

111TH CONGRESS
1ST SESSION

H. R. 853

To amend title 18, United States Code, to prohibit the use of interstate commerce for suicide promotion.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2009

Mr. HERGER (for himself, Mr. MATHESON, Ms. BORDALLO, and Mrs. MYRICK) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prohibit the use of interstate commerce for suicide promotion.

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 “Suzanne Gonzales Sui-
5 cide Prevention Act of 2009”.

6 **SEC. 2. PROHIBITION ON THE USE OF INTERSTATE COM-**
7 **MERCE FOR SUICIDE PROMOTION.**

8 (a) IN GENERAL.—Chapter 51 of title 18, United
9 States Code, is amended by inserting after section 1122
10 the following:

1 **“§ 1123. Interstate suicide promotion**

2 “(a) Whoever knowingly uses any facility of interstate
3 or foreign commerce with intent—

4 “(1) to teach a particular person how to com-
5 mit suicide, knowing that the person so taught is
6 likely to use that teaching to commit suicide; or

7 “(2) to provide a particular person with mate-
8 rial support or resources to help such person commit
9 suicide, knowing that the person is likely to use the
10 support to commit suicide;

11 shall be fined under this title or imprisoned not more than
12 5 years, or both, but if the death of any person is caused
13 by the offense, the term of imprisonment that may be im-
14 posed for the offense is any term of years or for life.

15 “(b) As used in this section—

16 “(1) the term ‘teach a particular person how to
17 commit suicide’ means supplying information, that is
18 not generally known, to a particular person who the
19 provider knows is contemplating suicide, with the in-
20 tent of making that person’s suicide attempt easier
21 to accomplish or more likely to succeed;

22 “(2) the term ‘material support’ with respect to
23 helping a person commit suicide means any prop-
24 erty, tangible or intangible, or service that is reason-
25 ably capable of substantially assisting a person to
26 commit suicide, with the intent of making that per-

1 son's suicide attempt easier to accomplish or more
2 likely to succeed; and

3 “(3) the term ‘State’ includes the District of
4 Columbia and any other commonwealth, territory, or
5 possession of the United States.

6 “(c) Nothing in this section—

7 “(1) supersedes the authority of a State to
8 enact laws relating to suicide or assistance to suicide
9 within its territory; or

10 “(2) prohibits the use of a facility of interstate
11 or foreign commerce to supply information or mate-
12 rial support to a recipient acting in accordance with
13 the law of the State in which the recipient resides.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of chapter 51 of title 18, United States
16 Code, is amended by inserting after the item relating to
17 section 1122 the following new item:

“1123. Interstate suicide promotion.”.

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