

117TH CONGRESS
1ST SESSION

H. R. 1614

To amend the Immigration and Nationality Act to provide that marijuana use, possession, and distribution may not be considered for determinations of whether a person is a person of good moral character, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2021

Mr. BRENDAN F. BOYLE of Pennsylvania introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to provide that marijuana use, possession, and distribution may not be considered for determinations of whether a person is a person of good moral character, 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 “Destigmatizing in Im-
5 migration Act”.

1 **SEC. 2. MARIJUANA USE, POSSESSION, AND DISTRIBUTION**
2 **NOT CONSIDERED FOR GOOD MORAL CHAR-**
3 **ACTER OR GROUNDS FOR INADMISSIBILITY.**

4 (a) IN GENERAL.—The Immigration and Nationality
5 Act (8 U.S.C. 1101 et seq.) is amended—

6 (1) in section 101 (8 U.S.C. 1101)—

7 (A) in subsection (a)(43)(B), by inserting
8 “other than the distribution of marijuana,”
9 after “(as defined in section 102 of the Con-
10 trolled Substances Act)”; and

11 (B) in subsection (f)—

12 (i) in paragraph (3), by striking “a
13 single offense of simple possession of 30
14 grams or less of marihuana” and inserting
15 “offenses involving the use, possession, or
16 distribution of marijuana”; and

17 (ii) by adding at the end the fol-
18 lowing: “Notwithstanding any other provi-
19 sion of this Act, any offenses or conduct
20 involving the use, possession, or distribu-
21 tion of marijuana shall not be considered
22 in a determination of whether a person is
23 a person of good moral character.”;

24 (2) in section 212(a)(2) (8 U.S.C. 1182(a)(2)),
25 by amending subparagraph (F) to read as follows:

1 “(F) MARIJUANA OFFENSES.—Notwith-
2 standing any other provision of this section, any
3 offenses involving the use, possession, or dis-
4 tribution of marijuana shall not be considered
5 as grounds of inadmissibility.”; and

6 (3) in section 237(a)(2)(B)(i) (8 U.S.C.
7 1227(a)(2)(B)(i)), by striking “other than a single
8 offense involving possession for one’s own use of 30
9 grams or less of marijuana” and inserting “other
10 than offenses involving the use, possession, or dis-
11 tribution of marijuana”.

12 (b) RIGHT TO REAPPLY OR RETURN.—

13 (1) REAPPLICATION.—Any alien who was pre-
14 viously denied a visa to enter the United States as
15 a direct result of the alien’s use, possession, or dis-
16 tribution of marijuana may reapply for admission to
17 the United States.

18 (2) REISSUANCE.—Any alien who was deported
19 from the United States as a direct result of the
20 alien’s use, possession, or distribution of marijuana
21 shall be readmitted to the United States and re-
22 issued the visa that they had at the time of the
23 alien’s deportation if the alien is not inadmissible
24 under section 212(a) of the Immigration and Na-
25 tionality Act, as amended by subsection (a)(2).

1 **SEC. 3. HABITUAL DRUNKARD REPEAL.**

2 Paragraph (1) of section 101(f) of the Immigration
3 and Nationality Act (8 U.S.C. 1101(f)) is repealed.

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