

116TH CONGRESS
2D SESSION

S. 4443

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

AUGUST 5, 2020

Mr. BLUMENTHAL (for himself, Mr. MURPHY, Ms. HASSAN, Mr. DURBIN, Mr. MARKEY, Ms. HARRIS, Mr. COONS, Mr. BOOKER, Ms. HIRONO, Ms. KLOBUCHAR, Ms. BALDWIN, Ms. WARREN, Mr. WYDEN, Mr. SANDERS, Mrs. MURRAY, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. CASEY, Mrs. FEINSTEIN, and Mr. MENENDEZ) 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), by striking all that fol-
 7 lows after “The term ‘intimate partner’” and insert-
 8 ing the following: “—

9 “(A) means, with respect to a person, the
 10 spouse of the person, a former spouse of the person,
 11 an individual who is a parent of a child of the per-
 12 son, and an individual who cohabitates or has
 13 cohabited with the person; and

14 “(B) includes—

15 “(i) a dating partner or former dating
 16 partner (as defined in section 2266); and

17 “(ii) any other person similarly situated to
 18 a spouse who is protected by the domestic or
 19 family violence laws of the State or tribal juris-
 20 diction in which the injury occurred or where
 21 the victim resides.”; and

22 (2) in paragraph (33)(A)—

23 (A) in clause (i), by inserting after “Fed-
 24 eral, State,” the following: “municipal,”; and

1 (B) in clause (ii), by inserting “dating
 2 partner (as defined in section 2266),” after
 3 “spouse,” each place it appears.

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

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

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

10 **SEC. 4. LIST OF PERSONS SUBJECT TO A RESTRAINING OR**
 11 **SIMILAR ORDER PROHIBITED FROM POS-**
 12 **SESSING OR RECEIVING A FIREARM EX-**
 13 **PANDED.**

14 Section 922(g)(8) of title 18, United States Code, is
 15 amended to read as follows:

16 “(8) who is subject to a court order—

17 “(A) that was issued—

18 “(i) after a hearing of which such per-
 19 son received actual notice, and at which
 20 such person had an opportunity to partici-
 21 pate; or

22 “(ii) in the case of an ex parte order,
 23 relative to which notice and opportunity to
 24 be heard are provided—

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

3 “(II) in any event within a rea-
4 sonable time after the order is issued,
5 sufficient to protect the due process
6 rights of the person;

7 “(B) that restrains such person from—

8 “(i) harassing, stalking, or threat-
9 ening an intimate partner of such person
10 or child of such intimate partner or person,
11 or engaging in other conduct that would
12 place an intimate partner in reasonable
13 fear of bodily injury to the partner or
14 child; or

15 “(ii) intimidating or dissuading a wit-
16 ness from testifying in court; and

17 “(C) that—

18 “(i) includes a finding that such per-
19 son represents a credible threat to the
20 physical safety of such individual described
21 in subparagraph (B); or

22 “(ii) by its terms explicitly prohibits
23 the use, attempted use, or threatened use
24 of physical force against such individual
25 described in subparagraph (B) that would

- 1 reasonably be expected to cause bodily in-
- 2 jury; or”.

