

SENATE BILL No. 803

October 28, 2003, Introduced by Senator CROPSEY 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 2002 PA 119.

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 LXXXIII-A of the Michigan penal code, 1931 PA 328, MCL 750.543a to 750.543z, or a violation of chapter XXXIII of the Michigan penal code, 1931 PA 328, MCL 750.200 to 750.212a, 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,

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1 and 750.520g, may be found and filed as follows:

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

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

14 (c) As used in this subsection:

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

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

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

23 **(4) An indictment for identity theft or attempted identity**
24 **theft may be found and filed as follows:**

25 (a) Except as otherwise provided in subdivision (b), an
26 indictment may be found and filed within 6 years after the
27 offense is committed.

1 (b) If evidence of the violation is obtained and that
2 evidence is determined to be from an unidentified individual, an
3 indictment shall be found and filed at any time after the offense
4 is committed, but not more than 6 years after the individual is
5 identified.

6 (c) As used in this subsection:

7 (i) "Identified" means the individual's legal name is known.

8 (ii) "Identity theft" means that term as defined in section 3
9 of the identity theft protection act, MCL 445.63.

10 (5) ~~-(4)-~~ All other indictments shall be found and filed
11 within 6 years after the offense is committed.

12 (6) ~~-(5)-~~ Any period during which the party charged did not
13 usually and publicly reside within this state is not part of the
14 time within which the respective indictments shall be found and
15 filed.