

(Added Pub. L. 103-322, title IV, §40221(a), Sept. 13, 1994, 108 Stat. 1930; amended Pub. L. 106-386, div. B, title I, §1101(b)(4), Oct. 28, 2000, 114 Stat. 1493; Pub. L. 109-162, title I, §106(a)-(c), Jan. 5, 2006, 119 Stat. 2981, 2982; Pub. L. 109-271, §2(n), Aug. 12, 2006, 120 Stat. 754; Pub. L. 113-4, title IX, §905, Mar. 7, 2013, 127 Stat. 124.)

#### Editorial Notes

##### AMENDMENTS

2013—Subsec. (e). Pub. L. 113-4 added subsec. (e) and struck out former subsec. (e). Prior to amendment, text read as follows: “For purposes of this section, a tribal court shall have full civil jurisdiction to enforce protection orders, including authority to enforce any orders through civil contempt proceedings, exclusion of violators from Indian lands, and other appropriate mechanisms, in matters arising within the authority of the tribe.”

2006—Subsec. (a). Pub. L. 109-162, §106(a)(1), (b), substituted “, Indian tribe, or territory” for “or Indian tribe” wherever appearing and “and enforced by the court and law enforcement personnel of the other State, Indian tribal government or Territory as if it were” for “and enforced as if it were”.

Subsec. (b). Pub. L. 109-162, §106(a)(2), substituted “State, tribal, or territorial” for “State or tribal” in introductory provisions.

Subsec. (b)(1). Pub. L. 109-162, §106(a)(1), substituted “, Indian tribe, or territory” for “or Indian tribe”.

Subsec. (b)(2). Pub. L. 109-162, §106(a)(2), substituted “State, tribal, or territorial” for “State or tribal”.

Subsec. (c). Pub. L. 109-162, §106(a)(2), substituted “State, tribal, or territorial” for “State or tribal” in introductory provisions.

Subsec. (d)(1). Pub. L. 109-162, §106(a), substituted “, Indian tribe, or territory” for “or Indian tribe” in two places and “State, tribal, or territorial” for “State or tribal”.

Subsec. (d)(2). Pub. L. 109-162, §106(a)(2), substituted “State, tribal, or territorial” for “State or tribal”.

Subsec. (d)(3). Pub. L. 109-271, which directed amendment of section 106(c) of Pub. L. 109-162 by substituting “the registration, filing of a petition for, or issuance of a protection order, restraining order or injunction” for “the registration or filing of a protection order”, was executed by making the substitution in par. (3), which was added by section 106(c) of Pub. L. 109-162, to reflect the probable intent of Congress.

Pub. L. 109-162, §106(c), added par. (3).

2000—Subsecs. (d), (e). Pub. L. 106-386 added subsecs. (d) and (e).

#### Statutory Notes and Related Subsidiaries

##### SPECIAL RULE FOR THE STATE OF ALASKA

Pub. L. 113-4, title IX, §910, Mar. 7, 2013, 127 Stat. 126, which provided that, in the State of Alaska, the amendments made by sections 904 and 905 of Pub. L. 113-4, which related to tribal jurisdiction over crimes of domestic violence and over issuance of protection orders, applied only to the Indian country of the Metlakatla Indian Community, Annette Island Reserve, was repealed by Pub. L. 113-275, Dec. 18, 2014, 128 Stat. 2988.

#### § 2265A. Repeat offenders

(a) **MAXIMUM TERM OF IMPRISONMENT.**—The maximum term of imprisonment for a violation of this chapter after a prior domestic violence or stalking offense shall be twice the term otherwise provided under this chapter.

(b) **DEFINITION.**—For purposes of this section—

(1) the term “prior domestic violence or stalking offense” means a conviction for an offense—

(A) under section 2261, 2261A, or 2262 of this chapter; or

(B) under State or tribal law for an offense consisting of conduct that would have been an offense under a section referred to in subparagraph (A) if the conduct had occurred within the special maritime and territorial jurisdiction of the United States, or in interstate or foreign commerce; and

(2) the term “State” means a State of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States.

(Added Pub. L. 109-162, title I, §115, Jan. 5, 2006, 119 Stat. 2988; amended Pub. L. 113-4, title IX, §906(c), Mar. 7, 2013, 127 Stat. 125.)

#### Editorial Notes

##### AMENDMENTS

2013—Subsec. (b)(1)(B). Pub. L. 113-4 inserted “or tribal” after “State”.

#### § 2266. Definitions

In this chapter:

(1) **BODILY INJURY.**—The term “bodily injury” means any act, except one done in self-defense, that results in physical injury or sexual abuse.

(2) **COURSE OF CONDUCT.**—The term “course of conduct” means a pattern of conduct composed of 2 or more acts, evidencing a continuity of purpose.

(3) **ENTER OR LEAVE INDIAN COUNTRY.**—The term “enter or leave Indian country” includes leaving the jurisdiction of 1 tribal government and entering the jurisdiction of another tribal government.

(4) **INDIAN COUNTRY.**—The term “Indian country” has the meaning stated in section 1151 of this title.

