

# SENATE BILL No. 948

December 11, 2001, Introduced by Senators GOSCHKA, JOHNSON, VAN REGENMORTER, BULLARD, SHUGARS, MC MANUS, SIKKEMA, GOUGEON, HAMMERSTROM, NORTH, GARCIA, SANBORN, SCHUETTE, STEIL, SCHWARZ and STILLE 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  
2001 PA 6.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER VII

Sec. 24. (1) An indictment for murder, or criminal sexual  
conduct in the first degree, or a violation of chapter XXXIII OR  
CHAPTER LXXXIII-A of the Michigan penal code, 1931 PA 328, MCL  
750.200 to 750.212a AND 750.543A TO 750.543Z, that is punishable  
by life imprisonment may be found and filed at any time.

(2) An indictment for a violation or attempted violation of  
section 145c, 520c, 520d, 520e, or 520g of the Michigan penal  
code, 1931 PA 328, MCL 750.145c, 750.520c, 750.520d, 750.520e,  
and 750.520g, may be found and filed as follows:

1 (a) Except as otherwise provided in subdivision (b), an  
2 indictment may be found and filed within 10 years after the  
3 offense is committed or by the alleged victim's twenty-first  
4 birthday, whichever is later.

5 (b) If evidence of the violation is obtained and that evi-  
6 dence contains DNA that is determined to be from an unidentified  
7 individual, an indictment against that individual for the viola-  
8 tion may be found and filed at any time after the offense is  
9 committed. However, after the individual is identified, the  
10 indictment shall be found and filed within 10 years after the  
11 individual is identified or by the alleged victim's twenty-first  
12 birthday, whichever is later.

13 (c) As used in this subsection:

14 (i) "DNA" means human deoxyribonucleic acid.

15 (ii) "Identified" means the individual's legal name is known  
16 and he or she has been determined to be the source of the DNA.

17 (3) An indictment for kidnapping, extortion, assault with  
18 intent to commit murder, attempted murder, manslaughter, conspir-  
19 acy to commit murder, or first-degree home invasion shall be  
20 found and filed within 10 years after the offense is committed.

21 (4) All other indictments shall be found and filed within 6  
22 years after the offense is committed.

23 (5) Any period during which the party charged did not usu-  
24 ally and publicly reside within this state is not part of the  
25 time within which the respective indictments shall be found and  
26 filed.