

HOUSE BILL NO. 5037

September 24, 2025, Introduced by Reps. Roth, Tisdell, Steckloff, St. Germaine, Schmaltz, Johnsen, Wozniak, BeGole and Borton and referred to Committee on Families and Veterans.

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
2018 PA 182.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 CHAPTER VII
- 2 Sec. 24. (1) An indictment for any of the following crimes may
- 3 be found and filed at any time:
- 4 (a) Murder, conspiracy to commit murder, or solicitation to

1 commit murder, or criminal sexual conduct in the first degree.

2 (b) A violation of chapter XXXVIII of the Michigan penal code,
3 1931 PA 328, MCL 750.200 to 750.212a, that is punishable by
4 imprisonment for life.

5 (c) A violation of chapter LXVIIIA of the Michigan penal code,
6 1931 PA 328, MCL 750.462a to 750.462h, that is punishable by
7 imprisonment for life.

8 (d) A violation of the Michigan anti-terrorism act, chapter
9 LXXXVIII-A of the Michigan penal code, 1931 PA 328, MCL 750.543a to
10 750.543z, that is punishable by imprisonment for life.

11 (2) An indictment for a violation or attempted violation of
12 section 13, 462b, 462c, 462d, or 462e of the Michigan penal code,
13 1931 PA 328, MCL 750.13, 750.462b, 750.462c, 750.462d, and
14 750.462e, may be found and filed within 25 years after the offense
15 is committed. This subsection shall be known as "Theresa Flores's
16 Law".

17 (3) Except as provided in subsection (4) for a violation of
18 section 520c or 520d of the Michigan penal code, 1931 PA 328, MCL
19 750.520c and 750.520d, in which the victim is under 18 years of
20 age, an indictment for a violation or attempted violation of
21 section 136, 136a, 145c, 520c, 520d, 520e, or 520g of the Michigan
22 penal code, 1931 PA 328, MCL 750.136, 750.136a, 750.145c, 750.520c,
23 750.520d, 750.520e, and 750.520g, may be found and filed as
24 follows:

25 (a) Except as otherwise provided in subdivision (b), an
26 indictment may be found and filed within 10 years after the offense
27 is committed or by the alleged victim's twenty-first birthday,
28 whichever is later.

29 (b) If evidence of the offense is obtained and that evidence

1 contains DNA that is determined to be from an unidentified
2 individual, an indictment against that individual for the offense
3 may be found and filed at any time after the offense is committed.
4 However, after the individual is identified, the indictment may be
5 found and filed within 10 years after the individual is identified
6 or by the alleged victim's twenty-first birthday, whichever is
7 later.

8 (4) An indictment for a violation of section 520c or 520d of
9 the Michigan penal code, 1931 PA 328, MCL 750.520c and 750.520d, in
10 which the victim is under 18 years of age may be found and filed as
11 follows:

12 (a) Except as otherwise provided in subdivision (b), an
13 indictment may be found and filed within 15 years after the offense
14 is committed or by the alleged victim's twenty-eighth birthday,
15 whichever is later.

16 (b) If evidence of the offense is obtained and that evidence
17 contains DNA that is determined to be from an unidentified
18 individual, an indictment against that individual for the offense
19 may be found and filed at any time after the offense is committed.
20 However, after the individual is identified, the indictment may be
21 found and filed within 15 years after the individual is identified
22 or by the alleged victim's twenty-eighth birthday, whichever is
23 later.

24 (5) **An indictment for a violation of section 219g of the**
25 **Michigan penal code, 1931 PA 328, MCL 750.219g, may be found and**
26 **filed as follows:**

27 (a) **Except as otherwise provided in subdivision (b), an**
28 **indictment may be found and filed within 15 years after the**
29 **offense.**

(b) If evidence of the offense is obtained and that evidence contains DNA that is determined to be from an unidentified individual, an indictment against that individual for the offense may be found and filed at any time after the offense is committed. However, after the individual is identified, the indictment may be found and filed within 15 years after the individual is identified.

(6) ~~(5)~~As used in subsections (3) and ~~(4)~~to (5):

(a) "DNA" means human deoxyribonucleic acid.

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

(7) ~~(6)~~An indictment for kidnapping, extortion, assault with intent to commit murder, attempted murder, manslaughter, armed robbery, or first-degree home invasion may be found and filed as follows:

(a) Except as otherwise provided in subdivision (b), an indictment may be found and filed within 10 years after the offense is committed.

(b) If the offense is reported to a police agency within 1 year after the offense is committed and the individual who committed the offense is unknown, an indictment for that offense may be found and filed within 10 years after the individual is identified. This subsection shall be known as Brandon D'Annunzio's law. As used in this subsection, "identified" means the individual's legal name is known.

(8) ~~(7)~~An indictment for identity theft or attempted identity theft may be found and filed as follows:

(a) Except as otherwise provided in subdivision (b), an indictment may be found and filed within 6 years after the offense

1 is committed.

2 (b) If evidence of the offense is obtained and the individual
3 who committed the offense has not been identified, an indictment
4 may be found and filed at any time after the offense is committed,
5 but not more than 6 years after the individual is identified.

6 (9) ~~(8)~~—As used in subsection ~~(7)~~: (8):

7 (a) "Identified" means the individual's legal name is known.

8 (b) "Identity theft" means 1 or more of the following:

9 (i) Conduct prohibited in section 5 or 7 of the identity theft
10 protection act, 2004 PA 452, MCL 445.65 and 445.67.

11 (ii) Conduct prohibited under former section 285 of the
12 Michigan penal code, 1931 PA 328.

13 (10) ~~(9)~~—An indictment for false pretenses involving real
14 property, forgery or uttering and publishing of an instrument
15 affecting an interest in real property, or mortgage fraud may be
16 found and filed within 10 years after the offense was committed or
17 within 10 years after the instrument affecting real property was
18 recorded, whichever occurs later.

19 (11) ~~(10)~~—All other indictments may be found and filed within
20 6 years after the offense is committed.

21 (12) ~~(11)~~—Any period during which the party charged did not
22 usually and publicly reside within this state is not part of the
23 time within which the respective indictments may be found and
24 filed.

25 (13) ~~(12)~~—The extension or tolling, as applicable, of the
26 limitations period provided in this section applies to any of those
27 violations for which the limitations period has not expired at the
28 time the extension or tolling takes effect.

29 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.

2 Enacting section 2. This amendatory act does not take effect
3 unless House Bill No. 5036 (request no. H00179'25) of the 103rd
4 Legislature is enacted into law.