

118TH CONGRESS
2D SESSION

S. 5186

To amend title 18, United States Code, to establish criminal penalties for gratuities given to State and local public officials.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Mr. MERKLEY (for himself, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to establish criminal penalties for gratuities given to State and local 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 “Stop Corrupt Gratu-
5 ities Act”.

6 **SEC. 2. PROHIBITION ON GRATUITIES GIVEN TO STATE**
7 **AND LOCAL PUBLIC OFFICIALS.**

8 (a) IN GENERAL.—Section 666 of title 18, United
9 States Code, is amended—

1 (1) in subsection (a), in the matter preceding
2 paragraph (1), by striking “(b)” and inserting “(c)”;

3 (2) by redesignating subsections (b), (c), and
4 (d) as subsections (c), (d), and (e), respectively;

5 (3) by inserting after subsection (a) the fol-
6 lowing:

7 “(b) GRATUITIES.—Whoever, if the circumstance de-
8 scribed in subsection (c) of this section exists, otherwise
9 than as provided by law for the proper discharge of official
10 duty—

11 “(1) being an agent of an organization, or of a
12 State, local, or Indian tribal government, or any
13 agency thereof, solicits or demands for the benefit of
14 any person, or accepts or agrees to accept, anything
15 of value from any person, intending to be rewarded
16 in connection with any business, transaction, or se-
17 ries of transactions of such organization, govern-
18 ment, or agency involving anything of value of
19 \$5,000 or more; or

20 “(2) gives, offers, or agrees to give, anything of
21 value to any person, with intent to reward an agent
22 of an organization or of a State, local or Indian trib-
23 al government, or any agency thereof, in connection
24 with any business, transaction, or series of trans-

1 actions of such organization, government, or agency
2 involving anything of value of \$5,000 or more;
3 shall be fined under this title, imprisoned not more than
4 2 years, or both.”; and

5 (4) in subsection (c), as so redesignated, by
6 striking “subsection (a)” and inserting “subsections
7 (a) and (b)”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) HEADINGS.—Section 666 of title 18, United
10 States Code, is amended—

11 (A) in the section heading, by striking
12 “**Theft or bribery**” and inserting “**Theft,**
13 **bribery, or gratuities**”;

14 (B) in subsection (a), by striking “Who-
15 ever” and inserting “BRIBES.—Whoever”;

16 (C) in subsection (c), as so redesignated,
17 by striking “The” and inserting “COVERED
18 CIRCUMSTANCE.—The”;

19 (D) in subsection (d), as so redesignated,
20 by striking “This” and inserting “EXCEPTION
21 FOR SALARY, WAGES, AND FEES.—This”; and

22 (E) in subsection (e), as so redesignated,
23 by striking “As” and inserting “DEFINI-
24 TIONS.—As”.

1 (2) TABLE OF SECTIONS.—The table of sections
2 for chapter 31 of title 18, United States Code, is
3 amended by striking the item relating to section 666
4 and inserting the following:

“666. Theft, bribery, or gratuities concerning programs receiving Federal
 funds.”.

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