

A Model Act for State Governments

Bribes Pervert Our Government and are Rarely Prosecuted. States Can Change That

Purpose: Bribes come in many shapes and forms, and their influence on state and federal processes undermines democratic society. This model Act establishes comprehensive state authority to investigate and prosecute corrupt conduct in place of weakened federal laws and inaction by state or federal agencies within its jurisdiction.

Source: This document summarizes the “Bribe is a Bribe Act,” authored by the Existentialist Republic for the purpose of empowering state government to identify and prosecute corruption, bribery, and self-dealing by officials acting within state borders or affecting residents. This Act applies regardless of whether state, local, or federal governments employ the official.

Summary: States have a compelling interest in maintaining public integrity and ensuring that government serves the people rather than private interests. States have independent authority to define and prosecute crimes against peace and dignity.

State attorneys general have clear authority to prosecute any public official whose corruption affects state residents. This includes a city councilmember, a Supreme Court justice, or even an FBI director. It defines bribery and corruption the way normal people already understand it, closing loopholes federal courts have spent a decade creating. It gives states the authority to step in when the federal government fails to act or chooses to look away.

It also ensures that there is no immunity or pardon protection for state-level offenses. Dual sovereignty applies and standing is substantiated in the Act. If the state Attorney General declines to act, residents can bring civil suits to enforce it themselves.

This Act explicitly defines conduct that can be used to influence official action, including fraud, self-dealing, abuse of office, extortion, and obstruction. It clearly defines when a state has jurisdiction to investigate or prosecute covered conduct, such as when the conduct occurs within the state, is intended to affect the state, when a resident or entity of the state is a victim, or if the proceeds are located within the state. It also applies whether the person who engaged in conduct resides in the state, maintains an office in the state, or conducts business in the state.

This model Act was researched, written, and reviewed by legal and policy experts who can provide support to political leaders considering application of the Act. This model Act, and others that implement or strengthen state authority to resist federal overreach or protect citizens from federal failures, are available upon request.

*For questions, implementation guidance, or to report on adoption progress:
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