

(June 25, 1948, ch. 645, 62 Stat. 815.)

[§ 3012. Repealed. Pub. L. 98-473, title II, § 218(a)(2), Oct. 12, 1984, 98 Stat. 2027]

Section, act June 25, 1948, ch. 645, 62 Stat. 815, related to orders respecting prisoners or persons in custody.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal of section effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such repeal, see section 235(a)(1) of Pub. L. 98-473, set out as an Effective Date note under section 3551 of this title.

§ 3013. Special assessment on convicted persons

(a) The court shall assess on any person convicted of an offense against the United States—

(1) in the case of an infraction or a misdemeanor—

(A) if the defendant is an individual—

(i) the amount of \$5 in the case of an infraction or a class C misdemeanor;

(ii) the amount of \$10 in the case of a class B misdemeanor; and

(iii) the amount of \$25 in the case of a class A misdemeanor; and

(B) if the defendant is a person other than an individual—

(i) the amount of \$25 in the case of an infraction or a class C misdemeanor;

(ii) the amount of \$50 in the case of a class B misdemeanor; and

(iii) the amount of \$125 in the case of a class A misdemeanor;

(2) in the case of a felony—

(A) the amount of \$100 if the defendant is an individual; and

(B) the amount of \$400 if the defendant is a person other than an individual.

(b) Such amount so assessed shall be collected in the manner that fines are collected in criminal cases.

(c) The obligation to pay an assessment ceases five years after the date of the judgment. This subsection shall apply to all assessments irrespective of the date of imposition.

(d) For the purposes of this section, an offense under section 13 of this title is an offense against the United States.

(Added Pub. L. 98-473, title II, § 1405(a), Oct. 12, 1984, 98 Stat. 2174; amended Pub. L. 100-185, § 3, Dec. 11, 1987, 101 Stat. 1279; Pub. L. 100-690, title VII, §§ 7082(b), 7085, Nov. 18, 1988, 102 Stat. 4407, 4408; Pub. L. 101-647, title XXXV, § 3569, Nov. 29, 1990, 104 Stat. 4928; Pub. L. 104-132, title II, § 210, Apr. 24, 1996, 110 Stat. 1240; Pub. L. 104-294, title VI, § 601(r)(4), Oct. 11, 1996, 110 Stat. 3502.)

Editorial Notes

AMENDMENTS

1996—Subsec. (a)(2). Pub. L. 104-294 struck out “not less than” before “\$100” in subpar. (A) and before “\$400” in subpar. (B).

Pub. L. 104-132 substituted “not less than \$100” for “\$50” in subpar. (A) and “not less than \$400” for “\$200” in subpar. (B).

1990—Subsec. (a)(1)(B). Pub. L. 101-647 substituted “an infraction” for “a infraction” in cl. (i) and a semicolon for a period at end of cl. (iii).

1988—Subsec. (a)(1). Pub. L. 100-690, § 7085, amended par. (1) generally. Prior to amendment, par. (1) read as follows: “in the case of a misdemeanor—

“(A) the amount of \$25 if the defendant is an individual; and

“(B) the amount of \$100 if the defendant is a person other than an individual; and”.

Subsec. (c). Pub. L. 100-690, § 7082(b), inserted at end “This subsection shall apply to all assessments irrespective of the date of imposition.”

1987—Subsecs. (c), (d). Pub. L. 100-185 added subsecs. (c) and (d).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-132 effective, to extent constitutionally permissible, for sentencing proceedings in cases in which defendant is convicted on or after Apr. 24, 1996, see section 211 of Pub. L. 104-132, set out as a note under section 2248 of this title.

EFFECTIVE DATE

Section effective 30 days after Oct. 12, 1984, see section 1409(a) of Pub. L. 98-473, set out as a note under section 20101 of Title 34, Crime Control and Law Enforcement.

§ 3014. Additional special assessment

(a) IN GENERAL.—Beginning on the date of enactment of the Justice for Victims of Trafficking Act of 2015 and ending on February 18, 2022, in addition to the assessment imposed under section 3013, the court shall assess an amount of \$5,000 on any non-indigent person or entity convicted of an offense under—

(1) chapter 77 (relating to peonage, slavery, and trafficking in persons);

(2) chapter 109A (relating to sexual abuse);

(3) chapter 110 (relating to sexual exploitation and other abuse of children);

(4) chapter 117 (relating to transportation for illegal sexual activity and related crimes); or

(5) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324) (relating to human smuggling), unless the person induced, assisted, abetted, or aided only an individual who at the time of such action was the alien’s spouse, parent, son, or daughter (and no other individual) to enter the United States in violation of law.

(b) SATISFACTION OF OTHER COURT-ORDERED OBLIGATIONS.—An assessment under subsection (a) shall not be payable until the person subject to the assessment has satisfied all outstanding court-ordered fines, orders of restitution, and any other obligation related to victim-compensation arising from the criminal convictions on which the special assessment is based.

(c) ESTABLISHMENT OF DOMESTIC TRAFFICKING VICTIMS’ FUND.—There is established in the Treasury of the United States a fund, to be known as the “Domestic Trafficking Victims’ Fund” (referred to in this section as the “Fund”), to be administered by the Attorney General, in consultation with the Secretary of Homeland Security and the Secretary of Health and Human Services.

(d) TRANSFERS.—In a manner consistent with section 3302(b) of title 31, there shall be transferred to the Fund from the General Fund of the Treasury an amount equal to the amount of the assessments collected under this section, which shall remain available until expended.