

SENATE BILL No. 876

February 27, 2018, Introduced by Senators HORN, O'BRIEN, JONES, KNOLLENBERG, KNEZEK, HERTEL, BIEDA, ROCCA, EMMONS, CONYERS, ANANICH, HOPGOOD, STAMAS, BRANDENBURG, MARLEAU, COLBECK, ZORN, KOWALL and SHIRKEY and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
 "Revised judicature act of 1961,"
 by amending section 6452 (MCL 600.6452).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6452. (1) ~~Every~~**EXCEPT AS OTHERWISE PROVIDED IN THIS**
 2 **SECTION, EVERY** claim against the state, cognizable by the court of
 3 claims, ~~shall be~~**IS** forever barred unless the claim is filed with
 4 the clerk of the court or **A** suit **IS** instituted ~~thereon~~**ON THE CLAIM**
 5 in federal court as authorized ~~in~~**UNDER** section 6440, within 3
 6 years after the claim first accrues.

7 (2) Except as ~~modified by~~**OTHERWISE PROVIDED IN** this section,
 8 the provisions of ~~RJA~~ chapter 58, relative to the limitation of
 9 actions, ~~shall also be applicable~~**APPLIES** to the limitation

1 prescribed in this section.

2 (3) The attorney general ~~shall have~~ **HAS** the same right as a
3 creditor under the provisions of the statutes of ~~the~~ **THIS** state of
4 Michigan ~~in such~~ **A** case made and provided, to petition for the
5 granting of letters of administration of the estate of any deceased
6 person.

7 (4) The attorney general ~~shall have~~ **HAS** the same right as a
8 superintendent of the poor under the provisions of the statutes of
9 ~~the~~ **THIS** state of Michigan ~~in such~~ **A** case made and provided, to
10 petition for the appointment of a guardian of the estate of a minor
11 or any other person under disability.

12 (5) **THE TIME LIMITATIONS UNDER SUBSECTIONS (1) AND (2) DO NOT**
13 **APPLY TO A CLAIM FOR SEXUAL MISCONDUCT COMMITTED AGAINST AN**
14 **INDIVIDUAL WHO IS LESS THAN 18 YEARS OF AGE.**

15 (6) **SUBSECTION (5) MUST BE APPLIED RETROACTIVELY TO JANUARY 1,**
16 **1993.**

17 (7) **AS USED IN THIS SECTION, "SEXUAL MISCONDUCT" MEANS THE**
18 **CONDUCT DESCRIBED IN SECTIONS 136, 145A, 145B, 145C, 520B, 520C,**
19 **520D, 520E, AND 520G OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL**
20 **750.136, 750.145A, 750.145B, 750.145C, 750.520B, 750.520C,**
21 **750.520D, 750.520E, AND 750.520G, REGARDLESS OF WHETHER THE CONDUCT**
22 **RESULTED IN A CRIMINAL CONVICTION UNDER THOSE SECTIONS.**

23 Enacting section 1. This amendatory act takes effect 90 days
24 after the date it is enacted into law.