tenn. Code § 40-2-103 Concealment of crime or absence from state:<ul style="list-style-type: none">• No period during which the party charged was not usually and publicly resident within the state or concealed the fact of the crime is included in the period of limitation.

Anything else I should know?

Question	Answer
Anything else I should know?	<ul style="list-style-type: none">• <i>State v. Henry</i>, 834 S.W.2d 273 (Tenn. 1992):<ul style="list-style-type: none">• Four year statute of limitations on prosecution for incest is not tolled by defendant's parental control over victim.• <i>Oregon v. State</i>, 874 S.W.2d 6 (Tenn. 1994):<ul style="list-style-type: none">• Amendments to statute of limitations for aggravated sexual battery and child sex abuse cases do not apply retroactively.