

116TH CONGRESS  
2D SESSION

# S. 4425

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

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IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2020

Mrs. LOEFFLER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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.”.

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