

109TH CONGRESS
2^D SESSION

H. R. 6411

To amend title 18, United States Code, to provide penalties with respect to employers' conduct relating to persons engaging in sexual conduct with children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2006

Mr. FITZPATRICK of Pennsylvania introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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

A BILL

To amend title 18, United States Code, to provide penalties with respect to employers' conduct relating to persons engaging in sexual conduct with children, 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 "Jeremy Bell Act of
5 2006".

1 **SEC. 2. OFFENSE.**

2 (a) IN GENERAL.—Chapter 98 of title 18, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 1822. Transfers for employment of individuals en-**
6 **gaging in child sex acts**

7 “(a) PROHIBITION ON THE INTERSTATE TRANSFER
8 OF CHILD SEX OFFENDERS.—Whoever, being an em-
9 ployer, directs, causes, persuades, induces, or entices the
10 travel in interstate commerce of an employee in one State
11 with the purpose or effect of facilitating the employment
12 of such employee in another State, if the employer knows
13 that such employee engaged in a sexual conduct with an
14 individual who has not attained the age of 18 years, shall
15 be fined under this title or imprisoned not more than 5
16 years, or both.

17 “(b) DEFINITIONS.—As used in this section—

18 “(1) the term ‘sexual conduct’ means any sex-
19 ual conduct, unless the employee was convicted of a
20 crime for that conduct and has satisfied the terms
21 and conditions imposed as a result of that convic-
22 tion, if the conduct—

23 “(A) is a sexual act or sexual contact as
24 those terms are defined in section 2246;

25 “(B) occurred during the course of employ-
26 ment; and

1 “(C) would constitute a felony violation of
2 the criminal law applicable where it took place;
3 and

4 “(2) the term ‘State’ includes the District of
5 Columbia and any other territory or possession of
6 the United States.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
8 for chapter 98 of title 18, United States Code, is amended
9 by adding after the item relating to section 1821 the fol-
10 lowing new item:

 “1822. Transfers for employment of individuals engaging in child sex acts.”.

11 **SEC. 3. SCHOOLS REQUIRED TO CARRY OUT BACKGROUND**
12 **CHECKS ON ALL EMPLOYEES.**

13 The Elementary and Secondary Education Act of
14 1965 is amended as follows:

15 (1) Subpart 2 of part E of title IX is amended
16 by adding at the end the following:

17 **“SEC. 9537. BACKGROUND CHECKS ON ALL EMPLOYEES.**

18 “A private or public elementary school, a private or
19 public secondary school, a local educational agency, or
20 State educational agency may receive funds under this Act
21 for a fiscal year only if the school or agency has in effect
22 a policy that ensures that every individual employed by
23 the school or agency has undergone a fingerprint-based
24 check of the national crime information databases (as de-
25 scribed in subsection (b) of section 153 of the Adam Walsh

1 Child Protection and Safety Act of 2006 (42 U.S.C.
2 16962)) and, where possible, a fingerprint-based check of
3 State criminal history databases (as described in sub-
4 section (c) of such section).”.

5 (2) The table of contents at the beginning of
6 such Act is amended by adding after the item relat-
7 ing to section 9536 the following new item:

“9537. Background checks on all employees.”.

