



**House
Legislative
Analysis
Section**

House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

**REVISE STATUTE OF LIMITATIONS
FOR CERTAIN SEX CRIMES**

House Bill 5095

Sponsor: Rep. Andrew Richner

Committee: Criminal Justice

Complete to 10-14-02

A SUMMARY OF HOUSE BILL 5095 AS INTRODUCED 9-25-01

Currently, under the Code of Criminal Procedure, an indictment for the crime of fourth-degree criminal sexual conduct must be found and filed within ten years after the offense is committed or by the victim's twenty-first birthday, whichever is later. The bill would specify that an indictment for a fourth-degree CSC offense could be found and filed within eight years after the relationship in which the actor had been providing mental health services or treatment to the victim had ended.

(Note: Public Act 6 of 2001 expanded the statute of limitations for second-, third-, and fourth-degree CSC from six years to ten years. House Bill 5095 was introduced before Public Act 6 took effect. Public Act 6 also provides that if evidence obtained in a CSC offense investigation contains DNA that is from an unidentified individual, an indictment against the individual can be found and filed at any time after the offense was committed; however, once the individual is identified, the indictment has to be found and filed within ten years after the identification or by the victim's 21st birthday, whichever is later. Public Act 6 also removed the statute of limitations for first-degree CSC.)

MCL 767.24

House Bill 5095 (10-14-02)

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.