

114TH CONGRESS
1ST SESSION

S. 62

To amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2015

Mr. VITTER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), 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 “Freedom From Union
5 Violence Act of 2015”.

6 **SEC. 2. INTERFERENCE WITH COMMERCE BY THREATS OR**
7 **VIOLENCE.**

8 Section 1951 of title 18, United States Code, is
9 amended to read as follows:

1 **“§ 1951. Interference with commerce by threats or vi-**
2 **olence**

3 “(a) DEFINITIONS.—In this section—

4 “(1) the term ‘commerce’ means any—

5 “(A) commerce within the District of Co-
6 lumbia, or any territory or possession of the
7 United States;

8 “(B) commerce between any point in a
9 State, territory, possession, or the District of
10 Columbia and any point outside thereof;

11 “(C) commerce between points within the
12 same State through any place outside that
13 State; and

14 “(D) other commerce over which the
15 United States has jurisdiction;

16 “(2) the term ‘extortion’ means the obtaining of
17 property from any person, with the consent of that
18 person, if that consent is induced—

19 “(A) by actual or threatened use of force
20 or violence, or fear thereof;

21 “(B) by wrongful use of fear not involving
22 force or violence; or

23 “(C) under color of official right;

24 “(3) the term ‘labor dispute’ has the same
25 meaning as in section 2(9) of the National Labor
26 Relations Act (29 U.S.C. 152(9)); and

1 “(4) the term ‘robbery’ means the unlawful tak-
 2 ing or obtaining of personal property from the per-
 3 son or in the presence of another, against his or her
 4 will, by means of actual or threatened force or vio-
 5 lence, or fear of injury, immediate or future—

6 “(A) to his or her person or property, or
 7 property in his or her custody or possession; or

8 “(B) to the person or property of a relative
 9 or member of his or her family, or of anyone in
 10 his or her company at the time of the taking or
 11 obtaining.

12 “(b) PROHIBITION.—Except as provided in sub-
 13 section (c), whoever in any way or degree obstructs,
 14 delays, or affects commerce or the movement of any article
 15 or commodity in commerce, by robbery or extortion, or at-
 16 tempts or conspires so to do, or commits or threatens
 17 physical violence to any person or property in furtherance
 18 of a plan or purpose to do anything in violation of this
 19 section, shall be fined under this title, imprisoned for not
 20 more than 20 years, or both.

21 “(c) EXEMPTED CONDUCT.—

22 “(1) IN GENERAL.—Subsection (b) does not
 23 apply to any conduct that—

24 “(A) is incidental to otherwise peaceful
 25 picketing during the course of a labor dispute;

1 “(B) consists solely of minor bodily injury,
 2 or minor damage to property, or threat or fear
 3 of such minor injury or damage; and

4 “(C) is not part of a pattern of violent con-
 5 duct or of coordinated violent activity.

6 “(2) STATE AND LOCAL JURISDICTION.—Any
 7 violation of this section that involves any conduct de-
 8 scribed in paragraph (1) shall be subject to prosecu-
 9 tion only by the appropriate State and local authori-
 10 ties.

11 “(d) EFFECT ON OTHER LAW.—Nothing in this sec-
 12 tion shall be construed—

13 “(1) to repeal, amend, or otherwise affect—

14 “(A) section 6 of the Clayton Act (15
 15 U.S.C. 17);

16 “(B) section 20 of the Clayton Act (29
 17 U.S.C. 52);

18 “(C) any provision of the Norris-
 19 LaGuardia Act (29 U.S.C. 101 et seq.);

20 “(D) any provision of the National Labor
 21 Relations Act (29 U.S.C. 151 et seq.); or

22 “(E) any provision of the Railway Labor
 23 Act (45 U.S.C. 151 et seq.); or

1 “(2) to preclude Federal jurisdiction over any
2 violation of this section, on the basis that the con-
3 duct at issue—

4 “(A) is also a violation of State or local
5 law; or

6 “(B) occurred during the course of a labor
7 dispute or in pursuit of a legitimate business or
8 labor objective.”.

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