

## S 2170

Hatch Act Modernization Act of 2012

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Government Operations and Politics

**Introduced:** Mar 7, 2012

**Current Status:** Became Public Law No: 112-230.

**Latest Action:** Became Public Law No: 112-230. (Dec 28, 2012)

**Law:** 112-230 (Enacted Dec 28, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/2170>

### Sponsor

**Name:** Sen. Akaka, Daniel K. [D-HI]

**Party:** Democratic • **State:** HI • **Chamber:** Senate

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Lee, Mike [R-UT]	R · UT		Mar 7, 2012
Sen. Levin, Carl [D-MI]	D · MI		Mar 7, 2012
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Mar 7, 2012

### Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred to	Mar 13, 2012
Oversight and Government Reform Committee	House	Referred To	Dec 3, 2012

### Subjects & Policy Tags

#### Policy Area:

Government Operations and Politics

### Related Bills

Bill	Relationship	Last Action
112 HR 4186	Related bill	<b>Mar 8, 2012:</b> Referred to the House Committee on Oversight and Government Reform.
112 HR 4152	Identical bill	<b>Mar 7, 2012:</b> Referred to the House Committee on Oversight and Government Reform.

**(This measure has not been amended since it was reported to the Senate on September 13, 2012. The summary of that version is repeated here.)**

Hatch Act Modernization Act of 2012 - (Sec. 2) Allows a state or local officer or employee to be a candidate for partisan elective office unless the salary of such officer or employee is paid completely, directly or indirectly, by loans or grants made by the United States or a federal agency.

(Sec. 3) Redefines "state or local agency" for purposes of the Hatch Act to include the executive branch of the District of Columbia, or an agency or department thereof.

Extends the exemption from Hatch Act requirements for state or local officers or employees to individuals employed by an educational or research institution, establishment, agency or system supported in whole or in part by the District of Columbia.

Extends the exemption from the prohibition against running for elective office to the head of an executive department of the District of Columbia who is not classified under an applicable merit or civil-service system.

Extends to agencies of the District of Columbia provisions requiring the the Merit System Protection Board (MSPB) to withhold funds from agencies that reappoint employees removed for violating the Hatch Act within 18 months after removal.

Exempts individuals employed or holding office in the District of Columbia from provisions of the Hatch Act applicable to federal employees.

Makes federal employees living in the District of Columbia eligible to participate in local politics to the same extent as federal employees living in nearby areas of Maryland or Virginia.

(Sec. 4) Replaces existing penalty provisions for violations of the Hatch Act to make an offending employee subject to removal (currently, removal is mandatory), reduction in grade, debarment from federal employment for five years, suspension, reprimand, or a civil penalty of not more than \$1,000.

(Sec. 5) Makes the new penalties imposed by this Act applicable to violations occurring before, on, or after the effective date of this Act, unless, before the effective date of this Act, the Special Counsel has presented a complaint for disciplinary action with respect to an alleged violation or the employee alleged to have committed the violation has entered into a signed settlement agreement with the Special Counsel.

## Actions Timeline

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- **Dec 28, 2012:** Signed by President.
- **Dec 28, 2012:** Became Public Law No: 112-230.
- **Dec 20, 2012:** Presented to President.
- **Dec 19, 2012:** Mr. Farenthold moved to suspend the rules and pass the bill.
- **Dec 19, 2012:** Considered under suspension of the rules. (consideration: CR H7320-7323)
- **Dec 19, 2012:** DEBATE - The House proceeded with forty minutes of debate on S. 2170.
- **Dec 19, 2012:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H7320)
- **Dec 19, 2012:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H7320)
- **Dec 19, 2012:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 3, 2012:** Message on Senate action sent to the House.
- **Dec 3, 2012:** Received in the House.
- **Dec 3, 2012:** Referred to the House Committee on Oversight and Government Reform.
- **Nov 30, 2012:** Passed/agreed to in Senate: Passed Senate with an amendment and an amendment to the Title by Unanimous Consent.(consideration: CR S7307-7308; text as passed Senate: CR S7307-7308)
- **Nov 30, 2012:** Passed Senate with an amendment and an amendment to the Title by Unanimous Consent. (consideration: CR S7307-7308; text as passed Senate: CR S7307-7308)
- **Sep 13, 2012:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Lieberman with an amendment in the nature of a substitute and an amendment to the title. With written report No. 112-211.
- **Sep 13, 2012:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 508.
- **Jun 29, 2012:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 13, 2012:** Committee on Homeland Security and Governmental Affairs referred to Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia.
- **Mar 7, 2012:** Introduced in Senate
- **Mar 7, 2012:** Sponsor introductory remarks on measure. (CR S1461)
- **Mar 7, 2012:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of measure as introduced: CR S1461-1462)