

111TH CONGRESS
1ST SESSION

H. R. 623

To provide for greater judicial discretion in sentencing for certain firearms offenses committed in exceptional circumstances.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2009

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

A BILL

To provide for greater judicial discretion in sentencing for certain firearms offenses committed in exceptional circumstances.

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. GREATER JUDICIAL DISCRETION IN SEN-**
4 **TENCING FOR CERTAIN FIREARMS OFFENSES**
5 **COMMITTED IN EXCEPTIONAL CIR-**
6 **CUMSTANCES.**

7 Section 924(c)(1) of title 18, United States Code, is
8 amended by redesignating subparagraphs (C) and (D) as
9 subparagraphs (D) and (E), respectively, and inserting
10 after subparagraph (B) the following:

1 “(C) The minimum sentencing requirements of sub-
2 paragraphs (A) and (B) shall not apply if—

3 “(i) the person who used, carried, or possessed
4 the firearm was authorized to carry that type of fire-
5 arm in the lawful performance of an employment
6 duty;

7 “(ii) the offense under this paragraph occurred
8 during or in relation to such employment; and

9 “(iii) the crime during and in relation to which
10 the offense under this paragraph occurred is a crime
11 of violence.”.

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