

Legislative Analysis



25-YEAR MINIMUM FOR CERTAIN CSC CRIMES

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House Bills 5421 and 5422
Sponsor: Rep. Phil Pavlov
Committee: Judiciary

Complete to 3-13-06

A SUMMARY OF HOUSE BILLS 5421 AND 5422 AS INTRODUCED 11-10-05

House Bill 5421 would amend the section of the Michigan Penal Code (MCL 750.520b) addressing the felony of criminal sexual conduct in the first degree. It would impose a minimum sentence of 25 years for criminal sexual conduct in the first degree when the victim is under 13 years of age and the crime is committed by an individual 17 years of age or older and accomplished while armed with a weapon (or any article the victim reasonably believes is a weapon) or through force or coercion. The specific sentence for this offense under the bill would be *imprisonment for life or any term of years, but not less than 25 years*. Currently, all criminal sexual conduct in the first degree is punishable by imprisonment for life or for any term of years. House Bill 5421 would also provide for such crimes that the court could order a term of imprisonment to be served consecutively to any term of imprisonment imposed for any other criminal sexual offense arising from the same transaction.

House Bill 5422 would amend the Corrections Code (MCL 791.234 and 242) to provide complementary amendments. Under the bill, a person who commits criminal sexual conduct in the first degree against a person under 13 years of age using a weapon or through force or coercion could not be placed on parole until serving 25 years of the sentence. The period of parole could not be less than 10 years.

FISCAL IMPACT:

A fiscal analysis is in process

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