

118TH CONGRESS
2D SESSION

H. R. 9100

To amend title 18, United States Code, to direct the court to deduct the portion of a sentence imposed in violation of law from the upper limit of the applicable sentencing guidelines on resentencing.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2024

Mr. GAETZ (for himself and Ms. BOEBERT) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to direct the court to deduct the portion of a sentence imposed in violation of law from the upper limit of the applicable sentencing guidelines on resentencing.

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 “Resentencing Integrity
5 Act of 2024”.

1 **SEC. 2. DEDUCTIONS FROM SENTENCING GUIDELINES FOR**
2 **SENTENCES IMPOSED IN VIOLATION OF LAW.**

3 Section 3742(g)(1) of title 18, United States Code,
4 is amended—

5 (1) by striking “subsection 3553(a)(4), the
6 court shall apply the guidelines” and inserting the
7 following: “subsection 3553(a)(4)—

8 “(A) except as provided in subparagraph
9 (B), the court shall apply the guidelines”;

10 (2) by striking “and” at the end and inserting
11 “or”; and

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

13 “(B) in the case of a sentence that was im-
14 posed in violation of law, the court shall apply
15 the guidelines described in subparagraph (A)
16 and deduct—

17 “(i) the portion of the sentence that
18 was imposed in violation of law, but not
19 more than 10 years for each sentence of a
20 term of imprisonment that was imposed in
21 violation of law; from

22 “(ii) the upper limit of the total sen-
23 tence that may be imposed pursuant to
24 such guidelines for all remaining sentences;
25 and”.