

106TH CONGRESS
1ST SESSION

H. R. 2633

To amend title 18, United States Code, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1999

Mr. HORN (for himself, Mrs. MORELLA, Mr. RAMSTAD, Mr. SHOWS, Mr. BARCIA, Mr. HOLDEN, Mrs. KELLY, Mr. INSLEE, Mr. VISCLOSKY, Mr. GREEN of Texas, Mr. KOLBE, Mr. LUTHER, Mr. ENGLISH, Mr. SMITH of Washington, Mr. STUPAK, Ms. DANNER, Mr. OSE, Mr. REYES, Ms. BERKLEY, and Mr. GARY MILLER of California) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, 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 “Police Badge Fraud
5 Prevention Act of 1999”.

1 **SEC. 2. POLICE BADGES.**

2 (a) IN GENERAL.—Chapter 33 of title 18, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 716. Police badges**

6 “(a) Whoever—

7 “(1) knowingly transfers, transports, or re-
8 ceives, in interstate or foreign commerce, a counter-
9 feit police badge;

10 “(2) knowingly transfers, in interstate or for-
11 eign commerce, a genuine police badge to an indi-
12 vidual not authorized to possess it under the law of
13 the place in which the badge is the official badge of
14 the police;

15 “(3) knowingly receives a genuine police badge
16 in a transfer prohibited by paragraph (2); or

17 “(4) being a person not authorized to possess a
18 genuine police badge under the law of the place in
19 which the badge is the official badge of the police,
20 knowingly transports that badge in interstate or for-
21 eign commerce;

22 shall be fined under this title or imprisoned not more than
23 180 days, or both.

24 “(b) It is a defense to a prosecution under this sec-
25 tion that the badge is used exclusively—

26 “(1) in a collection or exhibit;

1 “(2) for decorative purposes; or

2 “(3) for a dramatic presentation, such as a the-
3 atrical, film, or television production.

4 “(c) As used in this section—

5 “(1) the term ‘genuine police badge’ means an
6 official badge issued by public authority to identify
7 an individual as a law enforcement officer having po-
8 lice powers; and

9 “(2) the term ‘counterfeit police badge’ means
10 an item that so resembles a police badge that it
11 would deceive an ordinary individual into believing it
12 was a genuine police badge.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of chapter 33 of title 18, United States
15 Code, is amended by adding at the end the following new
16 item:

“716. Police badges.”.

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