

114TH CONGRESS
1ST SESSION

H. R. 2120

To encourage States to expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2015

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To encourage States to expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses.

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 “Nicole’s Law of 2015”.

5 **SEC. 2. PROTECTION FOR VICTIMS OF SEX OFFENSES.**

6 (a) IN GENERAL.—For each fiscal year beginning
7 after the expiration of the period specified in subsection

8 (b)(1) in which a State receives funds under the subpart

1 referred to in subsection (b)(2), the State shall have in
2 effect throughout the State laws and policies that ensure
3 that, with respect to criminal cases involving sex offenses
4 (as defined by the State), protections similar to those of-
5 fered to victims of domestic violence are extended to vic-
6 tims of sex offenses who are not in a familiar or dating
7 relationship with the perpetrators of such offenses. To
8 demonstrate compliance with the preceding sentence, a
9 State shall have in effect laws and policies that—

10 (1) expressly authorize judges and courts to
11 issue, as a condition of bail, protection orders that
12 prohibit a defendant charged with a sex offense from
13 having any contact with the victim or with the vic-
14 tim’s friends, co-workers, or relatives;

15 (2) permit judges and courts, after finding a
16 defendant guilty of a sex offense, to order a continu-
17 ation of a protection order described in paragraph
18 (1), or to otherwise restrict a defendant’s contact
19 with the victim, as a condition of bail, parole, proba-
20 tion, or other supervised release; and

21 (3) provide judges and courts with the author-
22 ity to grant or extend a protection order until fur-
23 ther order of a judge or court, as an alternative to
24 issuing protection orders that expire on a specific

1 date or upon termination of a sentence or period of
2 supervised release.

3 (b) COMPLIANCE AND INELIGIBILITY.—

4 (1) COMPLIANCE DATE.—Each State shall have
5 not more than one year from the date of enactment
6 of this Act in which to fully implement this section,
7 except that the Attorney General may grant an addi-
8 tional one year to a State that is making good faith
9 efforts to implement this section.

10 (2) INELIGIBILITY FOR FUNDS.—For any fiscal
11 year after the expiration of the period specified in
12 paragraph (1), a State that fails to fully implement
13 this section, as determined by the Attorney General,
14 shall not receive 10 percent of the funds that would
15 otherwise be allocated for that fiscal year to the
16 State under subpart 1 of part E of title I of the Om-
17 nibus Crime Control and Safe Streets Act of 1968
18 (42 U.S.C. 3750 et seq.).

19 (c) REALLOCATION.—Amounts not allocated under
20 the subpart referred to in subsection (b)(2) to a State for
21 failure to fully implement this section shall be reallocated
22 under that subpart to States that have not failed to fully
23 implement this section.

24 (d) DEFINITION OF STATE.—In this section, The
25 term “State” includes each of the several States, the Dis-

- 1 District of Columbia, and any commonwealth, territory, or
- 2 possession of the United States.

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