



**GEORGIA**

| SEXUAL OFFENSE STATUTES   | STATUTE OF LIMITATIONS  | DNA EXCEPTION   |
|---|---|---|
| <p>GA. CODE § 16-6-1 Rape<br/>Punishable by death, by imprisonment for life without parole, by imprisonment for life, or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life</p> <p>GA. CODE § 16-6-2 Sodomy, aggravated sodomy<br/>Sodomy: punishable by imprisonment for not less than one nor more than 20 years<br/>Aggravated sodomy: punishable by imprisonment for life or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life</p> <p>GA. CODE § 16-6-3 Statutory rape<br/>Punishable by imprisonment for not less than one nor more than 20 years; provided, however, that if the person so convicted is 21 years of age or older, such person shall be punished by imprisonment for not less than ten nor more than 20 years<br/>Misdemeanor if victim is at least 14 but less than 16 years of age and the perpetrator is 18 years of age or younger and is no more than four years older than the victim</p> | <p>GA. CODE § 17-3-1 Limitation on prosecutions<br/>(b) For crimes punishable by death or life imprisonment, within seven years after the commission of the crime<br/>(b) For the crime of forcible rape, within 15 years after commission of the crime<br/>(c) For all other felonies, within four years after commission of the crime<br/>(c) For felonies committed against victims who are under 18 at the time the offense is committed, within seven years after commission of the crime<br/>(d) For misdemeanors, within two years after commission of the crime</p> <p>GA. CODE § 17-3-2.1 Limitation on prosecution of certain offenses involving a victim under 16 years of age<br/>If the victim if under 16 on the date of commission of the offense, the applicable period within which a prosecution must be commenced according to § 17-3-1 shall not begin to run until the victim has reached the age of 16 or the violation is reported to a law enforcement agency or prosecuting attorney, whichever occurs first; applies to any of the following offenses occurring on or after July 1, 1992:</p> <ul style="list-style-type: none"> <li>• Rape (§ 16-6-1)</li> </ul> | <p>GA. CODE § 17-3-1 Limitation on prosecutions<br/>(c.1) For the following offenses, no statute of limitations when DNA evidence is used to establish the identity of the accused, provided that a sufficient portion of the physical evidence tested for DNA is preserved and available for testing by the accused:</p> <ul style="list-style-type: none"> <li>• Rape (§ 16-6-1)</li> <li>• Aggravated sodomy (§ 16-6-2)</li> <li>• Aggravated child molestation (§ 16-6-4)</li> <li>• Aggravated sexual battery (§ 16-6-22.2)</li> </ul> |

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| <p>GA. CODE § 16-6-4 Child molestation, aggravated child molestation<br/>         First offense: punishable by imprisonment for not less than five nor more than 20 years<br/>         Second or subsequent conviction: punishable by imprisonment for not less than ten years nor more than 30 years or by imprisonment for life<br/>         Aggravated child molestation: punishable by imprisonment for life or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life; misdemeanor if victim is at least 13 but less than 16, perpetrator is 18 or below and no more than four years older than victim, or the basis of the charge is sodomy</p> <p>GA. CODE § 16-6-22 Incest<br/>         Punishable by imprisonment for not less than 10 nor more than 30 years</p> <p>GA. CODE § 16-6-22.1 Sexual battery<br/>         Punishable as a misdemeanor of a high and aggravated nature<br/>         Felony if victim is under 16; punishable by imprisonment for not less than one nor more than five years<br/>         Felony if perpetrator has previously been convicted of sexual battery; punishable by imprisonment for not less than one nor more than five years</p> <p>GA. CODE § 16-6-22.2 Aggravated sexual battery</p> | <ul style="list-style-type: none"> <li>• Sodomy and aggravated sodomy (§ 16-6-2)</li> <li>• Statutory rape (§ 16-6-3)</li> <li>• Child molestation and aggravated child molestation (§ 16-6-4)</li> <li>• Incest (§ 16-6-22)</li> </ul> <p>GA. CODE § 17-3-2.2 Statute of limitations<br/>         When the victim of an offense is 65 or above, the applicable period of limitations will not begin to run until the offense is reported to or discovered by a law enforcement agency, prosecuting attorney, or other governmental agency</p> |  |
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| Punishable by imprisonment for life or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life |  |  |
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