

111TH CONGRESS  
1ST SESSION

# H. R. 623

To provide for greater judicial discretion in sentencing for certain firearms offenses committed in exceptional circumstances.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2009

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

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## A BILL

To provide for greater judicial discretion in sentencing for certain firearms offenses committed in exceptional circumstances.

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. GREATER JUDICIAL DISCRETION IN SEN-**  
4 **TENCING FOR CERTAIN FIREARMS OFFENSES**  
5 **COMMITTED IN EXCEPTIONAL CIR-**  
6 **CUMSTANCES.**

7 Section 924(c)(1) of title 18, United States Code, is  
8 amended by redesignating subparagraphs (C) and (D) as  
9 subparagraphs (D) and (E), respectively, and inserting  
10 after subparagraph (B) the following:

1       “(C) The minimum sentencing requirements of sub-  
2 paragraphs (A) and (B) shall not apply if—

3               “(i) the person who used, carried, or possessed  
4 the firearm was authorized to carry that type of fire-  
5 arm in the lawful performance of an employment  
6 duty;

7               “(ii) the offense under this paragraph occurred  
8 during or in relation to such employment; and

9               “(iii) the crime during and in relation to which  
10 the offense under this paragraph occurred is a crime  
11 of violence.”.

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