

SENATE BILL No. 1308

June 7, 2000, Introduced by Senators BYRUM, V. SMITH, HART and DINGELL 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 ~~the crimes of~~ kidnapping, extortion,
assault with intent to commit murder, ~~and~~ OR conspiracy to
commit murder, OR AN INDICTMENT FOR A VIOLATION OF SECTION 145C,
520B, 520C, 520D, 520E, OR 520G OF THE MICHIGAN PENAL CODE, 1931
PA 328, MCL 750.145C, 750.520B, 750.520C, 750.520D, 750.520E, AND
750.520G, shall be found and filed within 10 years after ~~the~~

1 ~~commission of~~ the offense IS COMMITTED. ~~Except as otherwise~~
2 ~~provided in subsection (2), all~~

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

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

9 (5) ~~(2)~~ Notwithstanding subsection ~~(1)~~ (2), if an
10 alleged victim was under 18 years of age at the time of the com-
11 mission of ~~the offense, an indictment for an offense under~~ A
12 VIOLATION OF section 145c or 520b to 520g of the Michigan penal
13 code, ~~Act No. 328 of the Public Acts of 1931, being sections~~
14 ~~750.145c and 750.520b to 750.520g of the Michigan Compiled Laws~~
15 1931 PA 328, MCL 750.145C AND 750.520B TO 750.520G, AN INDICTMENT
16 FOR THE OFFENSE may be found and filed within ~~6~~ 10 years after
17 the commission of the offense or by the alleged victim's
18 twenty-first birthday, whichever is later.

19 Enacting section 1. For a violation of section 145c, 520b,
20 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA
21 328, MCL 750.145c, 750.520b, 750.520c, 750.520d, 750.520e, and
22 750.520g, the legislature intends the extension of the limita-
23 tions period for prosecuting those violations created by this
24 amendatory act to apply retroactively to offenses for which pros-
25 ecution is not barred at the effective date of this amendatory
26 act.