

H.R. 3004 – KATE’S LAW

Sec. 1. Short Title

Sec. 2. Illegal Reentry. This section provides strengthened penalties for aliens convicted of illegal reentry who have a serious criminal record. Specifically, criminal aliens convicted of 3 or more misdemeanors or a felony prior to reentry could receive a maximum sentence of 10 years. A criminal alien convicted of a felony and sentenced to at least 30 months could receive a maximum sentence of 15 years. If the criminal alien was sentenced to a felony of at least 60 months, the alien could receive a sentence of 20 years. And a criminal alien convicted of certain crimes including murder, rape, or kidnapping could receive a maximum penalty of 25 years once convicted of illegal reentry.

In addition, the section makes a narrow affirmative defense available to aliens previously denied admission and removed who have nevertheless complied with the governing laws and regulations related to admission.