

### **35.215 Limitations on time for prosecutions.**

- (1) A person charged with any offense is not liable to be tried by court-martial or punished under KRS 35.070 if the offense was committed more than two (2) years before the receipt of sworn charges and specifications by an officer exercising summary court-martial jurisdiction over the command or before the imposition of punishment under KRS 35.070. Notwithstanding the foregoing, a prosecution for larceny and wrongful appropriation under KRS 35.670 against one who obtained the property lawfully and subsequently misappropriated it may be commenced within one (1) year after discovery of the loss, but in no case shall this extend the time limitation by more than five (5) years.
- (2) Periods in which the accused was absent from territory in which the state has the authority to apprehend him, or in the custody of civil authorities, shall be excluded in computing the period of limitation prescribed in this section.

**History:** Amended 1970 Ky. Acts ch. 56, sec. 29. -- Created 1954 Ky. Acts ch. 99, sec. 42, effective July 1, 1954.