

In the Senate of the United States,

July 25, 1996.

Resolved, That the bill from the House of Representatives (H.R. 2980) entitled “An Act to amend title 18, United States Code, with respect to stalking”, do pass with the following

AMENDMENT:

Page 2, after the item following line 11 insert:

1 **SEC. 3. GUN BAN FOR INDIVIDUALS COMMITTING**
2 **DOMESTIC VIOLENCE.**

3 *(a) DEFINITIONS.—Section 921(a) of title 18, United*
4 *States Code, is amended by adding at the end the following*
5 *new paragraph:*

6 *“(33) The term ‘crime involving domestic vio-*
7 *lence’ means a felony or misdemeanor crime of vio-*
8 *lence, regardless of length, term, or manner of punish-*
9 *ment, committed by a current or former spouse, par-*
10 *ent, or guardian of the victim, by a person with*
11 *whom the victim shares a child in common, by a per-*

1 *son who is cohabiting with or has cohabited with the*
2 *victim as a spouse, parent, or guardian, or by a per-*
3 *son similarly situated to a spouse, parent, or guard-*
4 *ian of the victim under the domestic or family vio-*
5 *lence laws of the jurisdiction in which such felony or*
6 *misdemeanor was committed.”.*

7 *(b) UNLAWFUL ACTS.—Section 922 of title 18, United*
8 *States Code, is amended—*

9 *(1) in subsection (d)—*

10 *(A) by striking “or” at the end of para-*
11 *graph (7);*

12 *(B) by striking the period at the end of*
13 *paragraph (8) and inserting “; or”; and*

14 *(C) by inserting after paragraph (8) the fol-*
15 *lowing new paragraph:*

16 *“(9) has been convicted in any court of any*
17 *crime involving domestic violence where the individ-*
18 *ual has been represented by counsel or knowingly and*
19 *intelligently waived the right to counsel.”;*

20 *(2) in subsection (g)—*

21 *(A) by striking “or” at the end of para-*
22 *graph (7);*

23 *(B) in paragraph (8), by striking the*
24 *comma and inserting “; or”; and*

1 (C) by inserting after paragraph (8) the fol-
2 lowing new paragraph:

3 “(9) has been convicted in any court of any
4 crime involving domestic violence where the individ-
5 ual has been represented by counsel or knowingly and
6 intelligently waived the right to counsel,”; and

7 (3) in subsection (s)(3)(B)(i), by inserting before
8 the semicolon the following: “and has not been con-
9 victed in any court of any crime involving domestic
10 violence where the individual has been represented by
11 counsel or knowingly and intelligently waived the
12 right to counsel”.

13 (c) *RULES AND REGULATIONS.*—Section 926(a) of title
14 18, *United States Code*, is amended—

15 (1) by striking “and” at the end of paragraph
16 (2);

17 (2) by striking the period at the end of para-
18 graph (3) and inserting “; and”; and

19 (3) by inserting after paragraph (3) the follow-
20 ing new paragraph:

21 “(4) regulations providing for the effective re-
22 ceipt and secure storage of firearms relinquished by or

1 *seized from persons described in subsection (d)(9) or*
2 *(g)(9) of section 922.”.*

Attest:

Secretary.

104TH CONGRESS
2^D SESSION

H. R. 2980

AMENDMENT