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. GALLEGO, 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Illegal Aliens Drunk Driving''.

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

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

(1) in subparagraph (T), by striking ''and'' at the end;

(2) by redesignating subparagraph (U) as subparagraph (V); and

(3) by inserting after subparagraph (T) the following:

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

''(i) which resulted in the death of, or serious bodily injury to, another person; and

''(ii) for which the alien was convicted, without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law; and''.

SEC. 3. INADMISSIBILITY FOR AGGRAVATED FELONY.

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

(1) by redesignating subparagraph (F) as subparagraph (J) and moving such subparagraph so

that it appears immediately after subparagraph (I); and

(2) by inserting after subparagraph (E) the following:

"(F) AGGRAVATED FELONY FOR DRUNK DRIVING OR DRIVING WHILE INTOXICATED.—Any alien who is convicted of, admits having committed, or admits committing acts constituting the essential elements of, any law or regulation of a State, the United States, or a foreign country relating to an offense described in section 101(a)(43)(U) is inadmissible.".

SEC. 4. EFFECTIVE DATE; APPLICATION.

(a) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION.—The amendments made by sections 2 and 3 shall apply—

(1) to actions taken on or after the date of the enactment of this Act, regardless of when the relevant criminal conviction occurred;

(2) with respect to section 276(b), only to violations of section 276(a) occurring on or after such date of enactment; and

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