

119TH CONGRESS
1ST SESSION

S. _____

To amend the definition of aggravated felony in the Immigration and Nationality Act to include certain serious drunk driving offenses.

IN THE SENATE OF THE UNITED STATES

Mr. CORNYN (for himself, Mr. CRUZ, Mr. GALLEG0, Mr. BUDD, Mr. TILLIS, Ms. LUMMIS, Mr. HAGERTY, Mr. KENNEDY, Mr. SCHMITT, Mr. LANKFORD, and Mr. MULLIN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the definition of aggravated felony in the Immigration and Nationality Act to include certain serious drunk driving offenses.

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 “Stop Illegal Aliens
5 Drunk Driving”.

6 **SEC. 2. AGGRAVATED FELONY FOR DRIVING UNDER THE**
7 **INFLUENCE OR WHILE INTOXICATED.**

8 Section 101(a)(43) of the Immigration and Nation-
9 ality Act (8 U.S.C. 1101(a)(43)) is amended—

1 (1) in subparagraph (T), by striking “and” at
2 the end;

3 (2) by redesignating subparagraph (U) as sub-
4 paragraph (V); and

5 (3) by inserting after subparagraph (T) the fol-
6 lowing:

7 “(U) an offense relating to driving while
8 intoxicated, impaired, or under the influence of
9 alcohol, a controlled substance (as defined in
10 section 102(6) of the Controlled Substances Act
11 (21 U.S.C. 802(6)), or any other illegal narcotic
12 or intoxicating substance—

13 “(i) which resulted in the death of, or
14 serious bodily injury to, another person;
15 and

16 “(ii) for which the alien was con-
17 victed, without regard to whether the con-
18 viction is classified as a misdemeanor or
19 felony under Federal, State, tribal, or local
20 law; and”.

21 **SEC. 3. INADMISSIBILITY FOR AGGRAVATED FELONY.**

22 Section 212(a)(2) of the Immigration and Nationality
23 Act (8 U.S.C. 1182(a)(2)(F)) is amended—

24 (1) by redesignating subparagraph (F) as sub-
25 paragraph (J) and moving such subparagraph so

1 that it appears immediately after subparagraph (I);
2 and

3 (2) by inserting after subparagraph (E) the fol-
4 lowing:

5 “(F) AGGRAVATED FELONY FOR DRUNK
6 DRIVING OR DRIVING WHILE INTOXICATED.—
7 Any alien who is convicted of, admits having
8 committed, or admits committing acts consti-
9 tuting the essential elements of, any law or reg-
10 ulation of a State, the United States, or a for-
11 eign country relating to an offense described in
12 section 101(a)(43)(U) is inadmissible.”.

13 **SEC. 4. EFFECTIVE DATE; APPLICATION.**

14 (a) EFFECTIVE DATE.—This Act and the amend-
15 ments made by this Act shall take effect on the date of
16 the enactment of this Act.

17 (b) APPLICATION.—The amendments made by sec-
18 tions 2 and 3 shall apply—

19 (1) to actions taken on or after the date of the
20 enactment of this Act, regardless of when the rel-
21 evant criminal conviction occurred;

22 (2) with respect to section 276(b), only to viola-
23 tions of section 276(a) occurring on or after such
24 date of enactment; and

1 (3) with respect to section 237(a)(2)(A)(iii), if
2 the underlying aggravated felony is described in sec-
3 tion 101(a)(43)(U) or 212(a)(2)(F), only to actions
4 taken on or after the date of the enactment of this
5 Act, regardless of when the relevant criminal convic-
6 tion occurred.