(5) **PROTECTION ORDER.**—The term “protection order” includes—

(A) any injunction, restraining order, or any other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence, or contact or communication with or physical proximity to, another person, including any temporary or final order issued by a civil or criminal court whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection; and

(B) any support, child custody or visitation provisions, orders, remedies or relief issued as part of a protection order, restraining order, or injunction pursuant to State, tribal, territorial, or local law authorizing the issuance of protection orders, restraining orders, or injunctions for the protection of victims of domestic violence, sexual assault, dating violence, or stalking.

(6) **SERIOUS BODILY INJURY.**—The term “serious bodily injury” has the meaning stated in section 2119(2).

(7) **SPOUSE OR INTIMATE PARTNER.**—The term “spouse or intimate partner” includes—

(A) for purposes of—

(i) sections other than 2261A—

(I) a spouse or former spouse of the abuser, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited as a spouse with the abuser; or

(II) a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship; and

(ii) section 2261A—

(I) a spouse or former spouse of the target of the stalking, a person who shares a child in common with the target of the stalking, and a person who cohabits or has cohabited as a spouse with the target of the stalking; or

(II) a person who is or has been in a social relationship of a romantic or intimate nature with the target of the stalking, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.<sup>1</sup>

(B) any other person similarly situated to a spouse who is protected by the domestic or family violence laws of the State or tribal jurisdiction in which the injury occurred or where the victim resides.

(8) STATE.—The term “State” includes a State of the United States, the District of Columbia, and a commonwealth, territory, or possession of the United States.

(9) TRAVEL IN INTERSTATE OR FOREIGN COMMERCE.—The term “travel in interstate or foreign commerce” does not include travel from 1 State to another by an individual who is a member of an Indian tribe and who remains at all times in the territory of the Indian tribe of which the individual is a member.

(10) DATING PARTNER.—The term “dating partner” refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser. The existence of such a relationship is based on a consideration of—

(A) the length of the relationship; and

(B) the type of relationship; and

(C) the frequency of interaction between the persons involved in the relationship.

(11) PET.—The term “pet” means a domesticated animal, such as a dog, cat, bird, rodent, fish, turtle, or other animal that is kept for pleasure rather than for commercial purposes.

(12) EMOTIONAL SUPPORT ANIMAL.—The term “emotional support animal” means an animal that is covered by the exclusion specified in section 5.303 of title 24, Code of Federal Regulations (or a successor regulation), and that is not a service animal.

(13) SERVICE ANIMAL.—The term “service animal” has the meaning given the term in sec-

tion 36.104 of title 28, Code of Federal Regulations (or a successor regulation).

(Added Pub. L. 103-322, title IV, § 40221(a), Sept. 13, 1994, 108 Stat. 1931; amended Pub. L. 106-386, div. B, title I, § 1107(d), Oct. 28, 2000, 114 Stat. 1499; Pub. L. 109-162, title I, §§ 106(d), 116(b), Jan. 5, 2006, 119 Stat. 2982, 2988; Pub. L. 109-271, § 2(c), (i), Aug. 12, 2006, 120 Stat. 752; Pub. L. 115-334, title XII, § 12502(a)(4), Dec. 20, 2018, 132 Stat. 4983.)

## Editorial Notes

### AMENDMENTS

2018—Pars. (11) to (13). Pub. L. 115-334 added pars. (11) to (13).

2006—Par. (5). Pub. L. 109-162, § 106(d)(1), added par. (5) and struck out heading and text of former par. (5). Text read as follows: “The term ‘protection order’ includes any injunction or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including any temporary or final order issued by a civil and criminal court (other than a support or child custody order issued pursuant to State divorce and child custody laws, except to the extent that such an order is entitled to full faith and credit under other Federal law) whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.”

Par. (7)(A). Pub. L. 109-162, § 106(d)(2), which directed amendment of cls. (i) and (ii) by substituting “2261A—

“(I) a spouse or former spouse of the abuser, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited as a spouse with the abuser; or

“(II) a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship”

for “2261A, a spouse or former spouse of the abuser, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited as a spouse with the abuser”, was executed only to cl. (i) to reflect the probable intent of Congress because the quoted language to be deleted does not appear in cl. (ii).

Par. (7)(A)(ii). Pub. L. 109-271, § 2(c), added cl. (ii) and struck out former cl. (ii) which read as follows: “section 2261A, a spouse or former spouse of the target of the stalking, a person who shares a child in common with the target of the stalking, and a person who cohabits or has cohabited as a spouse with the target of the stalking; and”.

Par. (10). Pub. L. 109-271, § 2(i), substituted “. The existence of such a relationship is” for “and the existence of such a relationship” in introductory provisions.

Pub. L. 109-162, § 116(b), added par. (10).

2000—Pub. L. 106-386 reenacted section catchline without change and amended text generally. Prior to amendment, text defined “bodily injury”, “Indian country”, “protection order”, “spouse or intimate partner”, “State”, and “travel across State lines”.

## CHAPTER 111—SHIPPING

Sec. 2271.	Conspiracy to destroy vessels.
2272.	Destruction of vessel by owner.
2273.	Destruction of vessel by nonowner.
2274.	Destruction or misuse of vessel by person in charge.
2275.	Firing or tampering with vessel. <sup>1</sup>

<sup>1</sup> So in original. The period probably should be “; and”.

<sup>1</sup> So in original. Does not conform to section catchline.