

104TH CONGRESS
2D SESSION

S. 1985

To increase penalties for sex offenses against children.

IN THE SENATE OF THE UNITED STATES

JULY 24, 1996

Mrs. FEINSTEIN (for herself and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To increase penalties for sex offenses against children.

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 “Amber Hagerman
5 Child Protection Act of 1996”.

6 **SEC. 2. INCREASED PENALTIES FOR FEDERAL SEX OF-**
7 **FENSES AGAINST CHILDREN.**

8 (a) AGGRAVATED SEXUAL ABUSE OF A MINOR.—
9 Section 2241(c) of title 18, United States Code, is amend-
10 ed—

11 (1) by inserting “whoever in interstate or for-
12 foreign commerce or” before “in the special”;

1 (2) by inserting “crosses a State line with in-
2 tent to engage in a sexual act with a person who has
3 not attained the age of 12 years, or” after “Who-
4 ever”; and

5 (3) by adding at the end the following: “If the
6 defendant has previously been convicted of another
7 Federal offense under this subsection or under sec-
8 tion 2243(a), or of a State offense that would have
9 been an offense under either such provision had the
10 offense occurred in a Federal prison, unless the
11 death penalty is imposed, the defendant shall be sen-
12 tenced to life in prison.”.

13 (b) SEXUAL ABUSE OF A MINOR.—Section 2243(a)
14 of title 18, United States Code, is amended—

15 (1) by inserting “whoever in interstate or for-
16 eign commerce or” before “in the special”;

17 (2) by inserting “crosses a State line with in-
18 tent to engage in a sexual act with a person who,
19 or” after “Whoever”; and

20 (3) by adding at the end the following: “If the
21 defendant has previously been convicted of another
22 Federal offense under this subsection or under sec-
23 tion 2241(c), or of a State offense that would have
24 been an offense under either such provision had the
25 offense occurred in a Federal prison, unless the

1 death penalty is imposed, the defendant shall be sen-
2 tenced to life in prison.”.

3 **SEC. 3. CONDITION FOR BYRNE GRANTS.**

4 Section 170101(f) of the Violent Crime Control and
5 Law Enforcement Act of 1994 is amended—

6 (1) by redesignating subparagraph (B) as sub-
7 paragraph (C); and

8 (2) inserting after subparagraph (A) the follow-
9 ing:

10 “(B) In order not to reduce the funds
11 available under part E of title I of the Omnibus
12 Crime Control and Safe Streets Act of 1968 by
13 10 percent, a State shall, on the first day of
14 each fiscal year beginning 2 years after the date
15 of the enactment of the Amber Hagerman Child
16 Protection Act of 1996, have in effect through-
17 out the State in such fiscal year a law which re-
18 quires a court to sentence a defendant in a
19 State prosecution who is convicted of an offense
20 that would have been an offense if such offense
21 occurred in a Federal prison under section
22 2241(c) or 2243(a) of title 18, United States
23 Code, and who has previously been convicted for
24 such an offense to life in prison without the
25 possibility of parole.”.

1 **SEC. 4. RELEASE OF REGISTRATION INFORMATION.**

2 Section 170101 of the Violent Crime Control and
3 Law Enforcement Act of 1994 is amended by adding at
4 the end the following:

5 “(g) SEPARATE DATA BASE.—The Federal Bureau
6 of Investigation shall maintain a separate data base for
7 information submitted to the Bureau under this section
8 and make that data base accessible to appropriate State
9 law enforcement officials. The Bureau shall inform appro-
10 priate local law enforcement officials on each occasion that
11 a person registered under this section changes registration
12 to that locality.”.

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