

106TH CONGRESS  
1ST SESSION

# H. R. 1717

To permanently ban the possession of firearms by dangerous juvenile offenders.

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IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1999

Mr. BLAGOJEVICH (for himself and Mr. ROGAN) introduced the following bill;  
which was referred to the Committee on the Judiciary

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## A BILL

To permanently ban the possession of firearms by dangerous juvenile offenders.

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 “Violent Youth Account-  
5 ability Act of 1999.”

6 **SEC. 2. PERMANENT PROHIBITION ON TRANSFERS OF**  
7 **FIREARMS TO THOSE ADJUDICATED DAN-**  
8 **GEROUS JUVENILE OFFENDERS.**

9 (a) DEFINITION.—Section 921(a)(20) of title 18,  
10 United States Code, is amended—

1 (1) by inserting “(A)” after “(20)”;

2 (2) by redesignating subparagraphs (A) and  
3 (B) as clauses (i) and (ii);

4 (3) by striking all that follows the 1st sentence  
5 and inserting the following:

6 “(B) For purposes of subsections (d) and (g) of sec-  
7 tion 922, the term ‘act of juvenile delinquency’ means an  
8 adjudication of delinquency based upon a finding of the  
9 commission of an act by a person prior to his or her eight-  
10 eenth birthday that, if committed by an adult, would be  
11 a serious drug offense (as defined in section  
12 3559(c)(2)(H)) or serious violent felony (as defined in sec-  
13 tion 3559(c)(2)(F)), on or after the date of the enactment  
14 of this paragraph.

15 “(C) What constitutes a conviction of such a crime  
16 or an adjudication of juvenile delinquency shall be deter-  
17 mined in accordance with the law of the jurisdiction in  
18 which the proceedings were held. Any State conviction or  
19 adjudication of delinquency which has been expunged or  
20 set aside or for which a person has been pardoned or has  
21 had civil rights restored by the jurisdiction in which the  
22 conviction or adjudication of delinquency occurred shall  
23 nevertheless be considered a conviction or adjudication of  
24 delinquency unless (i) the expungement, set-aside, pardon,  
25 or restoration of civil rights is directed to a specific per-

1 son, (ii) the State authority granting the expungement,  
2 set-aside, pardon, or restoration of civil rights has ex-  
3 pressly determined that the circumstances regarding the  
4 conviction and the person’s record and reputation are such  
5 that the person will not act in a manner dangerous to pub-  
6 lic safety, and (iii) the expungement, set-aside, pardon, or  
7 restoration of civil rights expressly authorizes the person  
8 to ship, transport, receive, or possess firearms. The re-  
9 quirement of this subparagraph for an individualized res-  
10 toration of rights shall apply whether or not, under State  
11 law, the person’s civil rights were taken away by virtue  
12 of the conviction or adjudication.”.

13 (b) PROHIBITIONS.—Section 922 of such title is  
14 amended—

15 (1) in subsection (d)—

16 (A) by striking “or” at the end of para-  
17 graph (8);

18 (B) by striking the period at the end of  
19 paragraph (9) and inserting “; or;” and

20 (C) by inserting after paragraph (9) the  
21 following:

22 “(10) who has committed an act of juvenile de-  
23 linquency.”; and

24 (2) in subsection (g)—

1           (A) by striking “or” at the end of para-  
2 graph (8);

3           (B) by adding “or” at the end of para-  
4 graph (9); and

5           (C) by inserting after paragraph (9) the  
6 following:

7           “(10) who has committed an act of juvenile de-  
8 linquency,”.

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