

unless the indictment is returned or the information is filed within 10 years after the commission of the offense.

(Added Pub. L. 101-73, title IX, § 961(l)(1), Aug. 9, 1989, 103 Stat. 501; amended Pub. L. 101-647, title XXV, § 2505(a), Nov. 29, 1990, 104 Stat. 4862; Pub. L. 103-322, title XXXII, § 320604(b), title XXXIII, § 330002(e), Sept. 13, 1994, 108 Stat. 2119, 2140.)

#### AMENDMENTS

1994—Par. (1). Pub. L. 103-322 struck out “1008,” after “1007,” and inserted “1033,” after “1014.”

1990—Par. (3). Pub. L. 101-647 added par. (3).

#### EFFECTIVE DATE OF 1990 AMENDMENT

Section 2505(b) of Pub. L. 101-647 provided that: “The amendments made by subsection (a) [amending this section] shall apply to any offense committed before the date of the enactment of this section [Nov. 29, 1990], if the statute of limitations applicable to that offense had not run as of such date.”

#### EFFECT OF THIS SECTION ON OFFENSES FOR WHICH PRIOR PERIOD OF LIMITATIONS HAD NOT RUN

Section 961(l)(3) of Pub. L. 101-73 provided that: “The amendments made by this subsection [enacting this section] shall apply to an offense committed before the effective date of this section [Aug. 9, 1989], if the statute of limitations applicable to that offense under this chapter had not run as of such date.”

### § 3294. Theft of major artwork

No person shall be prosecuted, tried, or punished for a violation of or conspiracy to violate section 668 unless the indictment is returned or the information is filed within 20 years after the commission of the offense.

(Added Pub. L. 103-322, title XXXII, § 320902(b), Sept. 13, 1994, 108 Stat. 2124.)

### § 3295. Arson offenses

No person shall be prosecuted, tried, or punished for any non-capital offense under section 81 or subsection (f), (h), or (i) of section 844 unless the indictment is found or the information is instituted not later than 10 years after the date on which the offense was committed.

(Added Pub. L. 104-132, title VII, § 708(c)(1), Apr. 24, 1996, 110 Stat. 1297.)

### § 3296. Counts dismissed pursuant to a plea agreement

(a) IN GENERAL.—Notwithstanding any other provision of this chapter, any counts of an indictment or information that are dismissed pursuant to a plea agreement shall be reinstated by the District Court if—

(1) the counts sought to be reinstated were originally filed within the applicable limitations period;

(2) the counts were dismissed pursuant to a plea agreement approved by the District Court under which the defendant pled guilty to other charges;

(3) the guilty plea was subsequently vacated on the motion of the defendant; and

(4) the United States moves to reinstate the dismissed counts within 60 days of the date on which the order vacating the plea becomes final.

(b) DEFENSES; OBJECTIONS.—Nothing in this section shall preclude the District Court from considering any defense or objection, other than statute of limitations, to the prosecution of the counts reinstated under subsection (a).

(Added Pub. L. 107-273, div. B, title III, § 3003(a), Nov. 2, 2002, 116 Stat. 1805.)

### § 3297. Cases involving DNA evidence

In a case in which DNA testing implicates an identified person in the commission of a felony, no statute of limitations that would otherwise preclude prosecution of the offense shall preclude such prosecution until a period of time following the implication of the person by DNA testing has elapsed that is equal to the otherwise applicable limitation period.

(Added Pub. L. 108-405, title II, § 204(a), Oct. 30, 2004, 118 Stat. 2271; amended Pub. L. 109-162, title X, § 1005, Jan. 5, 2006, 119 Stat. 3086.)

#### AMENDMENTS

2006—Pub. L. 109-162 struck out “except for a felony offense under chapter 109A,” before “no statute of limitations”.

#### EFFECTIVE DATE

Pub. L. 108-405, title II, § 204(c), Oct. 30, 2004, 118 Stat. 2271, provided that: “The amendments made by this section [enacting this section] shall apply to the prosecution of any offense committed before, on, or after the date of the enactment of this section [Oct. 30, 2004] if the applicable limitation period has not yet expired.”

### § 3298. Trafficking-related offenses

No person shall be prosecuted, tried, or punished for any non-capital offense or conspiracy to commit a non-capital offense under section 1581 (Peonage; Obstructing Enforcement), 1583 (Enticement into Slavery), 1584 (Sale into Involuntary Servitude), 1589 (Forced Labor), 1590 (Trafficking with Respect to Peonage, Slavery, Involuntary Servitude, or Forced Labor), or 1592 (Unlawful Conduct with Respect to Documents in furtherance of Trafficking, Peonage, Slavery, Involuntary Servitude, or Forced Labor) of this title or under section 274(a) of the Immigration and Nationality Act unless the indictment is found or the information is instituted not later than 10 years after the commission of the offense.

(Added Pub. L. 109-162, title XI, § 1182(a), Jan. 5, 2006, 119 Stat. 3126.)

#### REFERENCES IN TEXT

Section 274(a) of the Immigration and Nationality Act, referred to in text, is classified to section 1324(a) of Title 8, Aliens and Nationality.

### § 3299. Child abduction and sex offenses

Notwithstanding any other law, an indictment may be found or an information instituted at any time without limitation for any offense under section 1201 involving a minor victim, and for any felony under chapter 109A, 110 (except for section<sup>1</sup> 2257 and 2257A), or 117, or section 1591.

(Added Pub. L. 109-248, title II, § 211(1), July 27, 2006, 120 Stat. 616.)

<sup>1</sup> So in original. Probably should be “sections”.