

S 1280

A bill to amend the Protect Act to clarify certain volunteer liability.

**Congress:** 108 (2003–2005, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Jun 18, 2003

**Current Status:** Became Public Law No: 108-68.

**Latest Action:** Became Public Law No: 108-68. (Aug 1, 2003)

**Law:** 108-68 (Enacted Aug 1, 2003)

**Official Text:** <https://www.congress.gov/bill/108th-congress/senate-bill/1280>

Sponsor

**Name:** Sen. Hatch, Orrin G. [R-UT]

**Party:** Republican • **State:** UT • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Jun 18, 2003

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Jul 10, 2003
Judiciary Committee	House	Referred to	Jul 18, 2003

Subjects & Policy Tags

**Policy Area:**

Crime and Law Enforcement

Related Bills

No related bills are listed.

**(This measure has not been amended since it was reported to the Senate on July 10, 2003. The summary of that version is repeated here.)**

Amends the Prosecutorial Remedies and Tools Against the Exploitation of Children Today Act of 2003 (PROTECT Act) to limit the liability of the National Center for Missing and Exploited Children (or a director, officer, employee, or agent) for volunteers in connection with a pilot program for volunteer groups to obtain national and State criminal history background checks through a 10-fingerprint check to be conducted utilizing State criminal records and the Integrated Automated Fingerprint Identification System of the Federal Bureau of Investigation. Provides that the Center, in reliance upon stated fitness criteria and except upon proof of actual malice or intentional misconduct, shall not be liable in any civil action for damages: (1) arising from any act or communication by the Center that results in or contributes to a decision that an individual is unfit to serve as a volunteer for any volunteer organization; (2) alleging harm arising from a decision based on the information in an individual's criminal history record that an individual is fit to serve as a volunteer for any volunteer organization unless the Center is furnished with an individual's criminal history records which they know to be inaccurate or incomplete, or which they know reflect a lesser crime than that for which the individual was arrested; and (3) alleging harm arising from a decision that, based on the absence of criminal history information, an individual is fit to serve as a volunteer for any volunteer organization unless the Center knows that criminal history records exist and have not been furnished as required by the Act.

### Actions Timeline

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- **Aug 1, 2003:** Signed by President.
- **Aug 1, 2003:** Signed by President.
- **Aug 1, 2003:** Became Public Law No: 108-68.
- **Aug 1, 2003:** Became Public Law No: 108-68.
- **Jul 23, 2003:** Presented to President.
- **Jul 23, 2003:** Presented to President.
- **Jul 21, 2003:** Mr. Sensenbrenner moved to suspend the rules and pass the bill.
- **Jul 21, 2003:** Considered under suspension of the rules. (consideration: CR H7177-7178)
- **Jul 21, 2003:** DEBATE - The House proceeded with forty minutes of debate on S. 1280.
- **Jul 21, 2003:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H7177)
- **Jul 21, 2003:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H7177)
- **Jul 21, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 18, 2003:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Jul 15, 2003:** Message on Senate action sent to the House.
- **Jul 15, 2003:** Received in the House.
- **Jul 15, 2003:** Referred to the House Committee on the Judiciary.
- **Jul 14, 2003:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S9355; text as passed Senate: CR S9355; text of measure as reported in Senate: CR S9355)
- **Jul 14, 2003:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S9355; text as passed Senate: CR S9355; text of measure as reported in Senate: CR S9355)
- **Jul 10, 2003:** Committee on the Judiciary. Ordered to be reported with an amendment favorably.
- **Jul 10, 2003:** Committee on the Judiciary. Reported by Senator Hatch with an amendment. Without written report.
- **Jul 10, 2003:** Committee on the Judiciary. Reported by Senator Hatch with an amendment. Without written report.
- **Jul 10, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 194.
- **Jun 18, 2003:** Introduced in Senate
- **Jun 18, 2003:** Read twice and referred to the Committee on the Judiciary.