

114TH CONGRESS
1ST SESSION

H. R. 1254

To amend chapter 44 of title 18, United States Code, to clarify the circumstances under which the enhanced penalty provisions for subsequent convictions apply.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2015

Mr. SCOTT of Virginia introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend chapter 44 of title 18, United States Code, to clarify the circumstances under which the enhanced penalty provisions for subsequent convictions apply.

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 “Recidivism Clarifica-
5 tion Act of 2015”.

6 **SEC. 2. AMENDMENTS TO ENHANCED PENALTIES PROVI-**
7 **SIONS.**

8 (a) IN GENERAL.—Section 924(c) of title 18, United
9 States Code, is amended—

1 (1) in paragraph (1)—

2 (A) in subparagraph (A), by striking “Ex-
3 cept to the extent that a greater minimum sen-
4 tence is otherwise provided by this subsection or
5 by any other provision of law, any” and insert-
6 ing “Any”;

7 (B) in each of subparagraphs (A) through
8 (C), by striking “less” each place it appears
9 and inserting “more”; and

10 (C) in subparagraph (C)—

11 (i) by striking “In the case of a sec-
12 ond or subsequent conviction under this
13 subsection” and inserting “If a person is
14 convicted under this subsection after a
15 prior conviction under this subsection has
16 become final”; and

17 (ii) in clause (ii), by striking “impris-
18 onment” and inserting “a term of impris-
19 onment for any term of years or”;

20 (2) in paragraph (5)—

21 (A) in subparagraph (A), by striking
22 “less” and inserting “more”; and

23 (B) in subparagraph (B)(i), by striking
24 “punished by death or”; and

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

1 “(6) The provisions of section 411 of the Con-
2 trolled Substances Act (21 U.S.C. 851), other than
3 subsections (a)(2) and (e) of such section, as in ef-
4 fect on the date of the enactment of this paragraph,
5 shall apply to sentencing for convictions under this
6 subsection in the same manner in which such provi-
7 sions apply to sentencing for offenses under part D
8 of title II of such Act.”.

9 (b) APPLICABILITY.—The amendments made by sub-
10 section (a) shall apply with respect to conduct engaged
11 in, and sentences imposed before, on, or after the date
12 of the enactment of this Act.

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