

Legislative Analysis



HUMAN TRAFFICKING: EXTEND STATUTE OF LIMITATIONS

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House Bill 5240

Sponsor: Rep. Brian Banks
Committee: Criminal Justice

Complete to 2-25-14

A SUMMARY OF HOUSE BILL 5240 AS INTRODUCED 1-22-14

Under the bill, there would be (1) no statute of limitations for a human trafficking offense punishable by life imprisonment and (2) a ten-year statute of limitations for all other human trafficking violations.

House Bill 5240 would amend the list of crimes in the Code of Criminal Procedure for which there is no time limit to file criminal charges to include a violation of Chapter LXVIIA of the Michigan Penal Code, entitled "Human Trafficking", that is punishable by imprisonment for life.

For all other violations of Chapter LXVIIA, the statute of limitations during which criminal charges could be filed would be 10 years after the offense is committed or the alleged victim's 21st birthday, whichever is later.

If DNA evidence of a human trafficking offense is obtained from an unidentified person, an indictment could be found and filed at any time. However, once the individual is identified, charges could be filed within 10 years or by the alleged victim's 21st birthday, whichever is later.

MCL 767.24

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Robin Risko

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