
Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4524 (Substitute S-1 as reported)
Sponsor: Representative Marc Shulman
House Committee: Family and Civil Law
Senate Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act (RJA) to extend the period of limitations for an action to recover damages for injury to a person or property brought by a victim of domestic violence, and for an action charging assault or battery brought by a victim of domestic violence.

Under the RJA, for an action to recover damages for the death of a person or for injury to a person or property, the period of limitations is three years after the time of the death or injury. Under the bill, the period of limitations would be five years for an action to recover damages for injury to a person or property brought by a person who had been assaulted or battered by his or her spouse or former spouse, an individual with whom he or she had a child in common, or a person with whom he or she currently or formerly resided. The five-year limitation would apply to causes of action arising on or after the date of the bill's enactment and to causes of action in which the three-year period to recover damages for the death of a person or for injury to a person or property had not already expired as of the date of the bill's enactment.

Under the RJA, the period of limitations is two years for an action charging assault, battery, or false imprisonment. Under the bill, the period of limitations would be five years for an action charging assault or battery brought by a person who had been assaulted or battered by his or her spouse or former spouse, an individual with whom he or she had a child in common, or a person with whom he or she currently or formerly resided. The five-year limitation would apply to causes of action arising on or after the date of the bill's enactment and to causes of action in which the RJA's two-year period for assault, battery, or false imprisonment had not already expired as of the date of the bill's enactment.

The bill is tie-barred to House Bill 4187, which also would extend the period of limitations for an action charging assault or battery brought by a domestic violence victim.

MCL 600.5805

Legislative Analyst: P. Affholter

FISCAL IMPACT

There are no comprehensive Statewide data on the number of potential cases that could come under the proposed five-year statute of limitations under the bill.

Date Completed: 12-6-99

Fiscal Analyst: B. Bowerman

[floor/hb4524](#)

Analysis available @ <http://www.michiganlegislature.org>

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.