



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4528 (Substitute H-1 as passed by the House)
Sponsor: Representative David Law
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 5-13-05

CONTENT

The bill would amend the Code of Criminal Procedure to eliminate the statute of limitations for conspiracy to commit murder or solicitation to commit murder. Specifically, the bill provides that an indictment for either offense could be found and filed at any time. Currently, an indictment for conspiracy to commit murder may be found and filed within 10 years after the offense is committed, but an indictment for murder may be found and filed at any time.

(The Code also allows an indictment to be found and filed at any time for first-degree criminal sexual conduct; a violation of the Michigan Anti-Terrorism Act (Chapter 83-A of the Michigan Penal Code); or a violation of Chapter 33 (Explosives, Bombs, and Harmful Devices) of the Michigan Penal Code that is punishable by imprisonment for life. Other offenses that have a 10-year statute of limitations include kidnapping, extortion, assault with intent to commit murder, attempted murder, manslaughter, and first-degree home invasion.)

MCL 767.24

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

To the extent that eliminating the statute of limitations for conspiracy and solicitation to commit murder would increase the number of offenders tried and convicted for this offense, it would increase local court costs as well as State and local corrections costs.

Fiscal Analyst: Bethany Wicksall

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.