

HOUSE BILL No. 6079

September 16, 1992, Introduced by Reps. Randall, Bender, Dolan, Middaugh, Willis Bullard, Dalman and Gnodtke and referred to the Committee on Judiciary.

A bill to amend section 24 of chapter VII of Act No. 175 of the Public Acts of 1927, entitled as amended
"The code of criminal procedure,"
as amended by Act No. 255 of the Public Acts of 1987, being section 767.24 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 24 of chapter VII of Act No. 175 of the
2 Public Acts of 1927, as amended by Act No. 255 of the Public Acts
3 of 1987, being section 767.24 of the Michigan Compiled Laws, is
4 amended to read as follows:

5 CHAPTER VII

6 Sec. 24. ~~-(++)~~ An indictment for the crime of murder may be
7 found at any period after the death of the person alleged to have
8 been murdered. ~~-Indictments-~~ IF THE ALLEGED VICTIM OF A
9 VIOLATION OF SECTION 145C, 520B, 520C, 520D, 520E, OR 520G OF THE

1 MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931,
2 BEING SECTIONS 750.145C, 750.520B, 750.520C, 750.520D, 750.520E,
3 AND 750.520G OF THE MICHIGAN COMPILED LAWS, WAS LESS THAN 18
4 YEARS OF AGE WHEN THE OFFENSE WAS COMMITTED, AN INDICTMENT FOR AN
5 OFFENSE UNDER THAT SECTION MAY BE FOUND ANY TIME AFTER THE COM-
6 MISSION OF THE OFFENSE. AN INDICTMENT for the ~~crimes~~ CRIME of
7 kidnapping, extortion, assault with intent to commit murder,
8 ~~and~~ OR conspiracy to commit murder shall be found and filed
9 within 10 years after the commission of the offense. ~~Except as~~
10 ~~otherwise provided in subsection (2), all~~ ALL other indictments
11 shall be found and filed within 6 years after the commission of
12 the offense. However, any period during which the party charged
13 did not usually and publicly reside within this state ~~shall~~ IS
14 not ~~be considered~~ part of the time within which the respective
15 indictments shall be found and filed.

16 ~~(2) Notwithstanding subsection (1), if an alleged victim~~
17 ~~was under 18 years of age at the time of the commission of the~~
18 ~~offense, an indictment for an offense under section 145c or 520b~~
19 ~~to 520g of the Michigan penal code, Act No. 328 of the Public~~
20 ~~Acts of 1931, being sections 750.145c and 750.520b to 750.520g of~~
21 ~~the Michigan Compiled Laws, may be found and filed within 6 years~~
22 ~~after the commission of the offense or by the alleged victim's~~
23 ~~twenty first birthday, whichever is later.~~

24 Section 2. For violation of section 145c, 520b, 520c, 520d,
25 520e, or 520g of the Michigan Penal Code, Act No. 328 of the
26 Public Acts of 1931, being sections 750.145c, 750.520b, 750.520c,
27 750.520d, 750.520e, and 750.520g of the Michigan Compiled Laws,

1 in which the alleged victim was less than 18 years of age when
2 the offense was committed, the Legislature intends the extension
3 of the limitations period for the prosecution of those violations
4 created by this amendatory act to apply retroactively to those
5 offenses for which prosecution is not barred at the effective
6 date of this amendatory act.