

112TH CONGRESS
1ST SESSION

S. _____

To amend section 1502 of title 5, United States Code, to permit law enforcement officers to be candidates for sheriff, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. LUGAR (for himself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend section 1502 of title 5, United States Code, to permit law enforcement officers to be candidates for sheriff, 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 “State and Local Law
5 Enforcement Hatch Act Reform Act of 2011”.

6 **SEC. 2. HATCH ACT REFORM.**

7 (a) PERMITTING LAW ENFORCEMENT OFFICERS TO
8 BE CANDIDATES FOR SHERIFF.—Section 1502(c) of title
9 5, United States Code, is amended—

1 (1) in paragraph (3), by striking “or” after the
2 semicolon;

3 (2) in paragraph (4), by striking the period and
4 inserting “; or”; and

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

6 “(5) a law enforcement officer who is a can-
7 didate for sheriff.”.

8 (b) POLITICAL ACTIVITIES.—Section 1502 of title 5,
9 United States Code, is amended by adding at the end the
10 following:

11 “(d) Subsection (a)(1) of this section does not pro-
12 hibit a sheriff from participating in political campaigns
13 for, or endorsing, political candidates running for elective
14 office by—

15 “(1) attending or speaking at political cam-
16 paign rallies or events;

17 “(2) holding or sponsoring political fundraisers;
18 or

19 “(3) appearing on political advertisements, in-
20 cluding print, radio, television, or any other form of
21 advertising.”.

22 (c) AMENDMENT TO DEFINITIONS.—Section 1501 of
23 title 5, United States Code, is amended—

24 (1) in paragraph (3), by striking “and” after
25 the semicolon;

1 (2) in paragraph (4), by striking the period and
2 inserting a semicolon; and

3 (3) by adding at the end the following:

4 “(5) ‘law enforcement officer’ means a State or
5 local officer or employee whose duties are primarily
6 the investigation, apprehension, or detention of indi-
7 viduals suspected or convicted of offenses against
8 the criminal laws of a State or local jurisdiction, in-
9 cluding an officer or employee engaged in this activ-
10 ity who is transferred to a supervisory or adminis-
11 trative position; and

12 “(6) ‘sheriff’ means an individual who holds the
13 elected Office of Sheriff, as defined by State con-
14 stitution or State statute, of a county, town, town-
15 ship, parish, village, or other general purpose polit-
16 ical subdivision of a State.”.

17 **SEC. 3. STATUTE OF LIMITATIONS.**

18 Section 1504 of title 5, United States Code, is
19 amended—

20 (1) by inserting “(a) IN GENERAL.—” before
21 “When”; and

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

23 “(b) STATUTE OF LIMITATIONS FOR LAW ENFORCE-
24 MENT OFFICERS.—With respect to paragraphs (1) and
25 (3) of section 1502(a), the Special Counsel may not

1 present any charges against a law enforcement officer
2 under subsection (a) after the end of the 6-month period
3 beginning on the later of—

4 “(1) the date of the alleged violation of para-
5 graph (1) or (3) of section 1502(a), as the case may
6 be; or

7 “(2) the date of the enactment of the State and
8 Local Law Enforcement Hatch Act Reform Act of
9 2011.”.