

# HOUSE BILL No. 4975

June 19, 2001, Introduced by Reps. Anderson, O'Neil, Schauer, Spade, Rich Brown, Plakas, Bogardus, Pestka, Pappageorge and Lemmons and referred to the Committee on Criminal Justice.

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 2001 PA 6.

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

CHAPTER VII

1

2       Sec. 24. (1) An indictment for murder, or criminal sexual  
3 conduct in the first degree, or a violation of chapter XXXIII of  
4 the Michigan penal code, 1931 PA 328, MCL 750.200 to 750.212a,  
5 that is punishable by life imprisonment may be found and filed at  
6 any time.

7       (2) An indictment for a violation or attempted violation of  
8 section 145c, 520c, 520d, 520e, or 520g of the Michigan penal  
9 code, 1931 PA 328, MCL 750.145c, 750.520c, 750.520d, 750.520e,  
10 and 750.520g, may be found and filed as follows:

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1 (a) Except as otherwise provided in subdivision (b), an  
2 indictment may be found and filed within ~~10~~ 20 years after the  
3 offense is committed or by the alleged victim's twenty-first  
4 birthday, whichever is later.

5 (b) If evidence of the violation is obtained and that evi-  
6 dence contains DNA that is determined to be from an unidentified  
7 individual, an indictment against that individual for the viola-  
8 tion may be found and filed at any time after the offense is  
9 committed. However, after the individual is identified, the  
10 indictment shall be found and filed within ~~10~~ 20 years after  
11 the individual is identified or by the alleged victim's  
12 twenty-first birthday, whichever is later.

13 (c) As used in this subsection:

14 (i) "DNA" means human deoxyribonucleic acid.

15 (ii) "Identified" means the individual's legal name is known  
16 and he or she has been determined to be the source of the DNA.

17 (3) An indictment for kidnapping, extortion, assault with  
18 intent to commit murder, attempted murder, manslaughter, conspir-  
19 acy to commit murder, or first-degree home invasion shall be  
20 found and filed within 10 years after the offense is committed.

21 (4) All other indictments shall be found and filed within 6  
22 years after the offense is committed.

23 (5) Any period during which the party charged did not usu-  
24 ally and publicly reside within this state is not part of the  
25 time within which the respective indictments shall be found and  
26 filed.

1 Enacting section 1. The extension of the limitations period  
2 provided in this amendatory act only applies to those violations  
3 for which the limitations period has not expired at the time this  
4 amendatory act takes effect.