

Legislative Analysis



STATUTE OF LIMITATIONS FOR ARMED ROBBERY

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5010 as introduced
Sponsor: Rep. Diana Farrington
Committee: Law and Justice
Complete to 11-3-17

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5010 would amend the Michigan Code of Criminal Procedure to extend the statute of limitations for armed robbery and to toll it under certain circumstances.

Under current law, armed robbery falls under a catch-all limitations provision that allows an indictment to be found and filed within six years after the offense is committed.

HB 5010 would add armed robbery to a list of offenses, known as Brandon D'Annunzio's Law, whose statute of limitations is tolled if the identity of the individual who committed the offense is not known. Under the bill, the statute of limitations for armed robbery would be either:

- 10 years after the offense is committed.
OR
- If the offense is reported to a police agency within one year after the offense is committed and the individual who committed the offense is unknown, then 10 years after the individual is identified by his or her legal name.

The bill would take effect 90 days after its enactment.

MCL 767.24

FISCAL IMPACT:

To the extent that the bill results in a greater number of convictions, due to extending the statute of limitations for armed robbery, it could increase costs on state and local correctional systems. New felony convictions could result in increased costs related to state prisons and state probation/parole supervision. In fiscal year 2016, the average cost of prison incarceration in a state facility was roughly \$36,000 per prisoner per year, 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. Any increase in penal fine revenues would increase funding for local libraries, which are the constitutionally designated recipients of those revenues.

Legislative Analyst: Emily S. Smith
Fiscal Analyst: Robin Risko

■ 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.