

SENATE BILL No. 1174

March 22, 2000, Introduced by Senators JOHNSON, ROGERS, VAN REGENMORTER, HAMMERSTROM, EMMONS, MC COTTER, GOSCHKA, SHUGARS, BENNETT, SIKKEMA, GAST, SCHUETTE, STILLE and JAYE and referred to the Committee on Judiciary.

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:

CHAPTER VII

Sec. 24. (1) An indictment for ~~the crime of~~ murder may be
found AND FILED at any ~~period~~ TIME after the death of the
person alleged to have been murdered. ~~Indictments~~

(2) AN INDICTMENT FOR A VIOLATION OF SECTION 520B, 520C,
520D, 520E, OR 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328,
MCL 750.520B, 750.520C, 750.520D, 750.520E, AND 750.520G, MAY BE
FOUND AND FILED AS FOLLOWS:

(A) EXCEPT AS OTHERWISE PROVIDED IN SUBDIVISION (B), IF THE
ALLEGED VICTIM WAS LESS THAN 18 YEARS OF AGE AT THE TIME OF THE

1 OFFENSE, AN INDICTMENT MAY BE FOUND AND FILED WITHIN 6 YEARS
2 AFTER THE COMMISSION OF THE OFFENSE OR BY THE ALLEGED VICTIM'S
3 TWENTY-FIRST BIRTHDAY, WHICHEVER IS LATER.

4 (B) IF EVIDENCE OF THE VIOLATION IS OBTAINED AND THAT EVI-
5 DENCE CONTAINS DNA THAT IS IDENTIFIED AS MATCHING THAT OF A SPE-
6 CIFIC INDIVIDUAL, AN INDICTMENT AGAINST THAT INDIVIDUAL FOR THE
7 VIOLATION MAY BE FOUND AND FILED AT ANY TIME AFTER THE OFFENSE IS
8 COMMITTED. THIS SUBDIVISION APPLIES REGARDLESS OF WHETHER THE
9 DNA IDENTIFICATION WAS MADE WITHIN THE PERIOD SET FORTH IN
10 SUBDIVISION (A).

11 (3) AN INDICTMENT ~~for the crimes of~~ kidnapping, extortion,
12 assault with intent to commit murder, ~~and~~ OR conspiracy to
13 commit murder shall be found and filed within 10 years after ~~the~~
14 ~~commission of~~ the offense IS COMMITTED. ~~Except as otherwise~~
15 ~~provided in subsection (2), all~~

16 (4) ALL other indictments shall be found and filed within 6
17 years after the commission of the offense. ~~However, any~~

18 (5) ANY period during which the party charged did not usu-
19 ally and publicly reside within this state ~~shall~~ IS not ~~be~~
20 ~~considered~~ part of the time within which the respective indict-
21 ments shall be found and filed.

22 ~~(2) Notwithstanding subsection (1), if an alleged victim~~
23 ~~was under 18 years of age at the time of the commission of the~~
24 ~~offense, an indictment for an offense under section 145c or 520b~~
25 ~~to 520g of the Michigan penal code, Act No. 328 of the Public~~
26 ~~Acts of 1931, being sections 750.145c and 750.520b to 750.520g of~~
27 ~~the Michigan Compiled Laws, may be found and filed within 6 years~~

~~1 after the commission of the offense or by the alleged victim's
2 twenty-first birthday, whichever is later.~~

3 Enacting section 1. For a violation of section 520b, 520c,
4 520d, 520e, or 520g of the Michigan penal code, 1931 PA 328,
5 MCL 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g, the
6 legislature intends the extension of the limitations period for
7 prosecuting those violations created by this amendatory act to
8 apply retroactively to those offenses.