

## **H.R. 3003 - NO SANCTUARY FOR CRIMINALS ACT**

### *Sec. 1. Short Title*

*Sec. 2. State Noncompliance with Enforcement of Immigration Law.* This section amends and clarifies section 1373 of title 8 of the United States Code. The section states that no entity or individual may prohibit a government entity from complying with the immigration laws or assisting or cooperating with law enforcement regarding immigration laws. The section also prohibits implementation of any laws, policies, guidance, etc. that prohibit any entity from making inquiries regarding immigration and custody status.

Additionally, this section makes certain federal funding unavailable for jurisdictions that fail to comply with section (a). The section allows DHS to decline to transfer an alien in DHS' custody to a jurisdiction that fails to comply with the provisions of section 1373 and prohibits DHS from transferring aliens with final orders to requesting jurisdictions that fail to comply with section 1373.

*Sec. 3. Clarifying the Authority of ICE Detainers.* This section amends section 287(d) of title 18 of the United States Code by simplifying the statutory text on issuance of a detainer and clarifying probable cause. This does not make detainers mandatory. The section also provides that ICE must effect a transfer of custody of the alien to DHS custody within 48 hours (excluding weekends and holidays) but in no case more than 96 hours from the time that the alien is due to be released.

For jurisdictions that wish to comply with detainers and are sued for holding an alien past a release date, the United States will defend the claim and will substitute itself in as the defendant. This will not apply, however, if the state or local jurisdiction acted in bad faith and mistreated the alien while in custody.

*Sec. 4. Sarah and Grant's Law.* This section provides for the mandatory detention of any alien who is unlawfully present in the United States and is convicted one or more times of driving under the influence of alcohol regardless of whether that conviction is a misdemeanor or felony. It also provides for the mandatory detention of aliens in removal proceedings who were arrested or charged with a crime resulting in the serious bodily injury or death of another when the alien is unlawfully present in the United States, is deportable after revocation of a visa, or is deportable by reason of failing to comply with conditions of a visa.