

HOUSE BILL No. 4526

April 20, 1999, Introduced by Reps. Richner, Jellema, Bovin, Rick Johnson, Allen, Kukuk, Caul, Ehardt, Stamas, Kelly, Pappageorge, Bradstreet, Hart and Birkholz and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 1987 PA 255.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

CHAPTER VII

2

Sec. 24. (1) An indictment for the crime of murder may be

3 found at any period after the death of the person alleged to have

4 been murdered. Indictments for the crimes of kidnapping, extor-

5 tion, assault with intent to commit murder, and conspiracy to

6 commit murder shall be found and filed within 10 years after the

7 commission of the offense. Except as otherwise provided in

8 ~~subsection~~ SUBSECTIONS (2) AND (3), all other indictments shall

9 be found and filed within 6 years after the commission of the

10 offense. However, any period during which the party charged did

1 not usually and publicly reside within this state shall not be
2 considered part of the time within which the respective indict-
3 ments shall be found and filed.

4 (2) Notwithstanding subsection (1), if an alleged victim was
5 under 18 years of age at the time of the commission of the
6 offense, an indictment for an offense under section 145c or 520b
7 to 520g of the Michigan penal code, ~~Act No. 328 of the Public~~
8 ~~Acts of 1931, being sections 750.145c and 750.520b to 750.520g of~~
9 ~~the Michigan Compiled Laws~~ 1931 PA 328, MCL 750.145C AND
10 750.520B TO 750.520G, may be found and filed within 6 years after
11 the commission of the offense or by the alleged victim's
12 twenty-first birthday, whichever is later.

13 (3) NOTWITHSTANDING SUBSECTION (1) OR (2), AN INDICTMENT FOR
14 AN OFFENSE UNDER SECTION 520D(1)(E) OR (F) OR SECTION 520E(1)(H)
15 OR (I) OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520D AND
16 750.520E, MAY BE FOUND AND FILED WITHIN 8 YEARS AFTER THE RELA-
17 TIONSHIP IN WHICH THE ACTOR WAS PROVIDING EMOTIONAL OR MENTAL
18 HEALTH SERVICES OR TREATMENT, SPIRITUAL COUNSELING, SPIRITUAL
19 ADVICE, OR COMFORT TO THE VICTIM HAS ENDED.

20 Enacting section 1. This amendatory act does not take
21 effect unless Senate Bill No. _____ or House Bill No. _____
22 (request no. 00236'99 **) of the 90th Legislature is enacted into
23 law.