



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4690 (Substitute S-1 as reported)
Sponsor: Representative Bronna Kahle
House Committee: Law and Justice
Senate Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to allow an indictment for an offense involving female genital mutilation to be filed within 10 years after the offense was committed, or by the alleged victim's 21st birthday, whichever was later.

Under the Code, an indictment for certain offenses (including second-, third-, or fourth-degree criminal sexual conduct or the production and distribution of child sexually abusive material) may be filed within 10 years after the offense is committed or the identity of a previously unidentified person is ascertained through DNA evidence, or by the alleged victim's 21st birthday, whichever is later. Under the bill, this also would apply to an indictment for a violation, or attempted violation, of Section 136 or 136a of the Michigan Penal Code.

The bill is tie-barred to Senate Bills 337 and 368. (Senate Bill 337 would add Section 136 to the Michigan Penal Code to prohibit a person from knowingly performing a surgical operation to circumcise, incise, excise, or infibulate all or any part of the labia majora, labia minora, clitoris, or contiguously surrounding tissue of a person under 18 years of age. Senate Bill 368 would add Section 136a to the Penal Code to prohibit a person from knowingly transporting a person from the State for the purpose of an operation that would be a violation of Section 136 if conducted in Michigan. An individual who violated either prohibition would be guilty of a felony punishable by up to 15 years' imprisonment.)

MCL 767.24

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could have a negative fiscal impact on State and local government. The provisions of the bill would extend the time available to file an indictment for crimes related to female genital mutilation, which could lead to more arrests and convictions for those crimes. More felony arrests and convictions could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities. The average cost to State government for felony probation supervision is approximately \$3,024 per probationer per year. For any increase in prison intakes, in the short term, the marginal cost to State government would be approximately \$3,764 per prisoner per year.

Date Completed: 6-15-17

Fiscal Analyst: Ryan Bergan