

Aimee's Law

(a) SHORT TITLE

This section may be titled as "Aimee's Law."

(b) DEFINITIONS

- (1) DANGEROUS SEXUAL OFFENSE. The term "dangerous sexual offense" means any offense under State law for conduct that would constitute an offense under chapter 109A of Title 18 had the conduct occurred in the special maritime and territorial jurisdiction of the United States or in a Federal prison.
- (2) MURDER. The term "murder" has the meaning given the term in part I of the Uniform Crime Reports of the Federal Bureau of Investigation.
- (3) RAPE. The term "rape" has the meaning given the term in part I of the Uniform Crime Reports of the Federal Bureau of Investigation.

(c) PENALTY

- (1) SINGLE STATE. Pursuant to regulations promulgated by the Attorney General hereunder, in any case in which a criminal-records-reporting State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any one of those offenses in a State described in paragraph (3), it may, under subsection (d) of this section, apply to the Attorney General for \$10,000, for its related apprehension and prosecution costs, and \$22,500 per year (up to a maximum of 5 years), for its related incarceration costs with both amounts for costs adjusted annually for the rate of inflation.
- (2) MULTIPLE STATES. Pursuant to regulations promulgated by the Attorney General hereunder, in any case in which a criminal-records-reporting State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any one or more of those offenses in more than one other State described in paragraph (3), it may, under subsection (d) of this section, apply to the Attorney General for \$10,000, for its related apprehension and prosecution costs, and \$22,500 per year (up to a maximum of 5 years), for its related incarceration costs with both amounts for costs adjusted annually for the rate of inflation.

(3) STATE DESCRIBED. Pursuant to regulations promulgated by the Attorney General hereunder, a State is described in this paragraph unless—

(A) the term of imprisonment imposed by the State on the individual described in paragraph (1) or (2), as applicable, was not less than the average term of imprisonment imposed for that offense in all States; or

(B) with respect to the individual described in paragraph (1) or (2), as applicable, the individual had served not less than 85 percent of the term of imprisonment to which that individual was sentenced for the prior offense.

For purposes of subparagraph (B), in a State that has indeterminate sentencing, the term of imprisonment to which that individual was sentenced for the prior offense shall be based on the lower of the range of sentences.

(d) STATE APPLICATIONS

In order to receive an amount under subsection (c) of this section, the chief executive of a State shall submit to the Attorney General an application, in such form and containing such information as the Attorney General may reasonably require, which shall include a certification that the State has convicted an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for one of those offenses in another State.

(e) SOURCE OF FUNDS

(1) IN GENERAL. Pursuant to regulations promulgated by the Attorney General hereunder, any amount under subsection (c) of this section shall be derived by reducing the amount of Federal law enforcement assistance funds received by the State pursuant to section 3756 of this title that convicted such individual of the prior offense before the distribution of funds to the State. No amount described under this section shall be subject to section 3335(b) or 6503(d) of Title 31.

(2) PAYMENT SCHEDULE. The Attorney General, in consultation with the chief executive of the State that convicted such individual of the prior offense shall establish a payment schedule.

(f) CONSTRUCTION

Nothing in this section may be construed to diminish or otherwise affect any court ordered restitution.

(g) EXCEPTION

Pursuant to regulations promulgated by the Attorney General hereunder, this section does not apply if the individual convicted of murder, rape, or a dangerous sexual offense has been released from prison upon the reversal of a conviction for an offense described in subsection (c) of this section and subsequently been convicted for an offense described in subsection (c) of this section

(h) REPORT

The Attorney General shall—

- (1) conduct a study evaluating the implementation of this section; and
- (2) not later than October 1, 2006, submit to Congress a report on the results of that study.

(i) COLLECTION OF RECIDIVISM DATA

- (1) IN GENERAL. Beginning with calendar year 2002, and each calendar year thereafter, the Attorney General shall collect and maintain information relating to, with respect to each state (where practicable)—
 - (A) the number of convictions during that calendar year for—
 - i. any dangerous sexual offense;
 - ii. rape; and
 - iii. murder; and
 - (B) the number of convictions described in subparagraph (A) that constitute second or subsequent convictions of the defendant of an offense described in that subparagraph.
- (2) REPORT. The Attorney General shall submit to Congress—
 - (A) a report, by not later than 6 months after the date of enactment of this Act, that provides national estimates of the nature and extent of recidivism (with an emphasis on interstate recidivism) by State inmates convicted of murder, rape, and dangerous sexual offenses.
 - (B) a report, by not later than October 1, 2007, and October 1 of each year thereafter, that provides statistical analysis and criminal history profiles of interstate recidivists identified in any State applications under this section; and

(C) reports, at regular intervals not to exceed every five years, that include the information described in paragraph (1).

(j) EFFECTIVE DATE

This section shall take effect on January 1, 2002.