

110TH CONGRESS  
2D SESSION

# H. R. 5514

To amend title 28, United States Code, to limit Federal court jurisdiction over State laws restricting pornography, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2008

Mr. CANNON introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 28, United States Code, to limit Federal court jurisdiction over State laws restricting pornography, and for other purposes.

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 “The Pornography Ju-  
5 risdiction Limitation Act of 2008”.

6 **SEC. 2. LIMITATION ON JURISDICTION.**

7 (a) IN GENERAL.—Chapter 99 of title 28, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

1 **“§ 1632. Limitation on jurisdiction**

2 “(a) IN GENERAL.—No court created by Act of Con-  
3 gress shall have jurisdiction, and the Supreme Court shall  
4 have no appellate jurisdiction, to hear or decide a question  
5 of whether a State pornography law imposes a constitu-  
6 tionally invalid restriction on the freedom of expression.

7 “(b) COURT PRECEDENT NOT BINDING.—A decision  
8 of a Federal court, to the extent the decision relates to  
9 a question described in subsection (a), is not binding  
10 precedent on a State court.

11 “(c) DEFINITIONS.—In this section:

12 “(1) The term ‘State pornography law’ means  
13 a law of a State or political subdivision of a State,  
14 to the extent the law restricts a depiction, descrip-  
15 tion, or display of nudity or sexual conduct.

16 “(2) The term ‘State court’ means a court of  
17 a State or political subdivision of a State.

18 “(3) The term ‘State’ means a State of the  
19 United States, the District of Columbia, and any  
20 commonwealth, territory, or possession of the United  
21 States.”.

22 (b) CLERICAL AMENDMENT.—The table of sections  
23 at the beginning of chapter 99 of title 28, United States

- 1 Code, is amended by adding at the end the following new
- 2 item:

“1632. Limitation on jurisdiction.”.

