



Gov. Msg. No. 19-347

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

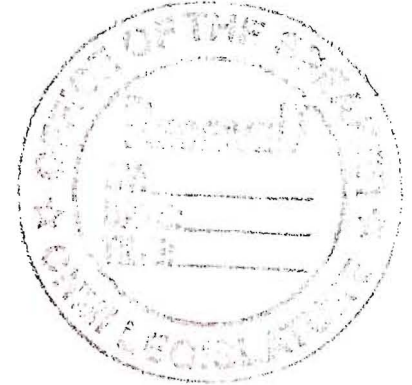
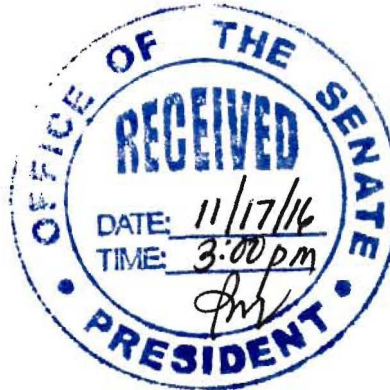
Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

1.7. NOV 2016

The Honorable Rafael S. Demapan
Speaker, House of Representatives
Nineteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

The Honorable Francisco M. Borja
Senate President, The Senate
Nineteenth Northern Marianas
Commonwealth Legislature
Saipan, MP 96950



Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law **House Bill No. 19-185**, entitled, "To amend 6 CMC §107 by allowing the prosecution for sexual crimes committed against persons under the age of 18 to commence at any time," which was passed by the House of Representatives and the Senate of the Nineteenth Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 19-72**. Copies bearing my signature are forwarded for your reference.

Sincerely,

VICTOR B. HOCOG
Acting Governor

cc: Governor; Acting Press Secretary; Attorney General's Office; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review



*Nineteenth Legislature
of the
Commonwealth of the Northern Mariana Islands*
IN THE HOUSE OF REPRESENTATIVES

Fifth Special Session

July 14, 2016

Representative Ramon A. Tebuteb, of Saipan, Precinct 3 (*for himself*, Representatives Roman C. Benavente, George N. Camacho, Lorenzo I. Deleon Guerrero, Edwin K. Propst, and Vinson F. Sablan) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 19-185

AN ACT

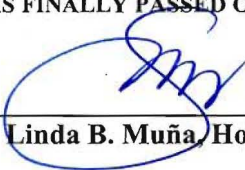
**TO AMEND 6 CMC §107 BY ALLOWING THE PROSECUTION
FOR SEXUAL CRIMES COMMITTED AGAINST PERSONS
UNDER THE AGE OF 18 TO COMMENCE AT ANY TIME.**

The Bill was referred to the House Committee on Judiciary and Governmental Operations, which submitted Standing Committee Report 19-141; adopted 9/15/16.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, SEPTEMBER 15, 2016;
without amendments and transmitted to the
THE SENATE.**

The Bill was not referred to a Senate Committee.
**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, OCTOBER 5, 2016;
without amendments and was returned to
THE HOUSE OF REPRESENTATIVES**

THE BILL WAS FINALLY PASSED ON SEPTEMBER 15, 2016.



Linda B. Muña, House Clerk



Nineteenth Legislature
of the
Commonwealth of the Northern Mariana Islands
IN THE HOUSE OF REPRESENTATIVES

Third Day, Fourth Regular Session

September 15, 2016

H. B. No. 19-185

AN ACT

**TO AMEND 6 CMC §107 BY ALLOWING THE PROSECUTION FOR
SEXUAL CRIMES COMMITTED AGAINST PERSONS UNDER THE AGE
OF 18 TO COMMENCE AT ANY TIME.**

**Be it enacted by the Nineteenth Northern Marianas Commonwealth
Legislature:**

1 **Section 1. Findings and Purpose.** The Legislature finds that sexual crimes
2 committed against persons under the age of eighteen (18) is a very sensitive issue that not
3 only affects the victims, but the overall outlook of our great Commonwealth. The Legislature
4 also finds that the time limitation for sex crimes committed against persons under the age of
5 eighteen (18) shall initiate until the alleged victim reaches the specified age. Due to the
6 victim's fear of revealing such disturbing information, the time limitation as set by our
7 current statute will prove to be detrimental for after the exhaustion of such time limitation,
8 the allegations shall become null and void and cannot be prosecuted. The Legislature finds
9 that removing the time limitation will prove to be beneficial for it will give the victims,
10 regardless of age and duration since the alleged incident, the opportunity to build their
11 confidence and report such incidents knowing that the prosecution can begin at any time
12 regardless of the time duration since the victim reached the age of eighteen (18).

