

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 584

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
2012 PA 363.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER VII

Sec. 24. (1) An indictment for ~~murder, conspiracy to commit~~
~~murder, solicitation to commit murder, criminal sexual conduct in~~
~~the first degree, or a violation of the Michigan anti terrorism~~
~~act, chapter LXXXIII A of the Michigan penal code, 1931 PA 328, MCL~~
~~750.543a to 750.543z, or a violation of chapter XXXIII of the~~
~~Michigan penal code, 1931 PA 328, MCL 750.200 to 750.212a, that is~~
~~punishable by life imprisonment~~ **ANY OF THE FOLLOWING CRIMES** may be

1 found and filed at any time: -

2 (A) MURDER, CONSPIRACY TO COMMIT MURDER, OR SOLICITATION TO
3 COMMIT MURDER, OR CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE.

4 (B) A VIOLATION OF CHAPTER XXXIII OF THE MICHIGAN PENAL CODE,
5 1931 PA 328, MCL 750.200 TO 750.212A, THAT IS PUNISHABLE BY
6 IMPRISONMENT FOR LIFE.

7 (C) A VIOLATION OF CHAPTER LXVIIA OF THE MICHIGAN PENAL CODE,
8 1931 PA 328, MCL 750.462A TO 750.462H, THAT IS PUNISHABLE BY
9 IMPRISONMENT FOR LIFE.

10 (D) A VIOLATION OF THE MICHIGAN ANTI-TERRORISM ACT, CHAPTER
11 LXXXIII-A OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.543A TO
12 750.543Z, THAT IS PUNISHABLE BY IMPRISONMENT FOR LIFE.

13 (2) AN INDICTMENT FOR A VIOLATION OR ATTEMPTED VIOLATION OF
14 SECTION 13, 462B, 462C, 462D, OR 462E OF THE MICHIGAN PENAL CODE,
15 1931 PA 328, MCL 750.13, 750.462B, 750.462C, 750.462D, AND
16 750.462E, MAY BE FOUND AND FILED WITHIN 25 YEARS AFTER THE OFFENSE
17 IS COMMITTED. THIS SUBDIVISION SHALL BE KNOWN AS "THERESA FLORES'S
18 LAW".

19 (3) ~~(2)~~An indictment for a violation or attempted violation
20 of section 145c, 520c, 520d, 520e, or 520g of the Michigan penal
21 code, 1931 PA 328, MCL 750.145c, 750.520c, 750.520d, 750.520e, and
22 750.520g, may be found and filed as follows:

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

27 (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 (c) As used in this subsection:

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

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

12 (4) ~~(3)~~—An indictment for kidnapping, extortion, assault with
13 intent to commit murder, attempted murder, manslaughter, or first-
14 degree home invasion may be found and filed as follows:

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

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

25 (5) ~~(4)~~—An indictment for identity theft or attempted identity
26 theft may be found and filed as follows:

27 (a) Except as otherwise provided in subdivision (b), an

1 indictment may be found and filed within 6 years after the offense
2 is committed.

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

7 (c) As used in this subsection:

8 (i) "Identified" means the individual's legal name is known.

9 (ii) "Identity theft" means 1 or more of the following:

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

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

14 (6) ~~(5)~~—An indictment for false pretenses involving real
15 property, forgery or uttering and publishing of an instrument
16 affecting an interest in real property, or mortgage fraud may be
17 found and filed within 10 years after the offense was committed or
18 within 10 years after the instrument affecting real property was
19 recorded, whichever occurs later.

20 (7) ~~(6)~~—All other indictments may be found and filed within 6
21 years after the offense is committed.

22 (8) ~~(7)~~—Any period during which the party charged did not
23 usually and publicly reside within this state is not part of the
24 time within which the respective indictments may be found and
25 filed.

26 (9) ~~(8)~~—The extension or tolling, as applicable, of the
27 limitations period provided in this section applies to any of those

1 violations for which the limitations period has not expired at the
2 time the extension or tolling takes effect.

3 Enacting section 1. This amendatory act takes effect 90 days
4 after the date it is enacted into law.

5 Enacting section 2. This amendatory act does not take effect
6 unless House Bill No. 5234 of the 97th Legislature is enacted into
7 law.