

# SENATE BILL No. 693

September 16, 2003, Introduced by Senator GOSCHKA and referred to the Committee on Judiciary.

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 2002 PA 119.

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

CHAPTER VII

Sec. 24. (1) An indictment for murder, or criminal sexual conduct in the first degree, or a violation of 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 may be found and filed at any time.

(2) An indictment for a violation or attempted violation of section 145c, 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.145c, 750.520c, 750.520d, 750.520e,

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1 and 750.520g, may be found and filed as follows:

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

6 (b) If evidence of the violation is obtained and that  
7 evidence contains DNA that is determined to be from an  
8 unidentified individual, an indictment against that individual  
9 for the violation may be found and filed at any time after the  
10 offense is committed. However, **except as provided in subdivision**  
11 **(c)**, after the individual is identified, the indictment shall be  
12 found and filed within 10 years after the individual is  
13 identified or by the alleged victim's twenty-first birthday,  
14 whichever is later. ~~(c)~~ As used in this ~~subsection~~  
15 **subdivision:**

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

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

19 (c) **If the violation or attempted violation is committed by**  
20 **an individual 18 years of age or older against an individual less**  
21 **than 18 years of age, an indictment may be found and filed at any**  
22 **time.**

23 (3) An indictment for kidnapping, extortion, assault with  
24 intent to commit murder, attempted murder, manslaughter,  
25 conspiracy to commit murder, or first-degree home invasion shall  
26 be found and filed within 10 years after the offense is  
27 committed.

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

3           (5) Any period during which the party charged did not usually  
4 and publicly reside within this state is not part of the time  
5 within which the respective indictments shall be found and  
6 filed.