

113TH CONGRESS  
1ST SESSION

# H. R. 1914

To ban guns for persons who have been convicted of stalking or who are subject to a court order restraining the person from stalking.

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IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2013

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

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## A BILL

To ban guns for persons who have been convicted of stalking or who are subject to a court order restraining the person from stalking.

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 “Preventing Victims of  
5 Stalking Act of 2013”.

6 **SEC. 2. PROHIBITIONS.**

7 (a) SALES OR OTHER DISPOSITIONS OF FIREARMS  
8 OR AMMUNITION.—Section 922(d) of title 18, United  
9 States Code, is amended in the 1st sentence, by striking  
10 paragraphs (8) and (9) and inserting the following:

1           “(8) is subject to a court order that restrains  
2           the person from harassing, stalking, or threatening  
3           an individual or engaging in other conduct that  
4           would place an individual in reasonable fear of bod-  
5           ily injury, except that this paragraph shall only  
6           apply to a court order that—

7                   “(A) was issued after a hearing of which  
8                   the person received actual notice, and at which  
9                   the person had the opportunity to participate;  
10                  and

11                   “(B)(i) includes a finding that the person  
12                   represents a credible threat to the physical safe-  
13                   ty of the individual; or

14                   “(ii) by its terms explicitly prohibits the  
15                   use, attempted use, or threatened use of phys-  
16                   ical force against the individual that would rea-  
17                   sonably be expected to cause bodily injury; or

18                   “(9) has been convicted in any court of a mis-  
19                   demeanor crime of domestic violence or of stalking  
20                   (as defined under State law).”.

21           (b) POSSESSION, ETC., OF FIREARMS OR AMMUNI-  
22           TION.—Section 922(g) of such title is amended by striking  
23           paragraphs (8) and (9) and inserting the following::

24                   “(8) who is subject to a court order that—

1           “(A) was issued after a hearing of which  
2           the person received actual notice, and at which  
3           the person had an opportunity to participate;

4           “(B) restrains the person from harassing,  
5           stalking, or threatening an individual or engag-  
6           ing in other conduct that would place an indi-  
7           vidual in reasonable fear of bodily injury; and

8           “(C)(i) includes a finding that the person  
9           represents a credible threat to the physical safe-  
10          ty of the individual; or

11          “(ii) by its terms explicitly prohibits the  
12          use, attempted use, or threatened use of phys-  
13          ical force against the individual that would rea-  
14          sonably be expected to cause bodily injury; or

15          “(9) who has been convicted in any court of a  
16          misdemeanor crime of domestic violence or of stalk-  
17          ing (as defined under State law),”.

18          (c) EFFECTIVE DATE.—The amendments made by  
19          this section shall apply to conduct engaged after the 90-  
20          day period that begins with the date of the enactment of  
21          this Act.

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