

104TH CONGRESS
2D SESSION

H. R. 4181

To provide for increased mandatory minimum sentences for criminals possessing firearms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1996

Mrs. MYRICK introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for increased mandatory minimum sentences for criminals possessing firearms, 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. INCREASED MANDATORY MINIMUM SEN-**
4 **TENCES FOR CRIMINALS POSSESSING FIRE-**
5 **ARMS.**

6 Section 924(c)(1) of title 18, United States Code, is
7 amended to read as follows:

8 “(c)(1)(A) Except to the extent a greater minimum
9 sentence is otherwise provided by any other provision of
10 this subsection or any other law, a person who, during

1 and in relation to any crime of violence or drug trafficking
2 crime (including a crime of violence or drug trafficking
3 crime which provides for an enhanced punishment if com-
4 mitted by the use of a deadly or dangerous weapon or de-
5 vice) for which a person may be prosecuted in a court of
6 the United States, possesses a firearm shall, in addition
7 to the punishment provided for such crime of violence or
8 drug trafficking crime—

9 “(i) be punished by imprisonment for not less
10 than 10 years;

11 “(ii) if the firearm is discharged, be punished
12 by imprisonment for not less than 20 years; and

13 “(iii) if the death of a person results, be pun-
14 ished by the death penalty or by imprisonment for
15 not less than life.

16 “(B) If the firearm possessed by a person convicted
17 under this subsection is a machinegun or a destructive de-
18 vice, or is equipped with a firearm silencer or firearm muf-
19 fler, such person shall be sentenced to imprisonment for
20 not less than 30 years.

21 “(C) In the case of a second or subsequent conviction
22 under this subsection, such person shall be sentenced to
23 imprisonment for not less than 25 years, and if the fire-
24 arm is a machinegun or a destructive device, or is

1 equipped with a firearm silencer or firearm muffler, to life
2 imprisonment without release.

3 “(D) Notwithstanding any other provision of law, the
4 court shall not place on probation or suspend the sentence
5 of any person convicted of a violation of this subsection,
6 nor shall the term of imprisonment imposed under this
7 subsection run concurrently with any other term of impris-
8 onment including that imposed for the crime of violence
9 or drug trafficking crime in which the firearm was pos-
10 sessed.”.

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