

119TH CONGRESS
1ST SESSION

S. _____

To amend title 18, United States Code, to establish criminal penalties for interfering with National Guard protective zones.

IN THE SENATE OF THE UNITED STATES

Mr. COTTON (for himself and Mr. BUDD) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 18, United States Code, to establish criminal penalties for interfering with National Guard protective zones.

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 “National Guard Pro-
5 tective Zone Act”.

6 **SEC. 2. INTERFERENCE WITH NATIONAL GUARD PROTEC-**
7 **TIVE ZONE.**

8 (a) IN GENERAL.—Chapter 67 of title 18, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 **“§ 1390. Interference with National Guard protective**
2 **zone**

3 “(a) DEFINITION.—In this section, the term ‘posted
4 protective zone’ means an area around a member of the
5 National Guard—

6 “(1) the perimeter of which is not more than 15
7 feet from the member; and

8 “(2) that is marked by a verbal warning, visible
9 signage, barricade tape, or other reasonable means.

10 “(b) OFFENSE.—It shall be unlawful, during a de-
11 ployment authorized under chapter 15 of title 10 or under
12 title 32, for any person to knowingly enter or remain with-
13 in a posted protective zone with the intent to impede, in-
14 timidate, or interfere with the official duties of a member
15 of the National Guard who is within the posted protective
16 zone.

17 “(c) PENALTIES.—

18 “(1) IN GENERAL.—Except as provided in para-
19 graph (2), any person who violates subsection (b)
20 shall be fined under this title, imprisoned not more
21 than 1 year, or both.

22 “(2) AGGRAVATED PENALTY.—If, in the course
23 of committing a violation of subsection (b), a person
24 makes physical contact with, throws an object at, or
25 spits on the member of the National Guard, the

1 maximum term of imprisonment under paragraph
2 (1) shall be 5 years.

3 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion shall be construed to prohibit activity protected by
5 the First Amendment to the Constitution of the United
6 States that is conducted outside a posted protective
7 zone.”.

8 (b) TECHNICAL AND CONFORMING AMENDMENT.—
9 The table of sections for chapter 67 of title 18, United
10 States Code, is amended by adding at the end the fol-
11 lowing:

“1390. Interference with National Guard protective zone.”.