

103^D CONGRESS
1ST SESSION

H. R. 1461

To amend title 18, United States Code, to provide penalties for stalking.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1993

Mr. MFUME introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide penalties for 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 “Federal Stalking Pre-
5 vention Act of 1993”.

6 **SEC. 2. TITLE 18 AMENDMENT.**

7 (a) IN GENERAL.—Chapter 7 of title 18, United
8 States Code, is amended by adding at the end the follow-
9 ing:

1 **“§ 116. Stalking**

2 “(a) Whoever willfully and knowingly engages in a
3 course of conduct that involves an express or implied
4 threat to kill another person or to inflict bodily injury on
5 another person that is made—

6 “(1) with the intent to place that person in fear
7 of bodily injury or death; and

8 “(2) in any manner or context that causes that
9 person reasonably to fear bodily injury or death;
10 shall be fined under this title or imprisoned not more than
11 5 years, or both.

12 “(b) The United States Sentencing Commission, in
13 establishing sentencing guidelines for sentences under this
14 section shall provide a longer prison sentence for second
15 or subsequent offenses under this section or a similar non-
16 Federal law, while a protection order was in effect govern-
17 ing the defendant’s behavior toward the victim of the of-
18 fense.

19 “(c) As used in this section—

20 “(1) the term ‘course of conduct’ means a per-
21 sistent pattern or conduct composed of 2 or more
22 acts over a period of time, however short, that evi-
23 dences a continuity of purpose, but such term does
24 not include any constitutionally protected activity;

1 “(2) the term ‘protective order’ means any
2 court order, including any restraining order or in-
3 junction that orders a person—

4 “(A) to refrain from abusing or threaten-
5 ing to abuse another person;

6 “(B) to refrain from contacting, attempt-
7 ing to contact, or harassing another person;

8 “(C) to refrain from entering the residence
9 of another person; or

10 “(D) to remain away from the place of em-
11 ployment, school, or residence of another per-
12 son.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of chapter 7 of title 18, United States
15 Code, is amended by adding at the end the following:

“116. Stalking.”.

○