

113TH CONGRESS
1ST SESSION

H. R. 1914

To ban guns for persons who have been convicted of stalking or who are subject to a court order restraining the person from stalking.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2013

Ms. HAHN introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To ban guns for persons who have been convicted of stalking or who are subject to a court order restraining the person from stalking.

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 “Preventing Victims of
5 Stalking Act of 2013”.

6 **SEC. 2. PROHIBITIONS.**

7 (a) SALES OR OTHER DISPOSITIONS OF FIREARMS
8 OR AMMUNITION.—Section 922(d) of title 18, United
9 States Code, is amended in the 1st sentence, by striking
10 paragraphs (8) and (9) and inserting the following:

1 “(8) is subject to a court order that restrains
2 the person from harassing, stalking, or threatening
3 an individual or engaging in other conduct that
4 would place an individual in reasonable fear of bod-
5 ily injury, except that this paragraph shall only
6 apply to a court order that—

7 “(A) was issued after a hearing of which
8 the person received actual notice, and at which
9 the person had the opportunity to participate;
10 and

11 “(B)(i) includes a finding that the person
12 represents a credible threat to the physical safe-
13 ty of the individual; or

14 “(ii) by its terms explicitly prohibits the
15 use, attempted use, or threatened use of phys-
16 ical force against the individual that would rea-
17 sonably be expected to cause bodily injury; or

18 “(9) has been convicted in any court of a mis-
19 demeanor crime of domestic violence or of stalking
20 (as defined under State law).”.

21 (b) POSSESSION, ETC., OF FIREARMS OR AMMUNI-
22 TION.—Section 922(g) of such title is amended by striking
23 paragraphs (8) and (9) and inserting the following::

24 “(8) who is subject to a court order that—

1 “(A) was issued after a hearing of which
2 the person received actual notice, and at which
3 the person had an opportunity to participate;

4 “(B) restrains the person from harassing,
5 stalking, or threatening an individual or engag-
6 ing in other conduct that would place an indi-
7 vidual in reasonable fear of bodily injury; and

8 “(C)(i) includes a finding that the person
9 represents a credible threat to the physical safe-
10 ty of the individual; or

11 “(ii) by its terms explicitly prohibits the
12 use, attempted use, or threatened use of phys-
13 ical force against the individual that would rea-
14 sonably be expected to cause bodily injury; or

15 “(9) who has been convicted in any court of a
16 misdemeanor crime of domestic violence or of stalk-
17 ing (as defined under State law),”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall apply to conduct engaged after the 90-
20 day period that begins with the date of the enactment of
21 this Act.

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