

105TH CONGRESS  
1ST SESSION

# H. R. 2080

To amend title VII of the Civil Rights Act of 1964 to establish criminal liability for unlawful discrimination based on disparate treatment.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 1997

Mr. CAMPBELL (for himself and Mr. CANADY of Florida) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title VII of the Civil Rights Act of 1964 to establish criminal liability for unlawful discrimination based on disparate treatment.

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 “Anti-Discrimination  
5 Act of 1997”.

6 **SEC. 2. AMENDMENT.**

7 Title VII of the Civil Rights Act of 1964 is amended  
8 by inserting after section 706 the following:

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1 “CRIMINAL LIABILITY

2 “SEC. 706A. A defendant who purposefully engages  
3 in an employment practice defined as unlawful in section  
4 703 or 704 of this Act by intentionally treating a covered  
5 person worse than another because of that covered per-  
6 son’s race, gender, religion, or national origin shall, upon  
7 a first conviction, be guilty of a misdemeanor and punish-  
8 able by a fine not to exceed \$10,000 if an individual or  
9 \$100,000 if a corporation. A subsequent conviction of a  
10 defendant under this section regarding conduct within five  
11 years of the first conviction shall be a felony punishable  
12 by a fine not to exceed \$20,000 if an individual or  
13 \$200,000 if a corporation, imprisonment not to exceed six  
14 months, or both, if that subsequent conviction is deter-  
15 mined by the court to involve conduct substantially similar  
16 to the conduct of the first offense.”.

17 **SEC. 3. EFFECTIVE DATE; APPLICATION OF AMENDMENT.**

18 (a) EFFECTIVE DATE.—Except as provided in sub-  
19 section (b), this Act and the amendment made by this Act  
20 shall take effect on the date of the enactment of this Act.

21 (b) APPLICATION OF AMENDMENT.—The amendment  
22 made by this Act shall apply only with respect to conduct  
23 occurring after the date of the enactment of this Act.

1 **SEC. 4. SENTENCING COMMISSION.**

2       The United States Sentencing Commission may pro-  
3 pose to Congress amendments to the United States Sen-  
4 tencing Guidelines altering the sentences imposed under  
5 section 706A of the Civil Rights Act of 1964, as provided  
6 in section 994(p) of title 28, United States Code.

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