

**[DISCUSSION DRAFT]**116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. R.** \_\_\_\_\_

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

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## IN THE HOUSE OF REPRESENTATIVES

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

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**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. SHORT TITLE.**

4 This Act may be cited as the “\_\_\_\_\_ Act of 2019”.

5 **SEC. 2. SENTENCING JUVENILE OFFENDERS.**

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

8 (1) in subsection (a)—

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

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

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

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

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

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

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

20 **SEC. 3. DIRECTIVE TO THE SENTENCING COMMISSION.**

21 Pursuant to its authority under section 994(p) of title  
22 28, United States Code, and in accordance with this sec-  
23 tion, the United States Sentencing Commission shall re-  
24 view and amend, if appropriate, its guidelines and its pol-  
25 icy statements with respect to juveniles to ensure that the

- 1 guidelines and policy statements are consistent with the
- 2 amendments made by section 2.