

HOUSE BILL No. 4140

February 3, 1999, Introduced by Reps. DeVuyst, Mortimer, Birkholz, Mead, Geiger, Van Woerkom and Pumford and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 1987 PA 255.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

CHAPTER VII

2 Sec. 24. (1) An indictment for ~~the crime of~~ murder may be
3 found AND FILED at any ~~period~~ TIME after the death of the
4 person alleged to have been murdered. ~~Indictments~~

5 (2) AN INDICTMENT FOR A VIOLATION OF SECTION 145C, 520B,
6 520C, 520D, 520E, OR 520G OF THE MICHIGAN PENAL CODE, 1931 PA
7 328, MCL 750.145C, 750.520B, 750.520C, 750.520D, 750.520E, AND
8 750.520G, MAY BE FOUND AND FILED AT ANY TIME AFTER THE OFFENSE IS

1 COMMITTED IF THE ALLEGED VICTIM OF THE OFFENSE WAS LESS THAN 18
2 YEARS OF AGE WHEN THE OFFENSE WAS COMMITTED.

3 (3) AN INDICTMENT for ~~the crimes of~~ kidnapping, extortion,
4 assault with intent to commit murder, ~~and~~ OR conspiracy to
5 commit murder shall be found and filed within 10 years after ~~the~~
6 ~~commission of~~ the offense IS COMMITTED. ~~Except as otherwise~~
7 ~~provided in subsection (2), all~~

8 (4) ALL other indictments shall be found and filed within 6
9 years after the commission of the offense. ~~However, any~~

10 (5) ANY period during which the party charged did not usu-
11 ally and publicly reside within this state ~~shall~~ IS not ~~be~~
12 ~~considered~~ part of the time within which the respective indict-
13 ments shall be found and filed.

14 ~~(2) Notwithstanding subsection (1), if an alleged victim~~
15 ~~was under 18 years of age at the time of the commission of the~~
16 ~~offense, an indictment for an offense under section 145c or 520b~~
17 ~~to 520g of the Michigan penal code, Act No. 328 of the Public~~
18 ~~Acts of 1931, being sections 750.145c and 750.520b to 750.520g of~~
19 ~~the Michigan Compiled Laws, may be found and filed within 6 years~~
20 ~~after the commission of the offense or by the alleged victim's~~
21 ~~twenty-first birthday, whichever is later.~~

22 Enacting section 1. For a violation of section 145c, 520b,
23 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA
24 328, MCL 750.145c, 750.520b, 750.520c, 750.520d, 750.520e, and
25 750.520g, in which the alleged victim was less than 18 years of
26 age when the offense was committed, the legislature intends the
27 extension of the limitations period for prosecuting those

1 violations created by this amendatory act to apply retroactively
2 to offenses for which prosecution is not barred at the effective
3 date of this amendatory act.