

HOUSE BILL No. 4430

March 3, 1993, Introduced by Reps. Randall, McNutt, London and DeMars 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~~ TIME after the death of the person
8 alleged to have been murdered. ~~Indictments~~ AN INDICTMENT FOR A

1 VIOLATION OF SECTION 145C, 520B, 520C, 520D, 520E, OR 520G OF THE
2 MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931,
3 BEING SECTIONS 750.145C, 750.520B, 750.520C, 750.520D, 750.520E,
4 AND 750.520G OF THE MICHIGAN COMPILED LAWS, MAY BE FOUND ANY TIME
5 AFTER THE COMMISSION OF THE OFFENSE IF THE ALLEGED VICTIM OF THE
6 OFFENSE WAS LESS THAN 18 YEARS OF AGE WHEN THE OFFENSE WAS
7 COMMITTED. AN INDICTMENT for the ~~crimes~~ CRIME of kidnapping,
8 extortion, assault with intent to commit murder, ~~and~~ OR con-
9 spiracy to commit murder shall be found and filed within 10 years
10 after ~~the commission of~~ the offense IS COMMITTED. ~~Except as~~
11 ~~otherwise provided in subsection (2), all~~ ALL other indictments
12 shall be found and filed within 6 years after the commission of
13 the offense. However, any period during which the party charged
14 did not usually and publicly reside within this state ~~shall~~ IS
15 not ~~be considered~~ part of the time within which the respective
16 indictments shall be found and filed.

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

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

1 750.520d, 750.520e, and 750.520g of the Michigan Compiled Laws,
2 in which the alleged victim was less than 18 years of age when
3 the offense was committed, the Legislature intends the extension
4 of the limitations period for the prosecution of those violations
5 created by this amendatory act to apply retroactively to those
6 offenses for which prosecution is not barred at the effective
7 date of this amendatory act.