



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 52 (Substitute S-2 as reported)
Sponsor: Senator Steven Bieda
Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to eliminate the statute of limitations for a violation or attempted violation of Section 520c of the Michigan Penal Code (second-degree criminal sexual conduct) in which the victim was under 16 years of age.

The bill also would increase the statute of limitations for a violation of Section 520d (third-degree criminal sexual conduct) to 20 years after the offense was committed or the victim's 31st birthday, whichever was later.

Currently, an indictment for a violation or attempted violation of certain sections of the Penal Code, including Sections 520c and 520d, may be found and filed within 10 years after the offense is committed or by the victim's 21st birthday, whichever is later (except as provided for situations in which evidence containing DNA of an unidentified individual is obtained).

Under the bill, an indictment could be filed at any time for a violation of Section 520c in which the victim was under 16. An indictment for a violation of Section 520d could be filed within 20 years after the offense was committed or by the victim's 31st birthday, whichever was later.

MCL 767.24

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could have a negative fiscal impact on the State and local government. Removing the statute of limitations for the specified crimes could lead to more prosecutions for those crimes. More felony prosecutions and convictions could increase resource demands on local court systems, community supervision, and jails and correctional facilities. For any increase in prison intakes, in the short term, the marginal cost to State government would be approximately \$3,764 per prisoner per year. Any associated increase in fine revenue would be dedicated to public libraries.

Date Completed: 9-20-17

Fiscal Analyst: Ryan Bergan