

## **COMMITTEE BILL ANALYSIS**

**Bill:** Senate Bill 43

**Printer's No.:** 24

**Sponsor:** Senator Williams

**Prepared by:** Patrick Cawley

**Synopsis:** This bill amends Title 18 (Crimes and Offenses) to prohibit the use of false claims of military decorations or medals to obtain something of value.

**Summary:** This is the Stolen Valor Act. The bill amends Section 6701 of Title 18 to make false claims about the receipt of military decorations or medals a misdemeanor of the third degree. A person violates this section by falsely representing verbally or in writing to have been awarded any military decoration or medal with the intent to commit fraud. The violation is graded as a second-degree misdemeanor if the medal involved is any of the following:

- (A) The Congressional Medal of Honor.
- (B) The Distinguished Service Cross.
- (C) A Navy Cross.
- (D) An Air Force Cross.
- (E) A Silver Star Medal.
- (F) A Purple Heart.

**Effective date:** The act takes effect in 60 days.

**Background:** The United States Supreme Court struck down the federal Stolen Valor Act on First Amendment grounds. That statute criminalized false representations about military service, regardless of intent to commit fraud. This bill specifically satisfies the Supreme Court's ruling that the law must be based on an intent to gain something of value.