

Legislative Analysis



CRIMINAL STATUTE OF LIMITATIONS FOR FEMALE GENITAL MUTILATION

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House Bill 4690 as introduced
Sponsor: Rep. Bronna Kahle
Committee: Law and Justice
Complete to 6-5-17

SUMMARY:

House Bill 4690 would amend the Code of Criminal Procedure to prescribe a statute of limitations for the crime of female genital mutilation.¹ An indictment could be found and filed within 10 years after the offense was committed, or by the alleged victim's 21st birthday, whichever is later.

This bill is tie-barred to House Bills 4636 and 4637, which means this bill will not take effect unless the other two are enacted. Those bills prohibit knowingly performing female genital mutilation (FGM) or transporting another person from Michigan for the purpose of undergoing FGM within the state. Violations would be felonies punishable by imprisonment for not more than 15 years and/or a fine of not more than \$25,000.

FISCAL IMPACT:

House Bill 4690 establishes a statute of limitations for the criminal offenses that House Bills 4636 & 4637 would create in the Michigan Penal Code. The following is the fiscal impact statement provided for HB 4636 & 4637:

The bills would have an indeterminate fiscal impact on the state's correctional system and on local court systems and would depend on the number of persons convicted. New felony convictions would result in increased costs related to state prisons and state probation supervision. In fiscal year 2016, the average cost of prison incarceration in a state facility was roughly \$36,000 per prisoner, a figure that includes various fixed administrative and operational costs. State costs for parole and felony probation supervision averaged about \$3,500 per supervised offender in the same year. The fiscal impact on local court systems would depend on how the provisions of the bills affected caseloads and related administrative costs. Any increase in penal fine revenues would increase funding for local libraries, which are the constitutionally designated recipients of those revenues.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

¹ See the summaries of House Bills 4636 & 4637 at:
<http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-4636-DBD83D8F.pdf>