

115TH CONGRESS
1ST SESSION

S. 2044

To amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 31, 2017

Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. REED, Ms. HIRONO, Mr. MARKEY, Mr. DURBIN, Mrs. GILLIBRAND, Ms. BALDWIN, Mrs. MURRAY, Ms. WARREN, Ms. DUCKWORTH, Mr. BROWN, Mrs. SHAHEEN, Ms. HARRIS, Mr. BOOKER, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

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 “Lori Jackson Domestic
5 Violence Survivor Protection Act”.

1 **SEC. 2. DEFINITIONS OF “INTIMATE PARTNER” AND “MIS-**
 2 **DEMEANOR CRIME OF DOMESTIC VIOLENCE”**
 3 **EXPANDED.**

4 Section 921(a) of title 18, United States Code, is
 5 amended—

6 (1) in paragraph (32)—

7 (A) by striking “and an individual” and in-
 8 serting “an individual”; and

9 (B) by inserting “, or a dating partner (as
 10 defined in section 2266) or former dating part-
 11 ner” before the period at the end; and

12 (2) in paragraph (33)(A)(ii)—

13 (A) by striking “or by” and inserting
 14 “by”; and

15 (B) by inserting “, or by a dating partner
 16 (as defined in section 2266) or former dating
 17 partner of the victim” before the period at the
 18 end.

19 **SEC. 3. UNLAWFUL SALE OF FIREARM TO A PERSON SUB-**
 20 **JECT TO COURT ORDER.**

21 Section 922(d)(8) of title 18, United States Code, is
 22 amended to read as follows:

23 “(8) is subject to a court order described in
 24 subsection (g)(8); or”.

1 **SEC. 4. LIST OF PERSONS SUBJECT TO A RESTRAINING OR**
 2 **SIMILAR ORDER PROHIBITED FROM POS-**
 3 **SESSING OR RECEIVING A FIREARM EX-**
 4 **PANDED.**

5 Section 922(g)(8) of title 18, United States Code, is
 6 amended—

7 (1) in the matter preceding subparagraph (A),
 8 by striking “that”;

9 (2) by striking subparagraphs (A) and (B) and
 10 inserting the following:

11 “(A)(i) that was issued after a hearing of
 12 which such person received actual notice, and at
 13 which such person had an opportunity to par-
 14 ticipate; or

15 “(ii) in the case of an ex parte order, relat-
 16 ing to which notice and opportunity to be heard
 17 are provided—

18 “(I) within the time required by
 19 State, tribal, or territorial law; and

20 “(II) in any event within a reasonable
 21 time after the order is issued, sufficient to
 22 protect the due process rights of the per-
 23 son;

24 “(B) that restrains such person from—

25 “(i) harassing, stalking, threatening,
 26 or engaging in other conduct that would

1 put an individual in reasonable fear of bod-
2 ily injury to such individual, including an
3 order that was issued at the request of an
4 employer on behalf of its employee or at
5 the request of an institution of higher edu-
6 cation on behalf of its student; or

7 “(ii) intimidating or dissuading a wit-
8 ness from testifying in court; and”; and

9 (3) in subparagraph (C)—

10 (A) by striking “intimate partner or child”
11 each place it appears and inserting “individual
12 described in subparagraph (B)”;

13 (B) in clause (i), by inserting “that” be-
14 fore “includes”; and

15 (C) in clause (ii), by inserting “that” be-
16 fore “by its”.

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