

115TH CONGRESS
2D SESSION

H. R. 5650

To direct the Attorney General to make grants to States that have in place laws that expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2018

Mr. SMITH of New Jersey (for himself and Ms. VELÁZQUEZ) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To direct the Attorney General to make grants to States that have in place laws that expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses.

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 “Nicole’s Law Act of
5 2018”.

1 **SEC. 2. DEFINITION.**

2 The term “covered formula grant” means a grant
3 under—

4 (1) part T of title I of the Omnibus Crime Con-
5 trol and Safe Streets Act of 1968 (34 U.S.C. 10441
6 et seq.) (commonly referred to as the “STOP Vio-
7 lence Against Women Formula Grant Program”); or

8 (2) section 41601 of the Violence Against
9 Women Act of 1994 (34 U.S.C. 12511) (commonly
10 referred to as “Sexual Assault Services Program”).

11 **SEC. 3. INCREASED FUNDING FOR FORMULA GRANTS AU-**
12 **THORIZED.**

13 The Attorney General shall increase the amount pro-
14 vided to a State under the covered formula grants in ac-
15 cordance with this Act if the State has in place laws and
16 policies that ensure that, with respect to criminal cases
17 involving sex offenses (as defined by the State), protec-
18 tions similar to those offered to a victim of domestic vio-
19 lence are extended to a victim of a sex offense who is not
20 in a familial or dating relationship with the perpetrator
21 of such offense, including laws and policies that—

22 (1) expressly authorize judges and courts to
23 issue, as a condition of bail, parole, probation, or
24 other supervised release, protection orders that pro-
25 hibit a defendant charged with a sex offense from

1 having any contact with the victim or with the vic-
2 tim's friends, co-workers, or relatives;

3 (2) permit judges and courts, after finding a
4 defendant guilty of a sex offense, to order a continu-
5 ation of a protection order described in paragraph
6 (1), or to otherwise restrict a defendant's contact
7 with the victim, as a condition of bail, parole, proba-
8 tion, or other supervised release; and

9 (3) provide judges and courts with the author-
10 ity to grant or extend a protection order until fur-
11 ther order of a judge or court, as an alternative to
12 issuing protection orders that expire on a specific
13 date or upon termination of a sentence or period of
14 bail, parole, probation, or other supervised release.

15 **SEC. 4. APPLICATION.**

16 A State seeking an increase under this Act in the
17 amount provided to the State under the covered formula
18 grants shall include in the application of the State for each
19 covered formula grant such information as the Attorney
20 General may reasonably require, including information
21 about a law or policy described in section 2.

22 **SEC. 5. GRANT INCREASE.**

23 The amount of the increase provided under this Act
24 to a State under the covered formula grants shall be equal
25 to not more than 10 percent of the average of the total

1 amount of funding provided to the State under the covered
2 formula grants under the 3 most recent awards to the
3 State.

4 **SEC. 6. PERIOD OF INCREASE.**

5 (a) IN GENERAL.—The Attorney General shall pro-
6 vide an increase under this Act in the amount provided
7 to a State under the covered formula grants for a 2-year
8 period.

9 (b) LIMIT.—The Attorney General may not provide
10 an increase under this Act in the amount provided to a
11 State under the covered formula grants more than 4
12 times.

13 **SEC. 7. ALLOCATION OF INCREASED FORMULA GRANT**
14 **FUNDS.**

15 The Attorney General shall allocate an increase under
16 this Act in the amount provided to a State under the cov-
17 ered formula grants such that—

18 (1) 25 percent the amount of the increase is
19 provided for the program described in section 2(1);
20 and

21 (2) 75 percent the amount of the increase is
22 provided for the program described in section 2(2).

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated to carry out
3 this Act \$5,000,000 for each of fiscal years 2019 through
4 2023.

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