

116TH CONGRESS
1ST SESSION

H. R. 1949

To authorize the court to depart from a statutory minimum in the case
of a juvenile offender, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2019

Mr. WESTERMAN introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To authorize the court to depart from a statutory minimum
in the case of a juvenile offender, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SENTENCING JUVENILE OFFENDERS.**

4 (a) IN GENERAL.—Section 3553 of chapter 227 of
5 title 18, United States Code, is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (6), by striking “and” at
8 the end;

9 (B) in paragraph (7), by striking the pe-
10 riod at the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(8) in the case of a juvenile (as such term is
3 defined in section 5031), the diminished culpability
4 of juveniles compared to that of adults.”; and

5 (2) by adding at the end the following:

6 “(h) LIMITATION ON STATUTORY MINIMUM FOR JU-
7 VENILE OFFENDERS.—In the case of a juvenile (as such
8 term is defined in section 5031), the court shall have the
9 authority to impose a sentence that is 35 percent below
10 a level established by statute as a minimum sentence so
11 as to reflect the juvenile’s age and prospect for rehabilita-
12 tion.”.

13 (b) APPLICATION.—The amendments made by this
14 section shall apply only to a conviction entered on or after
15 the date of the enactment of this Act.

16 **SEC. 2. DIRECTIVE TO THE SENTENCING COMMISSION.**

17 Pursuant to its authority under section 994(p) of title
18 28, United States Code, and in accordance with this sec-
19 tion, the United States Sentencing Commission shall re-
20 view and amend, if appropriate, its guidelines and its pol-
21 icy statements with respect to juveniles to ensure that the
22 guidelines and policy statements are consistent with the
23 amendments made by section 2.

○