

Act No. 178
Public Acts of 2023
Approved by the Governor
November 6, 2023
Filed with the Secretary of State
November 7, 2023
EFFECTIVE DATE: Sine Die
(91st day after final adjournment of the 2023 Regular Session)

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Reps. VanWoerkom, Young, Brixie, Farhat, Byrnes, Outman, Kunse, Bezotte, Tisdell, Filler, BeGole, Arbit, Wilson, Brenda Carter, Hope, Bierlein, Scott, Glanville, Dievendorf, McFall, Hoskins, Morgan, Mueller, Fitzgerald, Steckloff, Schuette, Paiz, Liberati, Weiss, Neeley, Miller, Tyrone Carter, Meerman, Beson, Coffia, Skaggs, Brabec and Aiyash

ENROLLED HOUSE BILL No. 4423

AN ACT to amend 1985 PA 87, entitled “An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers’ agents toward victims; and to provide for penalties and remedies,” by amending sections 15, 43, and 75 (MCL 780.765, 780.793, and 780.825), as amended by 2018 PA 153.

The People of the State of Michigan enact:

Sec. 15. (1) The victim has the right to appear and make an oral impact statement at the sentencing of the defendant. If the victim is physically or emotionally unable to make the oral impact statement, the victim may designate any other person 18 years of age or older who is neither the defendant nor incarcerated to make the statement on the victim’s behalf. The other person need not be an attorney. The victim may elect to remotely provide the oral impact statement under this section.

(2) Unless the court has determined, in its discretion, that the defendant is behaving in a disruptive manner or presents a threat to the safety of any individuals present in the courtroom, the defendant must be physically present in the courtroom at the time a victim makes an oral impact statement under subsection (1). In making its determination under this subsection, the court may consider any relevant statement provided by the victim regarding the defendant being physically present during that victim’s oral impact statement. This subsection applies to cases in which the sentencing of the defendant occurs after May 22, 2018.

(3) 2018 PA 153, which amended this section and sections 43 and 75, may be cited as the “Rebekah Bletsch law”.

Sec. 43. (1) The victim has the right to appear and make an oral impact statement at the juvenile’s disposition or sentencing. If the victim is physically or emotionally unable to make the oral impact statement, the victim may designate any other person 18 years of age or older who is neither the defendant nor incarcerated to make the statement on the victim’s behalf. The other person need not be an attorney. The victim may elect to remotely provide the oral impact statement under this section.

(2) On request, the prosecuting attorney, or, in accordance with an agreement under section 48a, the court, shall notify the victim of the disposition of the juvenile’s offense not more than 30 days after the disposition is made.

(3) Unless the court has determined, in its discretion, that the juvenile is behaving in a disruptive manner or presents a threat to the safety of any individuals present in the courtroom, the juvenile must be physically present in the courtroom at the time a victim makes an oral impact statement under subsection (1). In making its determination under this subsection, the court may consider any relevant statement provided by the victim regarding the juvenile being physically present during that victim's oral impact statement. This subsection applies to cases in which the sentencing of the juvenile occurs after May 22, 2018.

(4) 2018 PA 153, which amended this section and sections 15 and 75, may be cited as the "Rebekah Bletsch law".

Sec. 75. (1) If no presentence report is prepared, the court shall notify the prosecuting attorney of the date and time of sentencing at least 10 days before the sentencing. The victim has the right to submit a written impact statement and has the right to appear and make an oral impact statement at the sentencing of the defendant. If the victim is physically or emotionally unable to make the oral impact statement, the victim may designate any other person 18 years of age or older who is neither the defendant nor incarcerated to make the statement on the victim's behalf. The other person need not be an attorney. The victim may elect to remotely provide the oral impact statement under this section. The court shall consider the victim's statement in imposing sentence on the defendant.

(2) Unless the court has determined, in its discretion, that the defendant is behaving in a disruptive manner or presents a threat to the safety of any individuals present in the courtroom, the defendant must be physically present in the courtroom at the time a victim makes an oral impact statement under subsection (1). In making its determination under this subsection, the court may consider any relevant statement provided by the victim regarding the defendant being physically present during that victim's oral impact statement. This subsection applies to cases in which the sentencing of the defendant occurs after May 22, 2018.

(3) 2018 PA 153, which amended this section and sections 15 and 43, may be cited as the "Rebekah Bletsch law".


Clerk of the House of Representatives


Secretary of the Senate

Approved _____

Governor