

117TH CONGRESS
1ST SESSION

H. R. 2663

To prohibit law enforcement officers from using chemical weapons on minors in the course of policing activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 2021

Mr. MORELLE (for himself, Mr. JEFFRIES, and Ms. BASS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit law enforcement officers from using chemical weapons on minors in the course of policing activities, 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 “Protecting Children
5 from Chemical Weapons Act”.

6 **SEC. 2. PROHIBITION ON LAW ENFORCEMENT OFFICER**
7 **USE OF CHEMICAL WEAPONS.**

8 (a) FEDERAL LAW ENFORCEMENT OFFICERS.—No
9 Federal law enforcement officer may use a chemical weap-
10 on on an individual that the officer knows or has reason

1 to believe is a minor in the course of policing activities
2 in the United States.

3 (b) STATE AND LOCAL LAW ENFORCEMENT OFFI-
4 CERS.—Beginning in the first fiscal year that begins after
5 the date of enactment of this Act, in order to be eligible
6 to receive funds under subpart 1 of part E of title 1 of
7 the Omnibus Crime Control and Safe Streets Act of 1968
8 (34 U.S.C. 10151 et seq.) and part Q of title I of such
9 Act (34 U.S.C. 10381 et seq.), a State or unit of local
10 government shall have in place a law or policy, and be
11 in substantial compliance with such law or policy, prohib-
12 iting law enforcement officers in that jurisdiction from
13 using a chemical weapon on an individual that the officer
14 knows or has reason to believe is a minor in the course
15 of policing activities.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

18 (1) The term “chemical weapon” means the fol-
19 lowing, together or separately:

20 (A) A toxic chemical and its precursors,
21 and includes oleoresin capsicum spray.

22 (B) A munition or device, specifically de-
23 signed to cause death or other harm through
24 toxic properties of those toxic chemicals speci-
25 fied in subparagraph (A), which would be re-

1 leased as a result of the employment of such
2 munition or device.

3 (C) Any equipment specifically designed
4 for use directly in connection with the employ-
5 ment of munitions or devices specified in para-
6 graph (2).

7 (2) The term “law enforcement officer” means
8 any officer of the United States, a State, or unit of
9 local government, who is empowered by law to con-
10 duct investigations of, or make arrests because of,
11 offenses against the United States, the District of
12 Columbia, a State, or a political subdivision of a
13 State, and includes a member of the Armed Forces
14 (including any reserve component) under orders to
15 act in a policing capacity in the United States.

16 (3) The terms “precursor” and “toxic chem-
17 ical” have the meanings given such terms in section
18 229F of title 18, United States Code.

19 (4) The terms “State” and “unit of local gov-
20 ernment” have the meanings given such terms in
21 section 901 of the Omnibus Crime Control and Safe
22 Streets Act of 1968 (34 U.S.C. 10251).

23 (5) The term “minor” means an individual who
24 is younger than 18 years of age.

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