

S 3118

Mens Rea Reform Act of 2018

Congress: 115 (2017–2019, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Jun 21, 2018

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Jun 21, 2018)

Official Text: <https://www.congress.gov/bill/115th-congress/senate-bill/3118>

Sponsor

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

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

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Grassley, Chuck [R-IA]	R · IA		Jun 21, 2018

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jun 21, 2018

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
115 S 573	Related bill	Dec 22, 2018: Held at the desk.
115 S 1902	Related bill	Oct 2, 2017: Read twice and referred to the Committee on the Judiciary.
115 HR 1886	Related bill	Apr 26, 2017: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
115 HR 1607	Related bill	Mar 31, 2017: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Mens Rea Reform Act of 2018

This bill establishes the National Criminal Justice Commission to conduct a comprehensive review of the criminal justice system; make recommendations for criminal justice reform; and disseminate findings and guidance to the federal government and to state, local, and tribal governments.

Additionally, the bill amends the federal criminal code to establish a default *mens rea* (i.e., guilty mind) requirement for federal criminal statutory and regulatory offenses that lack a state of mind requirement.

For a new criminal statutory or regulatory offense, the government must prove that a defendant acted willfully with respect to each element of the offense that lacks a specific state of mind requirement.

For an existing criminal statutory or regulatory offense, the bill establishes requirements for the Department of Justice, executive agencies, and the National Criminal Justice Commission with respect to determining the applicable state of mind requirement.

Actions Timeline

- **Jun 21, 2018:** Introduced in Senate
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