

104TH CONGRESS
1ST SESSION

S. 1072

To redefine “extortion” for purposes of the Hobbs Act.

IN THE SENATE OF THE UNITED STATES

JULY 25 (legislative day, JULY 10), 1995

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

A BILL

To redefine “extortion” for purposes of the Hobbs Act.

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 1995”.

6 **SEC. 2. DEFINITION OF EXTORTION UNDER HOBBS ACT.**

7 Paragraph (2) of section 1951(b) of title 18, United
8 States Code (commonly known as the “Hobbs Act”), is
9 amended to read as follows:

10 “(2)(A) The term ‘extortion’ means the obtain-
11 ing of property of another—

1 “(i) by threatening or placing another per-
2 son in fear that any person will be subjected to
3 bodily injury or kidnapping or that any prop-
4 erty will be damaged; or

5 “(ii) under color of official right.

6 “(B) In a prosecution under subparagraph
7 (A)(i) in which the threat or fear is based on con-
8 duct by an agent or member of a labor organization
9 consisting of an act of bodily injury to a person or
10 damage to property, the pendency, at the time of
11 such conduct, of a labor dispute (as defined in sec-
12 tion 2(9) of the National Labor Relations Act (29
13 U.S.C. 152(9))) the outcome of which could result in
14 the obtaining of employment benefits by the actor,
15 does not constitute prima facie evidence that prop-
16 erty was obtained ‘by’ such conduct.”.

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