

113TH CONGRESS
1ST SESSION

H. R. 1184

To amend title 31, United States Code, to provide for lessened penalties for certain violations of the anti-structuring laws when violations are with respect to certain domestic financial institutions and are not taken in connection with another crime, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2013

Mr. HARRIS introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend title 31, United States Code, to provide for lessened penalties for certain violations of the anti-structuring laws when violations are with respect to certain domestic financial institutions and are not taken in connection with another crime, 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 “Small Business De-
5 posit Relief Act of 2013”.

1 **SEC. 2. LIMITATION ON PENALTIES FOR CERTAIN STRUC-**
2 **TURING NOT INVOLVING ANOTHER CRIME.**

3 Section 5324 of title 31, United States Code, is
4 amended—

5 (1) in subsection (d)—

6 (A) by redesignating paragraph (2) as
7 paragraph (3); and

8 (B) by inserting after paragraph (1) the
9 following:

10 “(2) **LIMITATION ON CRIMINAL PENALTIES FOR**
11 **CERTAIN NON-AGGRAVATED CASES.—**

12 “(A) **IN GENERAL.—**Notwithstanding para-
13 graph (1), but subject to paragraph (3), who-
14 ever violates this section shall be fined in ac-
15 cordance with title 18, United States Code, im-
16 prisoned for not more than 1 year, or both,
17 where such violation—

18 “(i) was of section 5324(a);

19 “(ii) was not made while also violating
20 another law of the United States; and

21 “(iii) was made with respect to a
22 transaction involving a domestic financial
23 institution described under subparagraphs
24 (A) through (F) of section 5312(a)(2).

25 “(B) **NO IMPRISONMENT FOR FIRST OF-**
26 **FENSE.—**Notwithstanding subparagraph (A), a

1 person committing a violation described under
2 that subparagraph shall not be subject to im-
3 prisonment for such violation if the person has
4 not previously been convicted of a violation de-
5 scribed under such subparagraph.”; and

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

7 “(e) LIMITATION ON PROPERTY FORFEITURE AND
8 MONETARY PENALTIES FOR CERTAIN STRUCTURING NOT
9 INVOLVING ANOTHER CRIME.—With respect to a viola-
10 tion, the aggregate amount of property forfeited under
11 section 5317(c)(1), property seized and forfeited under
12 section 5317(c)(2), any money penalty imposed under sec-
13 tion 5321(a)(4)(A), and any fine imposed under sub-
14 section (d) may not exceed 10 percent of the amount of
15 coins and currency (or such other monetary instruments
16 as the Secretary may prescribe) involved in the transaction
17 with respect to which the violation occurred, if the viola-
18 tion—

19 “(1) was of section 5324(a);

20 “(2) was not made while also violating another
21 law of the United States; and

22 “(3) was made with respect to a transaction in-
23 volving a domestic financial institution described

1 under subparagraphs (A) through (F) of section
2 5312(a)(2).”.

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