



Senate Fiscal Agency
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Senate Bill 584 (as reported without amendment)
Sponsor: Senator Judy K. Emmons
Committee: Families, Seniors and Human Services

CONTENT

The bill would amend the Code of Criminal Procedure to allow an indictment to be filed at any time for the following crimes:

- Enticing away a female who is under 16 years old for purpose of prostitution, concubinage, sexual intercourse, or marriage.
- Using or attempting to use a minor for sexually abusive activity.
- Engaging in activities that relate to subjecting a person to forced labor or services.
- Providing or obtaining labor or services by force, fraud, or coercion, or holding a person in involuntary servitude.

The provision that the bill proposes would be named "Theresa Flores's Law".

The Code prescribes the time frame in which an indictment for a crime must be found and filed. This is commonly referred to as the "statute of limitations".

The current statute of limitations for each of the crimes listed above is six years.

MCL 767.24

Legislative Analyst: Glenn Steffens

FISCAL IMPACT

The bill would have an indeterminate, but likely minor, fiscal impact on State and local government. The applicable statute of limitations for the crimes covered by the bill is six years after the offense is committed. The bill would move these sex trafficking-related offenses into a special category, along with murder, first-degree criminal sexual misconduct, explosives-related offenses, and terrorism, for which the statute of limitations is not applicable and the offenses can therefore be prosecuted at any time.

In 2012, the sections of the Michigan Penal Code that the bill would apply to, Sections 13, 462g, 462h, and 462j, resulted in only three felony dispositions. All three dispositions were for violations of Section 462h, which prohibits human trafficking by recruiting a person into forced labor, and in all three cases the offender served time in jail and on probation, but was not sentenced to prison. Because felony dispositions for such crimes are relatively infrequent, the impact of the bill on the costs of incarceration and/or community supervision would likely be small. There are no data to indicate how many additional offenders could be convicted if the statute of limitations were no longer applicable to these crimes.

Date Completed: 12-9-13

Fiscal Analyst: Dan O'Connor