

108TH CONGRESS  
1ST SESSION

# H. R. 2315

To amend title 18, United States Code, with respect to certain prohibitions relating to police badges, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2003

Mr. WEINER introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, with respect to certain prohibitions relating to police badges, 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 “Badge Security En-  
5 hancement Act of 2003”.

6 **SEC. 2. POLICE BADGES.**

7       Section 716 of title 18, United States Code, is  
8 amended—

9                   (1) in subsection (b)—

1 (A) by striking paragraphs (2) and (4);

2 and

3 (B) by redesignating paragraph (3) as

4 paragraph (2); and

5 (2) by adding at the end the following:

6        "(d)(1) Whoever receives, in interstate or foreign

7 commerce, a genuine or counterfeit police badge shall pro-

8 vide a certification of the intended use of that badge to

9 the person or entity from which the badge is received.

10       “(2) Whoever knowingly transfers or transports in  
11 interstate or foreign commerce, a genuine or counterfeit  
12 police badge shall obtain written permission from the  
13 agency represented on the badge before doing so.

14       “(3) The Attorney General shall, by rule made on the  
15 record, establish additional procedures for the transfer or  
16 transportation of genuine and counterfeit police badges in  
17 interstate or foreign commerce to assure that a genuine  
18 or counterfeit police badge is not acquired under false pre-  
19 tenses that the badge will be used or is intended to be  
20 used for a purpose described in subsection (b) but then  
21 diverted to illegal purposes.

22       “(4) Whoever knowingly engages in conduct that vio-  
23 lates paragraph (1) or (2), or a rule made under para-  
24 graph (3), shall be fined under this title or imprisoned  
25 not more than 6 months, or both.

1       “(5) This section shall not apply to the use of a gen-  
2 uine or counterfeit badge in the fictitious or historical vis-  
3 ual depiction of either a public officer or employee.”.

