

# HOUSE BILL NO. 4506

May 21, 2025, Introduced by Rep. Lightner and referred to Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
(MCL 760.1 to 777.69) by adding section 25b to chapter IX.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER IX

Sec. 25b. (1) This section applies to a criminal defendant who  
was more than 18 years of age but less than 21 years of age at the  
time the criminal defendant committed an offense described in  
subsection (2) if either of the following apply:

(a) The defendant is convicted of the offense on or after the

1 effective date of the amendatory act that added this section.

2 (b) The defendant was convicted of the offense before the  
3 effective date of the amendatory act that added this section.

4 (2) The prosecuting attorney may file a motion under this  
5 section to sentence a defendant described in subsection (1) to  
6 imprisonment for life without the possibility of parole if the  
7 individual is or was convicted of any of the following violations:

8 (a) A violation of section 17764(7) of the public health code,  
9 1978 PA 368, MCL 333.17764.

10 (b) A violation of section 16(5), 18(7), 316, 436(2)(e), or  
11 543f of the Michigan penal code, 1931 PA 328, MCL 750.16, 750.18,  
12 750.316, 750.436, and 750.543f.

13 (c) A violation of chapter XXXVIII of the Michigan penal code,  
14 1931 PA 328, MCL 750.200 to 750.212a.

15 (d) Any violation of law involving the death of another person  
16 for which parole eligibility is expressly denied under state law.

17 (3) If the prosecuting attorney intends to seek a sentence of  
18 imprisonment for life without the possibility of parole for a case  
19 described in subsection (1)(a), the prosecuting attorney shall file  
20 the motion not later than 42 days after the defendant is convicted  
21 of that violation. If the prosecuting attorney intends to seek a  
22 sentence of imprisonment for life without the possibility of parole  
23 for a case described under subsection (1)(b), the prosecuting  
24 attorney shall file the motion not later than 360 days after the  
25 effective date of the amendatory act that added this section. The  
26 motion must specify the grounds on which the prosecuting attorney  
27 is requesting the court to impose a sentence of imprisonment for  
28 life without the possibility of parole.

29 (4) If the prosecuting attorney does not file a motion under

1 subsection (3) within the time periods provided for in that  
2 subsection, the court shall sentence the defendant to a term of  
3 years as provided in subsection (10).

4 (5) If the prosecuting attorney files a motion under  
5 subsection (2) requesting that the individual be sentenced to  
6 imprisonment for life without parole eligibility, the individual  
7 shall file a response to the prosecution's motion not later than 14  
8 days after receiving notice of the motion.

9 (6) The sentencing judge or the judge's successor shall  
10 determine whether a sentence of imprisonment will be imprisonment  
11 for life without parole eligibility or a term of years as provided  
12 under subsection (10).

13 (7) If the prosecuting attorney files a motion under  
14 subsection (2), the court shall conduct a hearing on the motion as  
15 part of the sentencing process. At the hearing, the trial court  
16 shall consider the factors listed in *Miller v Alabama*, 567 US  
17 460;132 S Ct 2455; 183 L Ed 2d 407 (2012), and may consider any  
18 other criteria relevant to the court's decision, including the  
19 defendant's record while incarcerated.

20 (8) At the hearing under subsection (7), the court shall  
21 specify on the record the aggravating and mitigating circumstances  
22 considered by the court and the court's reasons supporting the  
23 sentence imposed. The court may consider evidence presented at  
24 trial together with any evidence presented at the sentencing  
25 hearing.

26 (9) Each victim must be afforded the right under section 15 of  
27 the William Van Regenmorter crime victim's rights act, 1985 PA 87,  
28 MCL 780.765, to appear before the court and make an oral impact  
29 statement at any sentencing or resentencing of the defendant under

1 this section.

2 (10) If the court decides not to sentence the individual to  
3 imprisonment for life without parole eligibility, both of the  
4 following apply:

5 (a) The court shall sentence the individual to a term of  
6 imprisonment for which the maximum term must be not less than 80  
7 years and the minimum term must be not less than 35 years or more  
8 than 50 years.

9 (b) The sentence imposed for an offense described in  
10 subsection (2) must be served consecutively to each of the  
11 sentences imposed for an offense arising from the same transaction  
12 or occurrence.

13 (11) Resentencing hearings under this section must be held in  
14 the following order of priority:

15 (a) Cases involving defendants who have served 25 or more  
16 years of imprisonment must be heard first.

17 (b) Cases in which the prosecuting attorney has filed a motion  
18 requesting a sentence of imprisonment for life without the  
19 possibility of parole must be heard after cases described in  
20 subdivision (a).

21 (c) All other cases not described under subdivision (a) or (b)  
22 must be heard after the cases described under subdivision (a) or  
23 (b).

24 (12) A defendant who is resentenced under this section must be  
25 given credit for time already served.