

117TH CONGRESS
2D SESSION

H. R. 7928

To encourage States to voluntarily pass laws to authorize civil damages and equitable relief for nonconsensual sexual protection barrier removal, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 31, 2022

Mrs. TORRES of California (for herself, Mrs. CAROLYN B. MALONEY of New York, Mr. KHANNA, Ms. ADAMS, Ms. BARRAGÁN, Ms. BASS, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BROWN of Maryland, Mr. CARSON, Mr. CARTER of Louisiana, Mr. CASTEN, Mrs. CHERFILUS-McCORMICK, Ms. CHU, Ms. CLARKE of New York, Mr. DANNY K. DAVIS of Illinois, Mr. GARCIA of California, Mr. GRIJALVA, Ms. KUSTER, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LIEU, Mr. LYNCH, Ms. MENG, Ms. MOORE of Wisconsin, Ms. NEWMAN, Ms. NORTON, Ms. PORTER, Ms. SCHAKOWSKY, Ms. STANSBURY, Mr. TAKANO, Ms. TLAIB, Mr. TRONE, Ms. VELÁZQUEZ, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To encourage States to voluntarily pass laws to authorize civil damages and equitable relief for nonconsensual sexual protection barrier removal, 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 “Consent is Key Act”.

1 **SEC. 2. INCREASED FUNDING FOR FORMULA GRANTS AU-**
2 **THORIZED.**

3 The Attorney General shall increase the amount pro-
4 vided to a State under the covered formula grant if the
5 State has in effect a law that authorizes a civil action,
6 for damages and such equitable relief as may be appro-
7 priate, against a person who engages in nonconsensual
8 sexual protection barrier removal.

9 **SEC. 3. APPLICATION.**

10 A State seeking an increase in the amount provided
11 to the State under the covered formula grant shall include
12 in the application of the State for each covered formula
13 grant such information as the Attorney General may rea-
14 sonably require, including information about the law de-
15 scribed in section 2.

16 **SEC. 4. GRANT INCREASE.**

17 The amount of the increase provided to a State under
18 the covered formula grant shall be equal to not more than
19 20 percent of the average of the total amount of funding
20 provided to the State under the covered formula grant
21 under the 3 most recent awards to the State.

22 **SEC. 5. PERIOD OF INCREASE.**

23 (a) IN GENERAL.—The Attorney General shall pro-
24 vide an increase in the amount provided to a State under
25 the covered formula grant for a 4-year period.

1 (b) LIMIT.—The Attorney General may not provide
2 an increase in the amount provided to a State under the
3 covered formula grant more than 4 times.

4 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

5 There is authorized to be appropriated to carry out
6 this Act \$5,000,000 for each of fiscal years 2023 through
7 2027.

8 **SEC. 7. DEFINITIONS.**

9 In this Act:

10 (1) COVERED FORMULA GRANT.—The term
11 “covered formula grant” means a grant under sec-
12 tion 41601 of the Violence Against Women Act of
13 1994 (34 U.S.C. 12511 et seq.) (commonly referred
14 to as the “Sexual Assault Services Program”).

15 (2) NONCONSENSUAL SEXUAL PROTECTION
16 BARRIER REMOVAL.—The term “nonconsensual sex-
17 ual protection barrier removal” means removal of a
18 sexual protection barrier from a body part, including
19 the genitals, or an object being used by a person for
20 sexual contact with another person without the con-
21 sent of each person involved in such sexual contact,
22 causing sexual contact between the body parts, in-
23 cluding the genitals, or objects being used for sexual
24 contact, and the body of any person engaged in such
25 sexual contact.

1 (3) SEXUAL PROTECTION BARRIER.—The term
2 “sexual protection barrier” may include a condom,
3 including an internal condom, a dental dam, or any
4 other barrier against sexual fluids during sexual con-
5 tact.

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