


SIGNATURE OF THE AUTHORIZING OFFICER
PRESIDENT PRO TEMPORE
MISTER JOSH

Ninety Second Congress of the United States of America

AT THE FIFTH SESSION
APRIL 5TH 2024

MR. SAVIORJOSHH FROM THE STATE OF FLORIDA PRESENTS THIS ACT WHICH WAS REFERRED TO THE FLOOR OF THE SENATE. AN ACT TO AMEND TITLE 18 OF THE U.S. CODE, TO PROHIBIT UNAUTHORIZED PRIVATE PARAMILITARY ACTIVITY, AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLY.

PART I. GENERAL PROVISIONS

- (a) SHORT TITLE. This Act may be cited as the "Preventing Paramilitary Activity Act"
- (b) EFFECTIVE DATE. This Act shall go into effect immediately upon passage.
- (c) SEVERABILITY. This act shall be severable, in which, if any provision of this act is found unconstitutional the rest of the act shall be in full effect unless also found unconstitutional.
- (d) CONFLICTING LEGISLATION. Any part of any act, joint resolution, or codified law that conflicts with this Act shall be considered null and void.

PART II. PROHIBITION OF UNAUTHORIZED PRIVATE PARAMILITARY ACTIVITY.

- (a) Through this clause, Part I of title 18, United States Code, is amended by adding at the end the following:
- (b) "**CHAPTER 125 - UNAUTHORIZED PRIVATE PARAMILITARY ACTIVITY**"
 - "2741. Definitions.
 - "2742. Unauthorized private paramilitary activity.
 - "2743. Civil remedies.
- (c) "**2741. Definitions**"
 - "In this chapter:
 - "(1) AMMUNITION.-The term 'ammunition' has the meaning given the term in section 921(a).
 - "(2) ARMED FORCES.—The term 'armed forces' has the meaning given in section 101 of title 10.
 - "(3) DANGEROUS WEAPON.-The term 'dangerous weapon' has the meaning given in section 930(g).
 - "(4) EXPLOSIVE OR INCENDIARY DEVICE.-The term 'explosive or incendiary device' has the meaning given the term in section 232.
 - "(5) FIREARM.-The term 'firearm' has the meaning given in section 921(a).
 - "(6) PERSON.-The term 'person' means any individual, partnership, corporation, company, association, firm, society, organization, or governmental entity, whether incorporated or unincorporated.
 - "(7) PRIVATE PARAMILITARY ORGANIZATION.-The term 'private paramilitary organization' means any group or company associating under a command structure for the purpose of functioning in public or training to function in public as a combat, combat support, defense solution, law enforcement, or security services unit.
 - "(8) REGULARLY ORGANIZED STATE MILITIA.-The term regularly organized State militia' includes a defense force authorized under section 109(e) of title 32.
 - "(9) STATE.-The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.
 - "**\$2742. Unauthorized private paramilitary activity**
 - "(a) OFFENSE.-It shall be unlawful to knowingly, in a circumstance described in subsection (b), while acting as part of or on behalf of a private paramilitary organization and armed with a

firearm, explosive or incendiary device, or other dangerous weapon—

"(1) publically patrol, drill, or engage in techniques capable of causing bodily injury or death;

"(2) interfere with, interrupt, or attempt to interfere with or interrupt government operations or a government proceeding;

"(3) interfere with or intimidate another person in that person's exercise of any right under the Constitution of the United States;

"(4) assume the functions of a law enforcement officer, peace officer, or public official, whether or not acting under color of law, and thereby assert authority or purport to assert authority over another person without the consent of that person; or

"(5) train to engage in any activity described in paragraphs (1) through (4).

"(b) CIRCUMSTANCES.—The circumstances described in this subsection are that the conduct described in subsection (a)—

"(1) involves—

"(A) travel across a State line or national border; or

"(B) the use of the channels, facilities, or instrumentalities of interstate or foreign commerce;

"(2) involves a firearm, explosive or incendiary device, or dangerous weapon that has traveled in interstate or foreign commerce;

"(3) involves the use of ammunition or a large capacity ammunition feeding device that has traveled in interstate or foreign commerce;

"(4) obstructs, delays, or affects interstate or foreign commerce; or

"(5) occurs wholly within any commonwealth, territory, or possession of the United States.

"(c) EXCEPTIONS.—Subsection (a) shall not apply to—

"(1) the armed forces of the United States, the National Guard, the Naval Militia, any regularly organized State militia.

"(2) members of an organization that is authorized under Federal law to provide para-military, law enforcement, or security services training or to engage in paramilitary activity, law enforcement, or security services when performing the functions authorized by law and, in the case of paramilitary activity and law enforcement functions, when under the direction and direct control of a federal governmental authority.

"(d) PENALTY.—Any person who violates subsection

(a) shall be fined under this title, imprisoned for not more than 6 months, or both, except that—

"(1) in the case of a violation that does not result in bodily injury and is committed by a person who has no prior to the commission of the violation, been convicted of violating a Federal or State law, the person may be sentenced to probation for a term of not more than 6 months;

"(2) in the case of a violation that occurs after a prior conviction under this section has become final, the person shall be fined under this title, imprisoned for not more than 12 months, or both;

"(3) in the case of a violation that results in damage to property, the person shall be fined under this title, imprisoned for not more than 6 months, or both; and

"(4) in the case of a violation that results in—

"(A) bodily injury, the person shall be fined under this title, imprisoned for not more than 5 years, or both; or

"(B) death, the person shall be fined under this title and imprisoned for any term of years or for life.

"(e) FORFEITURE.—(1) **IN GENERAL.**—Any person who violates subsection (a) shall forfeit to the United States any property, personal or real, involved in, used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the violation, or that constitutes or is derived from proceeds traceable to the violation.

2743. Civil remedies

"(a) PUBLIC RIGHT OF ACTION.—Whenever the Attorney General has reasonable cause to believe that any person or group of persons has engaged in or is about to engage in any act prohibited by section 2742, the Attorney General may bring a civil action for preventive relief,) including an application for a permanent or temporary injunction, restraining order, or other order, in an appropriate district court of the United States.

"(b) PRIVATE RIGHT OF ACTION.—Any person injured as a result of any violation of section 2742 may bring a civil action, individually or jointly with other aggrieved persons, in an appropriate district court of the / United States for preventive relief, including an application for a permanent or temporary injunction, restraining) order, or other order, or for damages incurred as a result of any violation of section 2742, including reasonable attorney fees and costs.

"(c) FORFEITURE.—Any property subject to forfeiture pursuant to section 2742 may be forfeited to the United States.

(d) CLERICAL AMENDMENT.—The table of chapters for part I

of title 18, United States Code, is amended by adding at the end
the following:
"125. Unauthorized Private Paramilitary Activity..... 2741".