

116TH CONGRESS
2D SESSION

H. R. 8124

IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2020

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To amend title 18, United States Code, to provide for transportation and subsistence for criminal justice defendants, 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 “Criminal Judicial Ad-
3 ministration Act of 2020”.

4 **SEC. 2. TRANSPORTATION AND SUBSISTENCE FOR CRIMI-**
5 **NAL JUSTICE ACT DEFENDANTS.**

6 Section 4285 of title 18, United States Code, is
7 amended in the first sentence—

8 (1) by striking “when the interests of justice
9 would be served thereby and the United States judge
10 or magistrate judge is satisfied, after appropriate in-
11 quiry, that the defendant is financially unable to
12 provide the necessary transportation to appear be-
13 fore the required court on his own” and inserting
14 “when the United States judge or magistrate judge
15 is satisfied that the defendant is indigent based on
16 appointment of counsel pursuant to section 3006A,
17 or, after appropriate inquiry, that the defendant is
18 financially unable to provide necessary transpor-
19 tation on his own”;

20 (2) by striking “to the place where his appear-
21 ance is required,” and inserting “(1) to the place
22 where each appearance is required and (2) to return
23 to the place of the person’s arrest or bona fide resi-
24 dence,”; and

25 (3) by striking “to his destination,” and insert-
26 ing “which includes money for both lodging and

1 food, during travel to the person’s destination and
 2 during any proceeding at which the person’s appear-
 3 ance is required”.

4 **SEC. 3. EFFECTIVE USE OF MAGISTRATE JUDGES TO DE-**
 5 **CIDE POSTJUDGMENT MOTIONS.**

6 Section 3401 of title 18, United States Code, is
 7 amended—

8 (1) in subsection (b)—

9 (A) in the second sentence, by striking
 10 “and” after “trial, judgment,”;

11 (B) in the second sentence, by inserting “,
 12 and rulings on all post-judgment motions” after
 13 “sentencing”;

14 (C) in the third sentence, by striking
 15 “and” after “trial, judgment,”; and

16 (D) in the third sentence, by inserting “,
 17 and rulings on all post-judgment motions” after
 18 “sentencing”;

19 (2) in subsection (c), by striking “, with the ap-
 20 proval of a judge of the district court,”; and

21 (3) by inserting after subsection (i) the fol-
 22 lowing:

23 “(j) A magistrate judge who exercises trial jurisdic-
 24 tion under this section, in either a petty offense case or
 25 a misdemeanor case in which the defendant has consented

1 to a magistrate judge, may also rule on all post-judgment
2 motions in that case, including but not limited to petitions
3 for writs of habeas corpus, writs of coram nobis, motions
4 to vacate a sentence under section 2255 of title 28, and
5 motions related to mental competency under chapter 313
6 of this title.”.

Passed the House of Representatives October 1,
2020.

Attest: CHERYL L. JOHNSON,
Clerk.