

118TH CONGRESS
1ST SESSION

H. R. 92

To authorize State enforcement of immigration laws, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2023

Mr. BIGGS introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize State enforcement of immigration laws, and for other purposes.

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 “State Immigration En-
5 forcement Act”.

6 **SEC. 2. STATE ENFORCEMENT OF IMMIGRATION LAWS.**

7 States, or political subdivisions of States, may enact,
8 implement and enforce criminal penalties that penalize the
9 same conduct that is prohibited in the criminal provisions
10 of immigration laws (as defined in section 101(a)(17) of
11 the Immigration and Nationality Act (8 U.S.C.

1 1101(a)(17))), as long as the criminal penalties do not ex-
2 ceed the relevant Federal criminal penalties (without re-
3 gard to ancillary issues such as the availability of proba-
4 tion or pardon). States, or political subdivisions of States,
5 may enact, implement and enforce civil penalties that pe-
6 nalize the same conduct that is prohibited in the civil pro-
7 visions of immigration laws (as defined in such section
8 101(a)(17)), as long as the civil penalties do not exceed
9 the relevant Federal civil penalties.

10 **SEC. 3. CONFORMING AMENDMENT.**

11 Section 274A(h) of the Immigration and Nationality
12 Act (8 U.S.C. 1324a(h)) is amended by striking para-
13 graph (2).

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