

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.)

### § 3300. Recruitment or use of child soldiers

No person may be prosecuted, tried, or punished for a violation of section 2442 unless the indictment or the information is filed not later than 10 years after the commission of the offense.

(Added Pub. L. 110-340, §2(a)(2), Oct. 3, 2008, 122 Stat. 3736.)

### § 3301. Securities fraud offenses

(a) DEFINITION.—In this section, the term “securities fraud offense” means a violation of, or a conspiracy or an attempt to violate—

(1) section 1348;

(2) section 32(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78ff(a));

(3) section 24 of the Securities Act of 1933 (15 U.S.C. 77x);

(4) section 217 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-17);

(5) section 49 of the Investment Company Act of 1940 (15 U.S.C. 80a-48); or

(6) section 325 of the Trust Indenture Act of 1939 (15 U.S.C. 77yyy).

(b) LIMITATION.—No person shall be prosecuted, tried, or punished for a securities fraud offense, unless the indictment is found or the information is instituted within 6 years after the commission of the offense.

(Added Pub. L. 111-203, title X, §1079A(b)(1), July 21, 2010, 124 Stat. 2079.)

#### EFFECTIVE DATE

Section effective 1 day after July 21, 2010, except as otherwise provided, see section 4 of Pub. L. 111-203, set out as a note under section 5301 of Title 12, Banks and Banking.

## CHAPTER 215—GRAND JURY

Sec.

3321. Number of grand jurors; summoning additional jurors.

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