

Calendar No. 683

106TH CONGRESS
2D SESSION

H. R. 894

IN THE SENATE OF THE UNITED STATES

JULY 12, 2000

Received and read the first time

JULY 13, 2000

Read the second time and placed on the calendar

AN ACT

To encourage States to incarcerate individuals convicted of
murder, rape, or child molestation.

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 “Aimee’s Law”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) DANGEROUS SEXUAL OFFENSE.—The term
4 “dangerous sexual offense” means sexual abuse or
5 sexually explicit conduct committed by an individual
6 who has attained the age of 18 years against an in-
7 dividual who has not attained the age of 14 years.

8 (2) MURDER.—The term “murder” has the
9 meaning given the term under applicable State law.

10 (3) RAPE.—The term “rape” has the meaning
11 given the term under applicable State law.

12 (4) SEXUAL ABUSE.—The term “sexual abuse”
13 has the meaning given the term under applicable
14 State law.

15 (5) SEXUALLY EXPLICIT CONDUCT.—The term
16 “sexually explicit conduct” has the meaning given
17 the term under applicable State law.

18 **SEC. 3. REIMBURSEMENT TO STATES FOR CRIMES COM-**
19 **MITTED BY CERTAIN RELEASED FELONS.**

20 (a) PENALTY.—

21 (1) SINGLE STATE.—In any case in which a
22 State convicts an individual of murder, rape, or a
23 dangerous sexual offense, who has a prior conviction
24 for any one of those offenses in a State described in
25 paragraph (3), the Attorney General shall transfer
26 an amount equal to the costs of incarceration, pros-

1 execution, and apprehension of that individual, from
2 Federal law enforcement assistance funds that have
3 been allocated to but not distributed to the State
4 that convicted the individual of the prior offense, to
5 the State account that collects Federal law enforce-
6 ment assistance funds of the State that convicted
7 that individual of the subsequent offense.

8 (2) MULTIPLE STATES.—In any case in which
9 a State convicts an individual of murder, rape, or a
10 dangerous sexual offense, who has a prior conviction
11 for any one or more of those offenses in more than
12 one other State described in paragraph (3), the At-
13 torney General shall transfer an amount equal to the
14 costs of incarceration, prosecution, and apprehension
15 of that individual, from Federal law enforcement as-
16 sistance funds that have been allocated to but not
17 distributed to each State that convicted such indi-
18 vidual of the prior offense, to the State account that
19 collects Federal law enforcement assistance funds of
20 the State that convicted that individual of the subse-
21 quent offense.

22 (3) STATE DESCRIBED.—A State is described in
23 this paragraph if—

24 (A) the State has not adopted Federal
25 truth-in-sentencing guidelines under section

1 20104 of the Violent Crime Control and Law
2 Enforcement Act of 1994 (42 U.S.C. 13704);

3 (B) the average term of imprisonment im-
4 posed by the State on individuals convicted of
5 the offense for which the individual described in
6 paragraph (1) or (2), as applicable, was con-
7 victed by the State is less than 10 percent
8 above the average term of imprisonment im-
9 posed for that offense in all States; or

10 (C) with respect to the individual described
11 in paragraph (1) or (2), as applicable, the indi-
12 vidual had served less than 85 percent of the
13 term of imprisonment to which that individual
14 was sentenced for the prior offense.

15 (b) STATE APPLICATIONS.—In order to receive an
16 amount transferred under subsection (a), the chief execu-
17 tive of a State shall submit to the Attorney General an
18 application, in such form and containing such information
19 as the Attorney General may reasonably require, which
20 shall include a certification that the State has convicted
21 an individual of murder, rape, or a dangerous sexual of-
22 fense, who has a prior conviction for one of those offenses
23 in another State.

24 (c) SOURCE OF FUNDS.—Any amount transferred
25 under subsection (a) shall be derived by reducing the

1 amount of Federal law enforcement assistance funds re-
2 ceived by the State that convicted such individual of the
3 prior offense before the distribution of the funds to the
4 State. The Attorney General, in consultation with the chief
5 executive of the State that convicted such individual of the
6 prior offense, shall establish a payment schedule.

7 (d) CONSTRUCTION.—Nothing in this subsection may
8 be construed to diminish or otherwise affect any court or-
9 dered restitution.

10 (e) EXCEPTION.—This section does not apply if the
11 individual convicted of murder, rape, or a dangerous sex-
12 ual offense has been released from prison upon the rever-
13 sal of a conviction for an offense described in subsection
14 (a) and subsequently been convicted for an offense de-
15 scribed in subsection (a).

16 **SEC. 4. COLLECTION OF RECIDIVISM DATA.**

17 (a) IN GENERAL.—Beginning with calendar year
18 2000, and each calendar year thereafter, the Attorney
19 General shall collect and maintain information relating to,
20 with respect to each State—

21 (1) the number of convictions during that cal-
22 endar year for—

23 (A) any sex offense in the State in which,
24 at the time of the offense, the victim had not

1 attained the age of 14 years and the offender
2 had attained the age of 18 years;

3 (B) rape; and

4 (C) murder; and

5 (2) the number of convictions described in para-
6 graph (1) that constitute second or subsequent con-
7 victions of the defendant of an offense described in
8 that paragraph.

9 (b) REPORT.—Not later than March 1, 2001, and on
10 March 1 of each year thereafter, the Attorney General
11 shall submit to Congress a report, which shall include—

12 (1) the information collected under subsection
13 (a) with respect to each State during the preceding
14 calendar year; and

15 (2) the percentage of cases in each State in
16 which an individual convicted of an offense described
17 in subsection (a)(1) was previously convicted of an-
18 other such offense in another State during the pre-
19 ceding calendar year.

Passed the House of Representatives July 11, 2000.

Attest:

JEFF TRANDAHL,

Clerk.

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