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1 Therefore, the purpose of this Act is to amend 6 CMC §107 by allowing the
2 prosecution for sexual crimes committed against persons under the age of 18 to commence at
3 any time.

4 **Section 2. Amendment.** 6 CMC §107 is hereby amended to read as follows:

5 **“§ 107. Time Limitations for Beginning Prosecutions.**

6 (a) A prosecution for murder and for any crime involving sexual contact,
7 physical or sexual abuse, exhibitionism or sexual exploitation, committed against a
8 person under the age of 18 may be commenced at any time.

9 (b) Except as otherwise provided in this section, prosecutions for offenses
10 other than traffic offenses are subject to the following time limitations:

11 (1) A prosecution for an offense which is punishable by imprisonment
12 for five years or more must be commenced within four years after it is
13 committed.

14 (2) A prosecution for an offense which is punishable by imprisonment
15 for six months or less, or by a fine only must be commenced within one year
16 after it is committed.

17 (3) A prosecution for any other offense must be commenced within
18 two years after it is committed.

19 (c) If the time limitation set forth in subsection (b) of this section has expired,
20 a prosecution may nevertheless be commenced for:

21 (1) Any offense, an element of which is either fraud or a breach of
22 fiduciary obligation, within one year after discovery of the offense by an
23 aggrieved party or by a person who has a legal duty to represent an aggrieved
24 party and who is himself not a party to the offense, but in no case shall this
25 provision extend the period of limitation otherwise applicable by more than
26 three years.

27 (2) Any offense based on misconduct in office by a public officer or
28 employee at any time when the defendant is in the same public office or
29 employment or within two years thereafter.

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1 (3) Any offense for which a pending prosecution results in a dismissal
2 without prejudice within one year from the date of such dismissal.

3 (4) Any offense involving or against the former Saipan Credit Union,
4 or its depositors, shareholders, investors, or guarantors on account of or in
5 connection with their interest therein, within 10 years after it was committed.

6 (d) The time limitation does not run:

7 (1) During any time when the accused is absent from this jurisdiction
8 or has no reasonably determinable place of abode or work within this
9 jurisdiction; or

10 (2) During any time when a prosecution against the accused is pending
11 in this jurisdiction.

12 (e) A prosecution is commenced either when an information or complaint is
13 filed, or when an arrest warrant or other process is executed without
14 unreasonable delay.”

15 **Section 3. Severability.** If any provisions of this Act or the application of any such
16 provision to any person or circumstance should be held invalid by a court of competent
17 jurisdiction, the remainder of this Act or the application of its provisions to persons or
18 circumstances other than those to which it is held invalid shall not be affected thereby.

19 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not be
20 construed as affecting any existing right acquired under contract or acquired under statutes
21 repealed or under any rule, regulation, or order adopted under the statutes. Repealers
22 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
23 The enactment of the Act shall not have the effect of terminating, or in any way modifying,
24 any liability, civil or criminal, which shall already be in existence on the date this Act
25 becomes effective.

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1 Section 5. Effective Date. This Act shall take effect upon its approval by the
2 Governor, or its becoming law without such approval.

Attested to by:



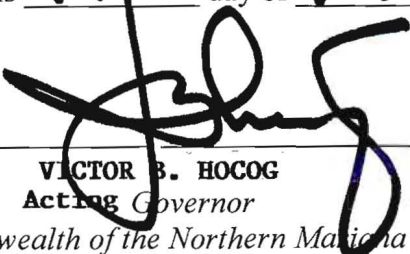
Linda B. Muña, House Clerk

Certified by:



SPEAKER RAFAEL S. DEMAPAN
House of Representatives
19th Northern Marianas Commonwealth Legislature

Approved this 17th day of November, 2016



VICTOR B. HOCOG
Acting Governor
Commonwealth of the Northern Mariana Islands