

116TH CONGRESS
2D SESSION

S. _____

To amend title 18, United States Code, to create a Federal crime of destruction of property and looting of certain commercial entities.

IN THE SENATE OF THE UNITED STATES

introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To amend title 18, United States Code, to create a Federal crime of destruction of property and looting of certain commercial entities.

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 “Securing Commerce
5 and Protecting Businesses Act of 2020”.

6 **SEC. 2. DESTRUCTION OF PROPERTY AND LOOTING.**

7 (a) IN GENERAL.—Chapter 102 of title 18, United
8 States Code, is amended by inserting after section 2101
9 the following:

1 **“§ 2101A. Destruction of property and looting**

2 “(a) OFFENSE.—It shall be unlawful to obstruct,
3 delay, or affect commerce or the movement of any article
4 or commodity in commerce, through the destruction of the
5 property of or looting of a business or other commercial
6 enterprise in connection with or during a riot.

7 “(b) PENALTY.—Any person who violates subsection
8 (a) shall be fined \$10,000, imprisoned for not more than
9 1 year, or both.

10 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
11 tion shall be construed as—

12 “(1) indicating an intent on the part of Con-
13 gress to prevent any State, any possession or Com-
14 monwealth of the United States, or the District of
15 Columbia, from exercising jurisdiction over any of-
16 fense over which it would have jurisdiction in the ab-
17 sence of this section; or

18 “(2) depriving State and local law enforcement
19 authorities of responsibility for prosecuting acts that
20 may be violations of this section and that are viola-
21 tions of State and local law.”.

22 (b) DEFINITIONS.—Section 2102 of title 18, United
23 States Code, is amended by adding at the end the fol-
24 lowing:

1 “(c) As used in this chapter, the term ‘looting’ means
2 the unlawful taking or theft of goods or property during
3 a riot.”.

4 (c) TECHNICAL AND CONFORMING AMENDMENT.—
5 The table of sections for chapter 102 of title 18, United
6 States Code, is amended by inserting after the item relat-
7 ing to section 2101 the following:

“2101A. Destruction of property and looting.”.