

1 SB231  
2 216087-1  
3 By Senator Givhan  
4 RFD: Judiciary  
5 First Read: 17-FEB-22

SYNOPSIS: Under existing law, the statute of limitations on a misdemeanor offense is 12 months.

This bill would toll the statute of limitations on misdemeanor offenses if the offender is in a court-approved drug rehabilitation program or participating in a diversion program.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to criminal procedure; to amend Section 15-3-2, Code of Alabama 1975, to revise the statute of limitations for misdemeanors in certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-3-2, Code of Alabama 1975, is amended to read as follows:

"§15-3-2.

~~"Unless otherwise~~ (a) Except as provided in subsection (b), the prosecution of all misdemeanors before a

1 circuit or district court ~~must~~ shall be commenced within 12  
2 months after the commission of the offense.

3 "(b) The period of limitation shall be tolled during  
4 any period of time an offender is participating in a  
5 court-approved drug rehabilitation program or a court-approved  
6 diversion program."

7 Section 2. This act shall become effective on the  
8 first day of the third month following its passage and  
9 approval by the Governor, or its otherwise becoming law.