

116TH CONGRESS  
2D SESSION

# H. R. 7506

To provide a civil remedy for individuals harmed in lawless jurisdictions,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2020

Mr. BUDD (for himself and Mr. ROY) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide a civil remedy for individuals harmed in lawless  
jurisdictions, and for other purposes.

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 “Justice for Victims  
5 of Lawless Cities Act of 2020”.

6 **SEC. 2. DEFINITION.**

7 In this Act, the term “lawless jurisdiction” means a  
8 designated area in a State or political subdivision of a

1 State, which State or political subdivision has a statute,  
2 ordinance, policy, or practice in effect that, despite ongoing  
3 danger to individuals or property, allows any entity  
4 or official of the State or political subdivision of the State  
5 to, in such designated area, purposefully—

6 (1) refuse to provide police, fire, or emergency  
7 medical services to 1 or more individuals in the  
8 State or political subdivision of the State; or

9 (2) abdicate the reserved powers of the State or  
10 political subdivision of the State, to be performed by  
11 non-governmental actors in a manner that is detrimental  
12 to the health, safety, and welfare of the citizens  
13 of the State or political subdivision of the  
14 State.

15 **SEC. 3. CIVIL ACTION FOR HARM IN A LAWLESS JURISDICTION.**  
16 **TION.**

17 (a) PRIVATE RIGHT OF ACTION.—

18 (1) CAUSE OF ACTION.—Any individual, or a  
19 spouse, parent, or child of such individual (if the individual  
20 is deceased or permanently incapacitated),  
21 who is the victim of a murder, rape, or any felony  
22 (as defined by the State) which occurred in a lawless  
23 jurisdiction may bring an action for compensatory  
24 damages against a State or a political subdivision of  
25 a State in the appropriate Federal or State court.

1           (2) BURDEN OF PROOF.—In an action under  
2 paragraph (1), the court shall find in favor of the  
3 plaintiff if the plaintiff shows by a preponderance of  
4 the evidence that the harm described in paragraph  
5 (1) occurred in a lawless jurisdiction located in the  
6 State or political subdivision of a State.

7           (3) STATUTE OF LIMITATIONS.—An action  
8 brought under this subsection may not be brought  
9 later than 10 years after the occurrence of the  
10 crime, or death of a person as a result of such  
11 crime, whichever occurs later.

12           (4) ATTORNEY'S FEE AND OTHER COSTS.—In  
13 any action or proceeding under this subsection the  
14 court shall allow a prevailing plaintiff a reasonable  
15 attorney's fee as part of the costs, and include ex-  
16 pert fees as part of the attorney's fee.

17           (5) RULE OF CONSTRUCTION.—In the case of  
18 an entity that is harmed as a result of a felony (as  
19 defined by the State) which occurred in a lawless ju-  
20 risdiction, the owner of the entity may bring an ac-  
21 tion under paragraph (1).

22           (b) WAIVER OF IMMUNITY.—

23           (1) IN GENERAL.—Any State or political sub-  
24 division of a State that accepts a grant described in  
25 paragraph (2) from the Federal Government shall

1 agree, as a condition of receiving such grant, to  
2 waive any immunity of such State or political sub-  
3 division relating to a civil action described in sub-  
4 section (a).

5 (2) GRANTS DESCRIBED.—The grants described  
6 in this paragraph are—

7 (A) a grant for public works and economic  
8 development under section 201(a) of the Public  
9 Works and Economic Development Act of 1965  
10 (42 U.S.C. 3141(a));

11 (B) a grant for planning and administra-  
12 tive expenses under section 203(a) of such Act  
13 (42 U.S.C. 3143(a));

14 (C) a supplemental grant under section  
15 205(b) of such Act (42 U.S.C. 3145(b));

16 (D) a grant for training, research, and  
17 technical assistance under section 207(a) of  
18 such Act (42 U.S.C. 3147(a)); and

19 (E) except as provided in paragraph (3), a  
20 community development block grant made pur-  
21 suant to title I of the Housing and Community  
22 Development Act of 1974 (42 U.S.C. 5301 et  
23 seq.).

24 (3) EXCEPTION.—Grants described in para-  
25 graph (2)(E) shall not include any disaster relief

1 grants to address the damage in an area for which  
2 the President has declared a disaster under title IV  
3 of the Robert T. Stafford Disaster Relief and Emer-  
4 gency Assistance Act (42 U.S.C. 5170 et seq.).

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