

111TH CONGRESS
1ST SESSION

H. R. 90

To amend title 18, United States Code, to provide increased imprisonment for certain offenses by public officials.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

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

A BILL

To amend title 18, United States Code, to provide increased imprisonment for certain offenses by public officials.

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 “Public Official Ac-
5 countability Act”.

6 **SEC. 2. CRIMINAL PENALTIES FOR PUBLIC OFFICIALS.**

7 (a) IN GENERAL.—Subchapter D of chapter 227 of
8 title 18, United States Code, is amended by adding at the
9 end the following:

1 **“§ 3587. Increased imprisonment for certain offenses**
2 **by public officials.**

3 “(a) GENERAL RULE.—In any Federal criminal case
4 in which a public official is convicted of an offense against
5 the United States—

6 “(1) consisting of conduct during the course of
7 official duty, intended to enrich that official; and

8 “(2) involving bribery, fraud, extortion, or theft
9 of public funds greater than \$10,000;

10 the sentencing judge may increase the sentence of impris-
11 onment by an amount of up to 2 years. The sentencing
12 judge may double the sentence of imprisonment that
13 would otherwise be imposed in that case: *Provided, how-*
14 *ever,* That in no instance may the sentencing judge be al-
15 lowed to increase the sentence by more than 2 years.

16 “(b) DEFINITION.—In this section, the term ‘public
17 official’ means—

18 “(1) an elected official of the United States or
19 of a State or local government;

20 “(2) a presidentially-appointed official; and

21 “(3) an official appointed to a State or local
22 governmental office by an elected official of a State
23 or local government.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of subchapter D of chapter 227 of title

- 1 18, United States Code, is amended by adding at the end
- 2 the following new item:

“3587. Increased imprisonment for certain offenses by public officials.”.

