

114TH CONGRESS
2D SESSION

H. R. 4603

To prevent a person who has been convicted of a misdemeanor hate crime, or received an enhanced sentence for a misdemeanor because of hate or bias in its commission, from obtaining a firearm.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2016

Mr. CICILLINE (for himself, Mr. CONYERS, Mr. GUTIÉRREZ, Ms. JACKSON LEE, Mr. NADLER, Ms. KELLY of Illinois, Mr. VAN HOLLEN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Mrs. CAROLYN B. MALONEY of New York, Mr. DEUTCH, Mr. HONDA, Mr. HASTINGS, Mr. MEEKS, Mr. GRAYSON, Ms. LEE, Ms. LOFGREN, Mr. ENGEL, Mr. LOWENTHAL, Mr. CROWLEY, Mr. TAKANO, Mr. SEAN PATRICK MALONEY of New York, Mr. RANGEL, and Ms. JUDY CHU of California) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prevent a person who has been convicted of a misdemeanor hate crime, or received an enhanced sentence for a misdemeanor because of hate or bias in its commission, from obtaining a firearm.

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 “Hate Crimes Preven-
5 tion Act”.

1 **SEC. 2. PREVENTION OF PERSON WHO HAS BEEN CON-**
2 **VICTED OF A MISDEMEANOR HATE CRIME,**
3 **OR RECEIVED AN ENHANCED SENTENCE FOR**
4 **A MISDEMEANOR BECAUSE OF HATE OR BIAS**
5 **IN ITS COMMISSION, FROM OBTAINING A**
6 **FIREARM.**

7 (a) DEFINITIONS.—Section 921(a) of title 18, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

10 “(36) The term ‘misdemeanor hate crime’ means an
11 offense that—

12 “(A) is a misdemeanor under Federal, State, or
13 tribal law; and

14 “(B) has, as an element, that the conduct of
15 the offender was motivated by hate or bias because
16 of the actual or perceived race, color, religion, na-
17 tional origin, gender, sexual orientation, gender iden-
18 tity (as defined in section 249(c)(4)), or disability of
19 any person.

20 “(37) The term ‘enhanced hate crime misdemeanor
21 sentence’ means a sentence imposed for a misdemeanor,
22 based, in whole or in part, on a judicial finding that the
23 conduct of the offender was motivated, in whole or in part,
24 by hate or bias for any reason referred to in paragraph
25 (36).”.

1 (b) PROHIBITION ON SALE OR OTHER DISPOSITION
2 OF FIREARM.—Section 922(d) of such title is amended in
3 the 1st sentence—

4 (1) in paragraph (8), by striking “or” at the
5 end;

6 (2) in paragraph (9), by striking the period and
7 inserting “; or”; and

8 (3) by adding at the end the following:

9 “(10) has been convicted in any court of a mis-
10 demeanor hate crime, or has received from any court
11 an enhanced hate crime misdemeanor sentence.”.

12 (c) PROHIBITION ON POSSESSION, SHIPMENT, OR
13 TRANSPORT OF FIREARM.—Section 922(g) of such title
14 is amended—

15 (1) in paragraph (8), by striking “or” at the
16 end;

17 (2) in paragraph (9), by striking the comma
18 and inserting “; or”; and

19 (3) by inserting after paragraph (9) the fol-
20 lowing:

21 “(10) who has been convicted in any court of
22 a misdemeanor hate crime, or has received from any
23 court an enhanced hate crime misdemeanor sen-
24 tence,”.