

115TH CONGRESS
1ST SESSION

H. R. 2670

To amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2017

Mr. BROWN of Maryland (for himself, Ms. BARRAGÁN, Mr. BLUMENAUER, Ms. BLUNT ROCHESTER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWNLEY of California, Mr. CARBAJAL, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Ms. ESHOO, Ms. ESTY of Connecticut, Mr. EVANS, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HIMES, Ms. KELLY of Illinois, Mr. KHANNA, Mr. LARSEN of Washington, Mr. TED LIEU of California, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. MCNERNEY, Ms. MENG, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PALLONE, Mr. PETERS, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Ms. SCHAKOWSKY, Ms. SHEA-PORTER, Ms. SLAUGHTER, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. BONAMICI, Mr. SERRANO, Mr. PANETTA, Mr. KEATING, Mr. DELANEY, and Mr. HOYER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting Domestic
3 Violence and Stalking Victims Act”.

4 **SEC. 2. DEFINITIONS OF “INTIMATE PARTNER” AND “MIS-**
5 **DEMEANOR CRIME OF DOMESTIC VIOLENCE”**
6 **EXPANDED.**

7 Section 921(a) of title 18, United States Code, is
8 amended—

9 (1) in paragraph (32)—

10 (A) by striking “and an individual” and in-
11 serting “an individual”; and

12 (B) by inserting “, or a dating partner (as
13 defined in section 2266) or former dating part-
14 ner” before the period at the end; and

15 (2) in paragraph (33)(A)(ii)—

16 (A) by striking “or by” and inserting
17 “by”; and

18 (B) by inserting “, or by a dating partner
19 (as defined in section 2266) or former dating
20 partner of the victim” before the period at the
21 end.

22 **SEC. 3. UNLAWFUL SALE OF FIREARM TO A PERSON SUB-**
23 **JECT TO COURT ORDER.**

24 Section 922(d)(8) of title 18, United States Code, is
25 amended to read as follows:

1 “(8) is subject to a court order described in
 2 subsection (g)(8); or”.

3 **SEC. 4. LIST OF PERSONS SUBJECT TO A RESTRAINING OR**
 4 **SIMILAR ORDER PROHIBITED FROM POS-**
 5 **SESSING OR RECEIVING A FIREARM EX-**
 6 **PANDED.**

7 Section 922(g)(8) of title 18, United States Code, is
 8 amended—

9 (1) in the matter preceding subparagraph (A),
 10 by striking “that”;

11 (2) by striking subparagraphs (A) and (B) and
 12 inserting the following:

13 “(A)(i) that was issued after a hearing of
 14 which such person received actual notice, and at
 15 which such person had an opportunity to par-
 16 ticipate; or

17 “(ii) in the case of an ex parte order, relat-
 18 ing to which notice and opportunity to be heard
 19 are provided—

20 “(I) within the time required by
 21 State, tribal, or territorial law; and

22 “(II) in any event within a reasonable
 23 time after the order is issued, sufficient to
 24 protect the person’s right to due process;

25 “(B) that restrains such person from—

1 “(i) harassing, stalking, threatening,
 2 or engaging in other conduct that would
 3 put an individual in reasonable fear of bod-
 4 ily injury to such individual, including an
 5 order that was issued at the request of an
 6 employer on behalf of its employee or at
 7 the request of an institution of higher edu-
 8 cation on behalf of its student; or

9 “(ii) intimidating or dissuading a wit-
 10 ness from testifying in court; and”; and

11 (3) in subparagraph (C)—

12 (A) by striking “intimate partner or child”
 13 each place it appears and inserting “individual
 14 described in subparagraph (B)”;

15 (B) in clause (i), by inserting “that” be-
 16 fore “includes”; and

17 (C) in clause (ii), by inserting “that” be-
 18 fore “by its”.

19 **SEC. 5. STALKING PROHIBITIONS.**

20 (a) SALES OR OTHER DISPOSITIONS OF FIREARMS
 21 OR AMMUNITION.—Section 922(d) of title 18, United
 22 States Code, as amended by section 3 of this Act, is
 23 amended—

24 (1) by striking “or” at the end of paragraph
 25 (8);

1 (2) by striking the period at the end of para-
2 graph (9) and inserting “; or”; and

3 (3) by inserting after paragraph (9) the fol-
4 lowing:

5 “(10) has been convicted in any court of—

6 “(A) a misdemeanor crime of stalking
7 under Federal, State, territorial, or tribal law;
8 or

9 “(B) a crime that involves conduct which
10 would be prohibited by section 2261A if com-
11 mitted within the special maritime and terri-
12 torial jurisdiction of the United States.”.

13 (b) POSSESSION, ETC., OF FIREARMS OR AMMUNI-
14 TION.—Section 922(g) of such title, as amended by section
15 4 of this Act, is amended—

16 (1) by striking “or” at the end of paragraph
17 (8);

18 (2) by striking the comma at the end of para-
19 graph (9) and inserting “; or”; and

20 (3) by inserting after paragraph (9) the fol-
21 lowing:

22 “(10) has been convicted in any court of—

23 “(A) a misdemeanor crime of stalking
24 under Federal, State, territorial, or tribal law;
25 or

1 “(B) a crime that involves conduct which
2 would be prohibited by section 2261A if com-
3 mitted within the special maritime and terri-
4 torial jurisdiction of the United States,”.

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