

103^D CONGRESS
1ST SESSION

S. 743

To require court clerks to report the posting of bail in an amount exceeding \$10,000 in certain criminal cases, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 2 (legislative day, MARCH 3), 1993

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

A BILL

To require court clerks to report the posting of bail in an amount exceeding \$10,000 in certain criminal cases, and for other purposes.

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 “Illegal Drug Profits
5 Act of 1993”.

6 **SEC. 2. REQUIRED REPORTING BY CRIMINAL COURT**
7 **CLERKS.**

8 (a) IN GENERAL.—Each clerk of a Federal or State
9 criminal court shall report to the Internal Revenue Serv-
10 ice, in a form and manner as prescribed by the Secretary

1 of the Treasury, the name and taxpayer identification
2 number of—

3 (1) any individual charged with any criminal of-
4 fense who posts cash bail, or on whose behalf cash
5 bail is posted, in an amount exceeding \$10,000, and

6 (2) any individual or entity (other than a li-
7 censed bail bonding individual or entity) posting
8 such cash bail for or on behalf of such individual.

9 (b) CRIMINAL OFFENSES.—For purposes of sub-
10 section (a), the term “criminal offense” means—

11 (1) any Federal criminal offense involving a
12 controlled substance,

13 (2) money laundering (as defined in section
14 1956 or 1957 of title 18, United States Code), or

15 (3) any violation of State criminal law involving
16 offenses substantially similar to the offenses de-
17 scribed in the preceding paragraphs.

18 (c) COPY TO PROSECUTORS.—Each clerk shall sub-
19 mit a copy of each report of cash bail described in sub-
20 section (a) to—

21 (1) the office of the United States Attorney,
22 and

23 (2) the office of the local prosecuting attorney,

1 for the jurisdiction in which the defendant resides (and
2 the jurisdiction in which the criminal offense occurred, if
3 different).

4 (d) REGULATIONS.—The Secretary of the Treasury
5 shall promulgate such regulations as are necessary within
6 90 days of the date of the enactment of this Act.

7 (e) EFFECTIVE DATE.—This section shall become ef-
8 fective 60 days after the date of the promulgation of regu-
9 lations under subsection (d).

○