

118TH CONGRESS  
2D SESSION

# H. R. 10094

To direct the Judicial Conference to submit a report examining an amendment to the Federal Rules of Evidence to further limit admissibility of evidence regarding an alleged victim’s sexual behavior or predisposition and to improve privacy protections for admissible evidence.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2024

Ms. MACE introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To direct the Judicial Conference to submit a report examining an amendment to the Federal Rules of Evidence to further limit admissibility of evidence regarding an alleged victim’s sexual behavior or predisposition and to improve privacy protections for admissible evidence.

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 “Rape Shield Enhance-  
5        ment Act of 2024”.

1 **SEC. 2. REPORT ON AMENDMENT TO THE RULES OF EVI-**  
2 **DENCE TO FURTHER LIMIT ADMISSIBILITY**  
3 **OF EVIDENCE REGARDING AN ALLEGED VIC-**  
4 **TIM'S SEXUAL BEHAVIOR OR PREDISPOSI-**  
5 **TION AND TO IMPROVE PRIVACY PROTEC-**  
6 **TIONS FOR ADMISSIBLE EVIDENCE.**

7 Not later than 180 days after the date of enactment  
8 of this Act, the Judicial Conference shall submit to Con-  
9 gress—

10 (1) a report reviewing Rule 412 of the Federal  
11 Rules of Evidence, and identify amendments, in ac-  
12 cordance with chapter 131 of title 28, United States  
13 Code, limited in scope to—

14 (A) further limiting the admissibility of  
15 evidence regarding the sexual behavior or pre-  
16 disposition of an alleged victim of sexual as-  
17 sault; and

18 (B) improving privacy protections for ad-  
19 missible evidence related to the sexual behavior  
20 or predisposition of an alleged victim of sexual  
21 assault, including the subsequent disclosure of  
22 such evidence;

23 (2) a report reviewing Rule 26 of the Federal  
24 Rules of Civil Procedure, and identify amendments,  
25 in accordance with chapter 131 of title 28, United  
26 States Code, that would—

1 (A) narrow the scope of permissible dis-  
2 covery requests to limit inquiries into the per-  
3 sonal, financial, social, psychological, sexual,  
4 medical, or other private or confidential records  
5 or history of an alleged victim of sexual assault,  
6 unless directly relevant to the case;

7 (B) establish clearer protections for the  
8 privacy of such an alleged victim, including lim-  
9 itations on subsequent disclosures of personal,  
10 financial, social, psychological, sexual, medical,  
11 or other private or confidential records or his-  
12 tory of an alleged victim of sexual assault; and

13 (C) ensure that discovery practices are  
14 consistent with Federal law protecting the  
15 rights of such an alleged victim; and

16 (3) a report reviewing Rule 16 of the Federal  
17 Rules of Criminal Procedure, and identify amend-  
18 ments, in accordance with chapter 131 of title 28,  
19 United States Code, that would—

20 (A) narrow the scope of permissible dis-  
21 covery requests to limit inquiries into the per-  
22 sonal, financial, social, psychological, sexual,  
23 medical, or other private or confidential records  
24 or history of an alleged victim of sexual assault,  
25 unless directly relevant to the case;

1           (B) establish clearer protections for the  
2           privacy of such an alleged victim, including lim-  
3           itations on subsequent disclosures of personal,  
4           financial, social, psychological, sexual, medical,  
5           or other private or confidential records or his-  
6           tory of an alleged victim of sexual assault; and

7           (C) ensure that discovery practices are  
8           consistent with Federal law protecting the  
9           rights of such an alleged victim.

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