

110TH CONGRESS  
1ST SESSION

# H. R. 668

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to require States who wish to receive funds under the Act to increase the penalty applied to a defendant convicted of a violent crime who placed a video of the commission of that crime on the Internet.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2007

Mr. MARIO DIAZ-BALART of Florida introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to require States who wish to receive funds under the Act to increase the penalty applied to a defendant convicted of a violent crime who placed a video of the commission of that crime on the Internet.

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 “Web Video Violence  
5 Act”.

1 **SEC. 2. CONDITIONING FUNDING ON STATE CERTIFI-**  
2 **CATION OF INCREASED PENALTIES FOR VIO-**  
3 **LENT CRIMINALS WHO PLACE VIDEO OF**  
4 **CRIME ON INTERNET.**

5 (a) CERTIFICATION OF INCREASED PENALTY.—Sec-  
6 tion 502 of the Omnibus Crime Control and Safe Streets  
7 Act of 1968 (42 U.S.C. 3752) is amended by adding at  
8 the end the following new paragraph:

9 “(6) At the option of the State, a certification  
10 that the laws or official policies of the State require  
11 that when a criminal defendant is being sentenced,  
12 a graduated sanction (in the case of a juvenile de-  
13 fendant) or an increased penalty (in the case of an  
14 adult defendant) is applied—

15 “(A) if the defendant is convicted of a vio-  
16 lent crime against the person of another; and

17 “(B) if the defendant is found to have  
18 placed, or directed another to have placed, a  
19 video or image of the commission of such crime  
20 on the Internet.”.

21 (b) REDUCTION IN GRANT FUNDING FOR NON-CER-  
22 TIFYING STATES.—Section 505(a) of the Omnibus Crime  
23 Control and Safe Streets Act of 1968 (42 U.S.C. 3755(a))  
24 is amended by adding at the end the following new para-  
25 graph—

1           “(3) SPECIAL RULE FOR NON-CERTIFYING  
2       STATES.—If a State opts not to certify that it has  
3       increased penalties for certain violent criminals as  
4       specified under section 502(6), the Attorney General  
5       shall reduce the total amount of funding that would  
6       otherwise be allocated to that State—

7           “(A) by 10 percent in the first fiscal year  
8       in which the certification is lacking; and

9           “(B) by an additional 5 percent for each  
10       subsequent fiscal year in which the certification  
11       is lacking.”.

12 **SEC. 3. EFFECTIVE DATE.**

13       The amendments made by section 2 shall apply to  
14       fiscal years beginning with the next fiscal year that begins  
15       1 year after the date of enactment of this Act.

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