

105TH CONGRESS
1ST SESSION

H. R. 1645

To amend title 18, United States Code, to provide additional penalties for theft by public officials under color of law.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 1997

Ms. WATERS (for herself, Mr. CUMMINGS, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. THOMPSON, Ms. BROWN of Florida, Mr. RUSH, Mr. TOWNS, Mr. DIXON, Mr. STOKES, Mr. CONYERS, Mr. DELLUMS, Mr. RANGEL, Mrs. CLAYTON, Ms. KILPATRICK, Mr. CLYBURN, Mr. FORD, Mr. DAVIS of Illinois, Mr. OWENS, Mr. WATT of North Carolina, Mr. WYNN, Mr. SCOTT, Mr. HASTINGS of Florida, Ms. CHRISTIAN-GREEN, Ms. CARSON, Ms. NORTON, Mr. PAYNE, Mr. CLAY, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FATAH, Mr. LEWIS of Georgia, and Ms. MILLENDER-MCDONALD) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide additional penalties for theft by public officials under color of law.

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 “Drug Seizure Account-
5 ability Act of 1997”.

1 **SEC. 2. THEFT BY PUBLIC OFFICIALS UNDER COLOR OF**
 2 **LAW.**

3 (a) IN GENERAL.—Chapter 13 of title 18, United
 4 States Code, is amended by adding at the end the follow-
 5 ing:

6 **“§ 249. Theft under color of law**

7 “Whoever, under color of any law, statute, ordinance,
 8 regulation or custom, deprives any person of any property
 9 shall be fined under this title, imprisoned not more than
 10 15 years, or both. If the property is a controlled substance,
 11 as defined for the purposes of the Controlled Substances
 12 Act, the penalty for an offense under this section shall
 13 be the same as for the offense of possessing such sub-
 14 stance under that Act.”.

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

“249. Theft under color of law.”.

19 **SEC. 3. RECORDKEEPING BY LAW ENFORCEMENT OFFI-**
 20 **CERS RELATING TO CONTROLLED SUB-**
 21 **STANCES.**

22 Each law enforcement authority in the United States
 23 shall, in accordance with such rules as the Attorney Gen-
 24 eral shall prescribe, make and maintain records of con-
 25 trolled substances (as defined for the purposes of the Con-

1 trolled Substances Act) that come into their possession
2 during the course of law enforcement activities. The Attor-
3 ney General shall include in the annual report made to
4 Congress under section 522 of title 28, United States
5 Code, information regarding the types and amounts of
6 controlled substances for which such records have been
7 made during the period covered by the report.

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