

118TH CONGRESS
1ST SESSION

H. R. 4880

To waive sovereign immunity in certain circumstances where jurisdictions prohibit monetary bail.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2023

Ms. MALLIOTAKIS introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To waive sovereign immunity in certain circumstances where jurisdictions prohibit monetary bail.

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 “Protecting All Commu-
5 nities Equally Act of 2023” or as the “PACE Act of
6 2023”.

1 **SEC. 2. REQUIREMENT OF AVAILABILITY OF CASH BAIL**
2 **FOR CERTAIN OFFENDERS.**

3 If monetary bail has been prohibited in a State or
4 any political subdivision thereof, the courts of that State
5 shall have the authority—

6 (1) to determine the dangerousness of individ-
7 uals before the courts on criminal charges; and

8 (2) to hold on bail individuals who are deter-
9 mined to be violent and/or repeat offenders.

10 **SEC. 3. WAIVER OF SOVEREIGN IMMUNITY.**

11 A State or political subdivision thereof that has a pro-
12 hibition on monetary bail waives sovereign immunity with
13 respect to a cause of action against the local government
14 by an individual for property damages or damages for per-
15 sonal injuries as a result of a dangerous criminal being
16 released without monetary bail.

17 **SEC. 4. EFFECTIVE DATE.**

18 This Act shall take effect beginning on the date that
19 is 30 days after the date of enactment of this Act.

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