

111TH CONGRESS
2^D SESSION

H. R. 5662

To amend title 18, United States Code, with respect to the offense of stalking.

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 2010

Ms. LORETTA SANCHEZ of California introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, with respect to the offense of 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 “Simplifying The Am-
5 biguous Law, Keeping Everyone Reliably Safe Act of
6 2010” or the “STALKERS Act of 2010”.

7 **SEC. 2. STALKING.**

8 (a) IN GENERAL.—Section 2261A of title 18, United
9 States Code, is amended to read as follows:

1 **“§ 2261A. Stalking**

2 “(a) Whoever, with intent to kill, physically injure,
3 harass, or intimidate a person, engages in any conduct in
4 or affecting interstate or foreign commerce or in the spe-
5 cial maritime and territorial jurisdiction of the United
6 States that—

7 “(1) causes or attempts to cause bodily injury
8 or serious emotional distress to a person other than
9 the person engaging in the conduct; or

10 “(2) occurs in circumstances where the conduct
11 would be reasonably expected to cause the other per-
12 son serious emotional distress;

13 shall be punished as provided in subsection (b).

14 “(b) The punishment for an offense under this sec-
15 tion is the same as that for an offense under section 2261,
16 except that—

17 “(1) if the offense involves conduct in violation
18 of a protection order, the maximum term of impris-
19 onment that may be imposed is increased by 5 years,
20 over the term of imprisonment otherwise provided
21 for that offense in section 2261; and

22 “(2) if the victim of the offense is under the
23 age of 18 years, the maximum term of imprisonment
24 that may be imposed is increased by 10 years, over
25 the term of imprisonment otherwise provided for
26 that offense in section 2261.”.

1 (b) CLERICAL AMENDMENT.—The item relating to
2 section 2261A in the table of sections at the beginning
3 of chapter 110A of title 18, United States Code, is amend-
4 ed to read as follows:

“2261A. Stalking.”.

5 **SEC. 3. BEST PRACTICES REGARDING ENFORCEMENT OF**
6 **ANTI-STALKING LAWS TO BE INCLUDED IN**
7 **ANNUAL REPORT OF THE ATTORNEY GEN-**
8 **ERAL.**

9 In the annual report under section 529 of title 28,
10 United States Code, the Attorney General shall—

11 (1) include an evaluation of Federal, tribal,
12 State, and local efforts to enforce laws relating to
13 stalking; and

14 (2) identify and describe those elements of such
15 efforts that constitute the best practices for the en-
16 forcement of such laws.

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