

(4) for threatening to commit a crime of violence, by imprisonment for not more than five years or a fine under this title, or both;

(5) for attempting or conspiring to commit murder or kidnapping, by imprisonment for not more than ten years or a fine under this title, or both; and

(6) for attempting or conspiring to commit a crime involving maiming, assault with a dangerous weapon, or assault resulting in serious bodily injury, by imprisonment for not more than three years or a fine of<sup>1</sup> under this title, or both.

(b) As used in this section—

(1) “racketeering activity” has the meaning set forth in section 1961 of this title; and

(2) “enterprise” includes any partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity, which is engaged in, or the activities of which affect, interstate or foreign commerce.

(Added Pub. L. 98-473, title II, §1002(a), Oct. 12, 1984, 98 Stat. 2137, §1952B; renumbered §1959, Pub. L. 100-690, title VII, §7053(b), Nov. 18, 1988, 102 Stat. 4402; Pub. L. 103-322, title VI, §60003(a)(12), title XXXIII, §§330016(1)(J), (2)(C), 330021(1), Sept. 13, 1994, 108 Stat. 1969, 2147, 2148, 2150.)

#### AMENDMENTS

1994—Subsec. (a)(1). Pub. L. 103-322, §330016(2)(C), substituted “fine under this title” for “fine of not more than \$250,000” in two places.

Pub. L. 103-322, §60003(a)(12), amended par. (1) generally. Prior to amendment, par. (1) read as follows:

“(1) for murder or kidnaping, by imprisonment for any term of years or for life or a fine of not more than \$50,000, or both;”.

Subsec. (a)(2) to (4). Pub. L. 103-322, §330016(2)(C), substituted “fine under this title” for “fine of not more than \$30,000” in par. (2), “fine of not more than \$20,000” in par. (3), and “fine of not more than \$5,000” in par. (4).

Subsec. (a)(5). Pub. L. 103-322, §330021(1), substituted “kidnaping” for “kidnaping”.

Pub. L. 103-322, §330016(2)(C), substituted “fine under this title” for “fine of not more than \$10,000”.

Subsec. (a)(6). Pub. L. 103-322, §330016(1)(J), substituted “under this title” for “not more than \$3,000” after “fine of”.

1988—Pub. L. 100-690 renumbered section 1952B of this title as this section.

### § 1960. Prohibition of unlicensed money transmitting businesses

(a) Whoever knowingly conducts, controls, manages, supervises, directs, or owns all or part of an unlicensed money transmitting business, shall be fined in accordance with this title or imprisoned not more than 5 years, or both.

(b) As used in this section—

(1) the term “unlicensed money transmitting business” means a money transmitting business which affects interstate or foreign commerce in any manner or degree and—

(A) is operated without an appropriate money transmitting license in a State where such operation is punishable as a misdemeanor or a felony under State law, whether or not the defendant knew that the

operation was required to be licensed or that the operation was so punishable;

(B) fails to comply with the money transmitting business registration requirements under section 5330 of title 31, United States Code, or regulations prescribed under such section; or

(C) otherwise involves the transportation or transmission of funds that are known to the defendant to have been derived from a criminal offense or are intended to be used to promote or support unlawful activity;

(2) the term “money transmitting” includes transferring funds on behalf of the public by any and all means including but not limited to transfers within this country or to locations abroad by wire, check, draft, facsimile, or courier; and

(3) the term “State” means any State of the United States, the District of Columbia, the Northern Mariana Islands, and any commonwealth, territory, or possession of the United States.

(Added Pub. L. 102-550, title XV, §1512(a), Oct. 28, 1992, 106 Stat. 4057; amended Pub. L. 103-325, title IV, §408(c), Sept. 23, 1994, 108 Stat. 2252; Pub. L. 107-56, title III, §373(a), Oct. 26, 2001, 115 Stat. 339; Pub. L. 109-162, title XI, §1171(a)(2), Jan. 5, 2006, 119 Stat. 3123.)

#### AMENDMENTS

2006—Subsec. (b)(1)(C). Pub. L. 109-162 substituted “to be used” for “to be used to be used”.

2001—Pub. L. 107-56 amended section catchline and text generally, substituting provisions relating to prohibition of unlicensed money transmitting businesses for similar provisions relating to prohibition of illegal money transmitting businesses.

1994—Subsec. (b)(1). Pub. L. 103-325 amended par. (1) generally. Prior to amendment, par. (1) read as follows:

“(1) the term ‘illegal money transmitting business’ means a money transmitting business that affects interstate or foreign commerce in any manner or degree and which is knowingly operated in a State—

“(A) without the appropriate money transmitting State license; and

“(B) where such operation is punishable as a misdemeanor or a felony under State law;”.

### CHAPTER 96—RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS

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1961.	Definitions.
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#### AMENDMENTS

1990—Pub. L. 101-647, title XXXV, §3559, Nov. 29, 1990, 104 Stat. 4927, struck out “racketeering” after “Prohibited” in item 1962.

1970—Pub. L. 91-452, title IX, §901(a), Oct. 15, 1970, 84 Stat. 941, added chapter 96 and items 1961 to 1968.

### § 1961. Definitions

As used in this chapter—

(1) “racketeering activity” means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion,

<sup>1</sup> So in original. The word “of” probably should not appear.