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AN ACT

RELATING TO CRIMINAL LAW; TOLLING THE STATUTE OF LIMITATIONS FOR PROSECUTIONS REGARDING CRIMINAL SEXUAL PENETRATION; ENACTING A NEW SECTION OF CHAPTER 30, ARTICLE 1 NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 30, Article 1 NMSA 1978 is enacted to read:

"CRIMINAL SEXUAL PENETRATION--TOLLING OF STATUTE OF LIMITATIONS.--

A. When DNA evidence is available and a suspect has not been identified, the applicable time period for commencing a prosecution pursuant to Section 30-1-8 NMSA 1978 shall not commence to run for an alleged violation of Section 30-9-11 NMSA 1978 until a DNA profile is matched with a suspect.

B. As used in this section, "DNA" means deoxyribonucleic acid."

Section 2. APPLICABILITY.--The provisions of this act are applicable to an alleged violation of Section 30-9-11 NMSA 1978 for which the applicable time period for commencing a prosecution, as provided in Section 30-1-8 NMSA 1978, has not expired as of July 1, 2003.

Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2003.