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(Original Signature of Member)

110TH CONGRESS
1ST SESSION

H. R.

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to require States who wish to receive funds under the Act to increase the penalty applied to a defendant convicted of a violent crime who placed a video of the commission of that crime on the Internet.

IN THE HOUSE OF REPRESENTATIVES

Mr. MARIO DIAZ-BALART of Florida introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to require States who wish to receive funds under the Act to increase the penalty applied to a defendant convicted of a violent crime who placed a video of the commission of that crime on the Internet.

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 “Web Video Violence
5 Act”.

1 **SEC. 2. CONDITIONING FUNDING ON STATE CERTIFI-**
2 **CATION OF INCREASED PENALTIES FOR VIO-**
3 **LENT CRIMINALS WHO PLACE VIDEO OF**
4 **CRIME ON INTERNET.**

5 (a) CERTIFICATION OF INCREASED PENALTY.—Sec-
6 tion 502 of the Omnibus Crime Control and Safe Streets
7 Act of 1968 (42 U.S.C. 3752) is amended by adding at
8 the end the following new paragraph:

9 “(6) At the option of the State, a certification
10 that the laws or official policies of the State require
11 that when a criminal defendant is being sentenced,
12 a graduated sanction (in the case of a juvenile de-
13 fendant) or an increased penalty (in the case of an
14 adult defendant) is applied—

15 “(A) if the defendant is convicted of a vio-
16 lent crime against the person of another; and

17 “(B) if the defendant is found to have
18 placed, or directed another to have placed, a
19 video or image of the commission of such crime
20 on the Internet.”.

21 (b) REDUCTION IN GRANT FUNDING FOR NON-CER-
22 TIFYING STATES.—Section 505(a) of the Omnibus Crime
23 Control and Safe Streets Act of 1968 (42 U.S.C. 3755(a))
24 is amended by adding at the end the following new para-
25 graph—

1 “(3) SPECIAL RULE FOR NON-CERTIFYING
2 STATES.—If a State opts not to certify that it has
3 increased penalties for certain violent criminals as
4 specified under section 502(6), the Attorney General
5 shall reduce the total amount of funding that would
6 otherwise be allocated to that State—

7 “(A) by 10% in the first fiscal year in
8 which the certification is lacking; and

9 “(B) by an additional 5% for each subse-
10 quent fiscal year in which the certification is
11 lacking.”.

12 **SEC. 3. EFFECTIVE DATE.**

13 The amendments made by section 2 shall apply to
14 fiscal years beginning with the next fiscal year that begins
15 1 year after the date of enactment of this Act.