Representative Asencio offered the following:

Amendment (with directory and title amendments)
Between lines 506 and 507, insert:

908.403 Exception for DACA Beneficiary.—No provision of this chapter shall apply against any individual who is or was the beneficiary of the federal Deferred Action for Childhood Arrivals (DACA) policy. A beneficiary of the DACA policy shall be defined as any individual who, at any time since the program began in 2012, had approved status under the DACA program and did not lose their status as a result of unlawful or criminal conduct. The burden of proof shall be on the party attempting to
enforce this chapter to demonstrate that the individual targeted is not and was not a beneficiary of the DACA policy.

908.404 Civil cause of action for unlawfully targeted DACA beneficiaries.—

(1) Any beneficiary of the DACA policy who suffered injury as a result of an attempt, whether successful or not, by any state entity, local government entity, or law enforcement agency, or their agents or employees, under color of law, to unlawfully apply provisions of this chapter against the DACA beneficiary may bring a civil cause of action pursuant to this section.

(2) Any DACA beneficiary who demonstrates by the greater weight of the evidence that they were injured is entitled to recover economic damages, noneconomic damages, and a civil penalty of $10,000 for each attempt at unlawful enforcement of this chapter against them. Additionally, after making written findings of necessity, a court of competent jurisdiction may afford injunctive relief.

(3) Trial by jury is a matter of right in an action brought under this section.

(4) Sovereign immunity is waived for suits brought pursuant to this section.

(5) Public funds may not be used to defend any state entity, local government entity, or law enforcement agency, or their officers, agents, or employees sued pursuant to this section.
section, nor may public funds be used to reimburse such an
entity or person. The defendant or defendants are authorized to
petition the United States government for reimbursement of fees,
costs, and penalties, and costs of compliance imposed pursuant
to this section.

(6) A final judgment entered in favor of a plaintiff in a
cause of action brought pursuant to this section must include
written findings of fact that describe with specificity the
injury caused to the plaintiff and the unlawful course of
conduct of the defendant or defendants. The court shall provide
a copy of the final judgment containing written findings
required by this subsection to the Governor within 30 days after
rendition. A state or local government officer identified in the
final judgment may be suspended or removed from office pursuant
to general law and s. 7, Art. IV of the State Constitution.

(7) Reasonable attorney fees and costs may be awarded to a
prevailing plaintiff.

DIRECTORY AMENDMENT

Remove line 54 and insert:

sections 908.101-908.404, is created to read:

TITLE AMENDMENT
Remove line 45 and insert:

providing for implementation; providing exceptions for beneficiaries of the federal Deferred Action for Childhood Arrivals (DACA) policy; specifying a burden of proof; providing civil cause of action for unlawfully targeted DACA beneficiaries providing for right to petition the federal government for certain expenses; removal from office; requiring repeal of