116TH CONGRESS 2D Session

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

IN THE SENATE OF THE UNITED STATES

Mr. BLUMENTHAL (for himself, Mr. MURPHY, Ms. HASSAN, Mr. DURBIN, Mr. MARKEY, Ms. HARRIS, Mr. COONS, Mr. BOOKER, Ms. HIRONO, Ms. KLO-BUCHAR, Ms. BALDWIN, Ms. WARREN, Mr. WYDEN, Mr. SANDERS, Mrs. MURRAY, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. CASEY, Mrs. FEINSTEIN, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on

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,

3 SECTION 1. SHORT TITLE.

- 4 This Act may be cited as the "Lori Jackson Domestic
- 5 Violence Survivor Protection Act".

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1	SEC. 2. DEFINITIONS OF "INTIMATE PARTNER" AND "MIS-
2	DEMEANOR CRIME OF DOMESTIC VIOLENCE"
3	EXPANDED.
4	Section 921(a) of title 18, United States Code, is
5	amended—
6	(1) in paragraph (32), by striking all that fol-
7	lows after "The term 'intimate partner'" and insert-
8	ing the following: "—
9	"(A) means, with respect to a person, the
10	spouse of the person, a former spouse of the person,
11	an individual who is a parent of a child of the per-
12	son, and an individual who cohabitates or has
13	cohabited with the person; and
14	"(B) includes—
15	"(i) a dating partner or former dating
16	partner (as defined in section 2266); and
17	"(ii) any other person similarly situated to
18	a spouse who is protected by the domestic or
19	family violence laws of the State or tribal juris-
20	diction in which the injury occurred or where
21	the victim resides."; and
22	(2) in paragraph (33)(A)—
23	(A) in clause (i), by inserting after "Fed-
24	eral, State," the following: "municipal,"; and

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1	(B) in clause (ii), by inserting "dating
2	partner (as defined in section 2266)," after
3	"spouse," each place it appears.
4	SEC. 3. UNLAWFUL SALE OF FIREARM TO A PERSON SUB-
5	JECT TO COURT ORDER.
6	Section 922(d)(8) of title 18, United States Code, is
7	amended to read as follows:
8	"(8) is subject to a court order described in
9	subsection $(g)(8)$; or".
10	SEC. 4. LIST OF PERSONS SUBJECT TO A RESTRAINING OR
11	SIMILAR ORDER PROHIBITED FROM POS-
12	SESSING OR RECEIVING A FIREARM EX-
13	PANDED.
	PANDED. Section 922(g)(8) of title 18, United States Code, is
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14 15	Section 922(g)(8) of title 18, United States Code, is
14 15 16	Section 922(g)(8) of title 18, United States Code, is amended to read as follows:
 13 14 15 16 17 18 	Section 922(g)(8) of title 18, United States Code, is amended to read as follows: "(8) who is subject to a court order—
14 15 16 17	Section 922(g)(8) of title 18, United States Code, is amended to read as follows: "(8) who is subject to a court order— "(A) that was issued—
14 15 16 17 18	Section 922(g)(8) of title 18, United States Code, is amended to read as follows: "(8) who is subject to a court order— "(A) that was issued— "(i) after a hearing of which such per-
14 15 16 17 18 19	Section 922(g)(8) of title 18, United States Code, is amended to read as follows: "(8) who is subject to a court order— "(A) that was issued— "(i) after a hearing of which such per- son received actual notice, and at which
 14 15 16 17 18 19 20 	Section 922(g)(8) of title 18, United States Code, is amended to read as follows: "(8) who is subject to a court order— "(A) that was issued— "(i) after a hearing of which such per- son received actual notice, and at which such person had an opportunity to partici-
 14 15 16 17 18 19 20 21 	Section 922(g)(8) of title 18, United States Code, is amended to read as follows: "(8) who is subject to a court order— "(A) that was issued— "(i) after a hearing of which such per- son received actual notice, and at which such person had an opportunity to partici- pate; or

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1	"(I) within the time required by
2	State, tribal, or territorial law; and
3	"(II) in any event within a rea-
4	sonable time after the order is issued,
5	sufficient to protect the due process
6	rights of the person;
7	"(B) that restrains such person from—
8	"(i) harassing, stalking, or threat-
9	ening an intimate partner of such person
10	or child of such intimate partner or person,
11	or engaging in other conduct that would
12	place an intimate partner in reasonable
13	fear of bodily injury to the partner or
14	child; or
15	"(ii) intimidating or dissuading a wit-
16	ness from testifying in court; and
17	"(C) that—
18	"(i) includes a finding that such per-
19	son represents a credible threat to the
20	physical safety of such individual described
21	in subparagraph (B); or
22	"(ii) by its terms explicitly prohibits
23	the use, attempted use, or threatened use
24	of physical force against such individual
25	described in subparagraph (B) that would

reasonably be expected to cause bodily in jury; or".