

108TH CONGRESS
1ST SESSION

H. R. 352

To amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes of violence against children under age 13.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2003

Mr. CUNNINGHAM (for himself, Mr. FOLEY, Mr. BAKER, Mr. DAVIS of Alabama, and Mr. JONES of North Carolina) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes of violence against children under age 13.

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 “Matthew’s Law”.

5 **SEC. 2. ENHANCED PENALTIES FOR CRIMES OF VIOLENCE**

6 **AGAINST CHILDREN UNDER AGE 13.**

7 (a) IN GENERAL.—Title XVII of the Violent Crime
8 Control and Law Enforcement Act of 1994 is amended
9 by adding at the end the following:

1 **“Subtitle C—Enhanced Penalties**
2 **for Crimes of Violence Against**
3 **Children Under Age 13**

4 **“SEC. 170301. ENHANCED PENALTIES FOR CRIMES OF VIO-**
5 **LENCE AGAINST CHILDREN UNDER AGE 13.**

6 “(a) IN GENERAL.—The United States Sentencing
7 Commission shall amend the Federal sentencing guidelines
8 to provide a sentencing enhancement of not less than 5
9 levels above the offense level otherwise provided for a
10 crime of violence, if the crime of violence is against a child.

11 “(b) DEFINITIONS.—In this section—

12 “(1) the term ‘crime of violence’ means any
13 crime punishable by imprisonment for a term ex-
14 ceeding one year that has as an element the use, at-
15 tempted use, or threatened use of physical force
16 against the person of another; and

17 “(2) the term ‘child’ means a person who has
18 not attained 13 years of age at the time of the of-
19 fense.”.

20 (b) CONFORMING REPEAL.—Section 240002 of such
21 Act (28 U.S.C. 994 note) is repealed.

22 (c) CLERICAL AMENDMENT.—The table of contents
23 of such Act is amended by striking the item relating to
24 subtitle C of title XVII and the items relating to sections
25 170301 through 170303 and inserting the following:

“Subtitle C—Enhanced Penalties for Crimes of Violence Against Children Under Age 13

“Sec. 170301. Enhanced penalties for crimes of violence against children under age 13.”.

1 **SEC. 3. FEDERAL BUREAU OF INVESTIGATION ASSISTANCE**
2 **AVAILABLE TO STATE OR LOCAL LAW AU-**
3 **THORITIES IN INVESTIGATING POSSIBLE**
4 **HOMICIDES OF CHILDREN UNDER THE AGE**
5 **OF 13.**

6 To the maximum extent practicable, the Federal Bu-
7 reau of Investigation may provide to State and local law
8 enforcement authorities such assistance as such authori-
9 ties may require in investigating the death of an individual
10 who has not attained 13 years of age under circumstances
11 indicating that the death may have been a homicide.

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