

116TH CONGRESS
1ST SESSION

S. 3097

To amend the Immigration and Nationality Act to provide an exception from the grounds of inadmissibility for participation in a cannabis business operating in compliance with State law.

IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2019

Mr. GARDNER (for himself and Ms. WARREN) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to provide an exception from the grounds of inadmissibility for participation in a cannabis business operating in compliance with State law.

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. EXCEPTION FOR PARTICIPATION IN CANNABIS**
4 **BUSINESSES OPERATING IN COMPLIANCE**
5 **WITH STATE LAW.**

6 Section 212(a)(2)(A)(ii) of the Immigration and Na-
7 tionality Act (8 U.S.C. 1182(a)(2)(A)(ii)) is amended—

1 (1) by redesignating subclauses (I) and (II) as
 2 items (aa) and (bb), respectively, and moving the
 3 items two ems to the right;

4 (2) by striking the clause designation and head-
 5 ing and all that follows through “if—” and inserting
 6 the following:

7 “(ii) EXCEPTIONS.—

8 “(I) PETTY OFFENSE.—Clause
 9 (i)(I) shall not apply to an alien who
 10 committed only one crime if—”; and

11 (3) by adding at the end the following:

12 “(II) LAWFUL CANNABIS BUSI-
 13 NESS.—Clause (i)(II) shall not apply
 14 to an alien who admits having com-
 15 mitted, or who admits committing,
 16 acts—

17 “(aa) carried out in compli-
 18 ance with State law; and

19 “(bb) relating to participa-
 20 tion by the alien in a cannabis
 21 business operating in compliance
 22 with State law.”.

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