

# SENATE BILL NO. 1195

October 13, 2020, Introduced by Senators WOJNO, LASATA, THEIS, ALEXANDER, LUCIDO, JOHNSON, SANTANA, GEISS, CHANG, BAYER, BRINKS, IRWIN and HOLLIER and referred to the Committee on Judiciary and Public Safety.

A bill to amend 2014 PA 227, entitled  
"Sexual assault kit evidence submission act,"  
by amending section 5 (MCL 752.935).

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 5. If a law enforcement agency intends to destroy or  
2 otherwise dispose of any sexual assault kit evidence in a sexual  
3 assault offense case before the expiration for the limitation  
4 period applicable under section 24 of chapter VII of the code of  
5 criminal procedure, 1927 PA 175, MCL 767.24, and its destruction

1 does not otherwise conflict with the requirements of section 16 of  
2 chapter X of the code of criminal procedure, 1927 PA 175, MCL  
3 770.16, the law enforcement agency with the primary responsibility  
4 for investigating the case shall notify the victim of that  
5 intention in writing ~~at least~~ **not fewer than 2 times as provided in**  
6 **this section. The law enforcement agency shall provide initial**  
7 **written notice of that intention not less than 60 days and a second**  
8 **written notice to the victim not less than 30 days or more than 60**  
9 **days** before the evidence is destroyed or otherwise disposed of.