

117TH CONGRESS
1ST SESSION

H. R. 1465

To require a local government to waive sovereign immunity to receive any grant funds from the Department of Justice if such local government has defunded a municipal police department, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2021

Ms. MALLIOTAKIS (for herself, Mr. GIMENEZ, and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require a local government to waive sovereign immunity to receive any grant funds from the Department of Justice if such local government has defunded a municipal police department, 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 “Right to Remain Safe
5 Act of 2021”.

1 **SEC. 2. INELIGIBILITY FOR DEPARTMENT OF JUSTICE**
2 **GRANTS WITH RESPECT TO DEFUNDING A**
3 **MUNICIPAL POLICE DEPARTMENT.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, to be eligible for any grant funding from the
6 Department of Justice, a local government applying for
7 such a grant shall certify to the Attorney General that
8 the municipal police department of such local government
9 has not been defunded in either the current or prior fiscal
10 year in which the local government is applying for such
11 grant.

12 (b) EXCEPTIONS.—

13 (1) INABILITY TO PAY.—A local government
14 that demonstrates that the municipal police depart-
15 ment was defunded because of an inability to pay,
16 including demonstrating decreases throughout the
17 budget of the local government, shall be eligible for
18 grant funding from the Department of Justice.

19 (2) WAIVER OF SOVEREIGN IMMUNITY.—A local
20 government that has defunded the municipal police
21 department shall be eligible for grant funding from
22 the Department of Justice if such local government
23 waives sovereign immunity with respect to a cause of
24 action against the local government by an individual
25 for property damages or damages for personal inju-

1 ries as a result of the municipal police department
2 being defunded.

3 (c) LOCAL GOVERNMENT DEFINED.—In this section,
4 the term “local government” means a municipality, city,
5 town, township, a rural community, or unincorporated
6 town or village.

