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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R.

To amend title 18, United States Code, to provide a penalty for assault against journalists, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SWALWELL of California introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 18, United States Code, to provide a penalty for assault against journalists, 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 “Journalist Protection
5 Act”.

6 **SEC. 2. ASSAULT AGAINST JOURNALISTS.**

7 (a) IN GENERAL.—Chapter 7 of title 18, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

1 **“§ 120. Assault against journalists**

2 “(a) DEFINITIONS.—In this section:

3 “(1) BODILY INJURY; SERIOUS BODILY IN-
4 JURY.—The terms ‘bodily injury’ and ‘serious bodily
5 injury’ have the meanings given those terms in sec-
6 tion 1365(h).

7 “(2) JOURNALIST.—The term ‘journalist’
8 means an individual who—

9 “(A) is an employee, independent con-
10 tractor, or agent of an entity or service that
11 disseminates news or information—

12 “(i) by means of a newspaper, nonfie-
13 tion book, wire service, news agency, news
14 website, mobile application or other news
15 or information service (whether distributed
16 digitally or otherwise), news program,
17 magazine, or other periodical (whether in
18 print, electronic, or other format); or

19 “(ii) through a television broadcast,
20 radio broadcast, multichannel video pro-
21 gramming distributor (as defined in section
22 602 of the Communications Act of 1934
23 (47 U.S.C. 522)), or motion picture for
24 public showing; and

25 “(B) engages in newsgathering with the
26 primary intent to investigate an event or pro-

1 cure material in order to disseminate to the
2 public news or information concerning a local,
3 national, or international event or other matter
4 of public interest.

5 “(3) NEWSGATHERING.—The term
6 ‘newsgathering’ means engaging in regular gath-
7 ering, preparation, collection, photographing, record-
8 ing, writing, editing, reporting, or publishing con-
9 cerning a local, national, or international event or
10 other matter of public interest.

11 “(b) PROHIBITED CONDUCT.—Whoever, in or affect-
12 ing interstate or foreign commerce, intentionally commits,
13 or attempts to commit—

14 “(1) an act described in subsection (c) shall be
15 fined under this title or imprisoned not more than
16 3 years, or both; or

17 “(2) an act described in subsection (d) shall be
18 fined under this title or imprisoned not more than
19 6 years, or both.

20 “(c) BODILY INJURY TO A JOURNALIST.—An act de-
21 scribed in this subsection is an act—

22 “(1) that causes bodily injury to an individual
23 who is a journalist;

24 “(2) committed with knowledge or reason to
25 know the individual is a journalist; and

1 “(3) committed—

2 “(A) while the journalist is taking part in
3 newsgathering; or

4 “(B) with the intention of intimidating or
5 impeding newsgathering by the journalist.

6 “(d) **SERIOUS BODILY INJURY TO A JOURNALIST.**—

7 An act described in this subsection is an act—

8 “(1) that causes serious bodily injury to an in-
9 dividual who is a journalist;

10 “(2) committed with knowledge or reason to
11 know the individual is a journalist; and

12 “(3) committed—

13 “(A) while the journalist is taking part in
14 newsgathering; or

15 “(B) with the intention of intimidating or
16 impeding newsgathering by the journalist.”.

17 (b) **CLERICAL AMENDMENT.**—The table of sections
18 for chapter 7 of title 18, United States Code, is amended
19 by adding at the end the following:

“120. Assault against journalists.”.