

Criminal Statutes of Limitations Michigan

Last Updated: March 2020

Crime against nature or sodomy

Question	Answer
What is the statute of limitations for this crime?	1. An indictment must be found and filed within six years after the commission of the offense.
Statutory citation(s):	1. Citation for the crime: Mich. Comp. Laws § 750.158. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Indecent exposure

Question	Answer
What is the statute of limitations for this crime?	1. An indictment must be found and filed within six years after the commission of the offense.
Statutory citation(s):	1. Citation for the crime: Mich. Comp. Laws § 750.335a. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Gross indecency; between male persons

Question	Answer
What is the statute of limitations for this crime?	1. An indictment must be found and filed within six years after the commission of the offense.
Statutory citation(s):	1. Citation for the crime: Mich. Comp. Laws § 750.338. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Gross indecency; between female persons

Question	Answer
What is the statute of limitations for this crime?	1. An indictment must be found and filed within six years after the commission of the offense.
Statutory citation(s):	1. Citation for the crime: Mich. Comp. Laws § 750.338a. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Gross indecency; between male and female persons

Question	Answer
What is the statute of limitations for this crime?	1. An indictment must be found and filed within six years after the commission of the offense.
Statutory citation(s):	1. Citation for the crime: Mich. Comp. Laws § 750.338b. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Criminal sexual conduct, first degree

Question	Answer
What is the statute of limitations for this crime?	There is no time limit to commence legal proceedings against the perpetrator for this crime.
Statutory citation(s):	1. Citation for the crime: Mich. Comp. Laws § 750.520b. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Criminal sexual conduct, second degree

Question	Answer
What is the statute of limitations for this crime?	1. Where the victim is 18 years of age or older, an indictment must be found and filed within 10 years after commission of the offense, or by the victim's 21st birthday, whichever occurs later, subject to the DNA exception below. However, where the victim is under 18 years of age, an indictment may be found and filed (subject to the DNA exception below) within 15 years after the offense is committed or by the alleged victim's 28th birthday, whichever is later.
Statutory citation(s):	1. Citation for the crime: Mich. Comp. Laws § 750.520c. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Criminal sexual conduct, third degree

Question	Answer
What is the statute of limitations for this crime?	1. An indictment must be found and filed within 10 years after commission of the offense, or by the victim's 21st birthday, whichever occurs later, subject to the DNA exception below.
Statutory citation(s):	1. Citation for the crime: Mich. Comp. Laws § 750.520d. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Criminal sexual conduct, fourth degree

Question	Answer
What is the statute of limitations for this crime?	1. An indictment must be found and filed within 10 years after commission of the offense, or by the victim's 21st birthday, whichever occurs later, subject to the DNA exception below.

Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Mich. Comp. Laws § 750.520e. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.
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Assault with intent to commit criminal sexual conduct

Question	Answer
What is the statute of limitations for this crime?	1. An indictment must be found and filed within 10 years after commission of the offense, or by the alleged victim's 21 st birthday, whichever occurs later, subject to the DNA exception below.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Mich. Comp. Laws § 750.520g. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Female Genital Mutilation

Question	Answer
What is the statute of limitations for this crime?	1. An indictment must be found and filed within 10 years after commission of the offense, or by the alleged victim's 21 st birthday, whichever occurs later, subject to the DNA exception below.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Mich. Comp. Laws § 750.136. 2. Citation for the statute of limitations: Mich. Comp. Laws § 767.24.

Are there any exceptions to the statute of limitations laws?

Question	Answer
Exceptions	<ul style="list-style-type: none"> • Mich. Comp. Laws § 767.24(3)(b), DNA exception for certain offenses identified above: <ul style="list-style-type: none"> • If evidence of the offense is obtained and that evidence contains DNA that is determined to be from an unidentified individual, an indictment against that individual for the offense may be found and filed at any time after the offense is committed. However, after the individual is identified, the indictment may be found and filed within 10 years after the individual is identified or by the alleged victim's twenty-first

birthday, whichever is later.

Anything else I should know?

Question	Answer
Anything else I should know?	<ul style="list-style-type: none">• Any period during which the party charged did not usually and publicly reside within this state is not part of the time within which the respective indictments may be found and filed. Mich. Comp. Laws § 767.24(11)<ul style="list-style-type: none">• Case law:<ul style="list-style-type: none">• <i>People v. Russo</i>, 439 Mich. 584, 596, 487 N.W.2d 698, 703 (Mich. 1992)—When statutory amendment extends statute of limitations applicable to criminal cases, extension applies to offenses not barred at time amendment was passed, and thus, prosecution may be commenced at any time within newly established period.• <i>People v. Budnick</i>, 197 Mich.App. 21, 27, 494 N.W.2d 778, 781 (Mich. App. 1992)—Statute tolling limitations period while defendant is not Michigan resident did not apply to portion of special limitation period for sexual offense involving children requiring charges to be filed by victim’s 21st birthday.• Civil Actions:<ul style="list-style-type: none">• Mich. Comp. Laws § 600.5805 governs civil actions:<ul style="list-style-type: none">• Unless otherwise stated below, the period of limitations is 2 years for an action charging assault, battery or false imprisonment.• The period of limitations is 5 years for an action charging assault or battery, or seeking damages for injuries to person, brought by a person who has been assaulted or battered by his or her spouse or former spouse, an individual with whom he or she had a child in common, or a person with whom he or she resides or formerly resided.• The period of limitations is 5 years for an action charging assault and battery, or seeking damages for injuries to person, brought by a person who has been assaulted or battered by an individual with whom he or she has or has had a dating relationship.• Except as otherwise provided in this section, the period of limitations is 3 years after the time of injury for all actions to recover damages for injury to a person.