

Committee on Rules

CS/SM 160 — Redesignation of the Revolutionary Armed Forces of Columbia (FARC) as a Foreign Terrorist Organization

by Military and Veterans Affairs, Space, and Domestic Security Committee and Senators Avila and Collins

The memorial is to the United States Department of State and urges the United States Secretary of State to redesignate the Revolutionary Armed Forces of Columbia (FARC) as a Foreign Terrorist Organization. The memorial attests to the Legislature's firm commitment to Columbia, and opposes the Biden Administration's removal of the FARC's designation as a Foreign Terrorist Organization.

The memorial requires the Secretary of State to dispatch copies of the memorial to the President of the United States Senate, the Speaker of the United States House of Representatives, the United States Secretary of State, and each member of the state delegation to the United States Congress.

Vote: Senate Adopted; House Adopted

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Rules

SM 176 — Balancing the Federal Budget

by Senator Avila

The memorial urges members of Congress to reduce the current national debt and enact legislation requiring a balanced federal budget.

Memorials are mechanisms for formally petitioning the federal government to act on a particular subject.

Vote: Senate Adopted; House Adopted

Committee on Rules

SM 848 — People of Iran

by Senators Powell, Brodeur, Book, and Perry

The memorial urges the Congress of the United States to stand in support of the fight for freedom of the people of Iran.

The memorial requires the Secretary of State to dispatch copies to the President of the United States, President of the United States Senate, Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.

Vote: Senate Adopted; House Adopted

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Rules

SM 1036 — Florida National Guard

by Senator Wright

The memorial urges the Congress of the United States to impel the United States National Guard Bureau to review resource allocations to the Florida National Guard and allow an increase to the state's force structure.

The memorial requires the Secretary of State to dispatch copies to the President of the United States, President of the United States Senate, Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.

Vote: Senate Adopted; House Adopted

Committee on Rules

SM 1382 — United States Department of Defense

by Senators Collins and Hooper

The memorial urges the Congress of the United States to use authorization and appropriation authorities to prohibit specified social engineering and experimentation practices and mandate a return to a merit-based system for military force and development.

The memorial requires the Secretary of State to dispatch copies to the President of the United States, President of the United States Senate, Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.

Vote: Senate Adopted; House Adopted

Committee on Rules

CS/HB 1521 — Facility Requirements Based on Sex

by Regulatory Reform and Economic Development Subcommittee and Rep. Plakon and others
(CS/SB 1674 by Fiscal Policy Committee and Senators Grall and Perry)

The bill creates s. 553.865, F.S., the “Safety in Private Spaces Act,” and states the legislative purpose and intent of the bill as providing restrooms and changing facilities for exclusive use by females or males, respective to their sex, in order to maintain public safety, decency, decorum, and privacy.

The bill:

- Establishes a procedure for individuals to notify authorized persons for the public sector entities subject to the bill (the covered entities described below), that a person of the opposite sex has entered into a restroom or changing facility designated for exclusive use for females or males. The bill does not apply to persons born with a medically verifiable genetic disorder of sexual development under treatment by a physician, with specified conditions.
- Defines these terms:
 - “Female” means “a person belonging, at birth, to the biological sex which has the specific reproductive role of producing eggs”; and
 - “Male” means “a person belonging, at birth, to the biological sex which has the specific reproductive role of producing sperm.”
- Specifies the term “covered entities” means state adult correctional institutions, educational facilities (K-12 to university level), juvenile correctional facilities and secure detention centers, county and city detention facilities (jails), and public buildings that are owned or leased by the state, a state agency, or a county, city, or special district.
- Sets forth the circumstances in which entry to a restroom or changing facility designated for the opposite sex on the premises of a covered entity is appropriate:
 - To accompany a person of the opposite sex to assist or chaperone a child under 12 years of age, an elderly person, or a person with a disability or developmental disability;
 - For law enforcement or governmental regulatory purposes;
 - For rendering emergency medical assistance or intervening in any other emergency situation where the health or safety of another person is at risk;
 - For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or
 - If the appropriate designated restroom or changing facility is out of order or under repair, and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex.
- Specifies by type of covered entity, the persons who are authorized to request another person depart from restrooms or changing facilities designated for the opposite sex on the premises of a covered entity.

- Requires covered entities that maintain a water closet (toilet or urinal) or a changing facility (dressing room, fitting room, locker room, changing room, or shower room) to have, at a minimum:
 - Restrooms or changing facilities that are designated for exclusive use by females and for exclusive use by males; or
 - A unisex restroom or changing facility (intended for a single-occupant or a family in which a person may be in a state of undress, enclosed in floor-to-ceiling walls and accessed by a full door with a secure lock that prevents someone from entering while the room is in use).
- Requires each type of covered entity to apply existing disciplinary procedures or establish disciplinary procedures or policies, as applicable, for employees, certain persons under its control, and other personnel described in the bill who willfully enter a restroom or changing facility designated for the opposite sex on the premises of the covered entity, for a purpose other than the authorized uses listed in the bill, and who refuse to depart when asked to do so by an authorized person.
- Provides that any person who willfully enters a restroom or changing facility designated for the opposite sex on the premises of a covered entity, for a purpose other than the authorized uses listed in the bill, who refuses to depart when asked to do so by a person authorized to make such a request, commits the criminal offense of trespass. Certain employees, staff, and others authorized to be on the premises of a covered entity are not subject to this provision.
- Requires each educational institution to establish in its code of student conduct disciplinary procedures for any student who willfully enters a restroom or changing facility designated for the opposite sex on the premises of the educational institution, for a purpose other than the authorized uses listed in the bill, and refuses to depart when asked to do so by an authorized person.
- Requires covered entities to submit documentation regarding compliance with the minimum requirements for restrooms and changing facilities, if applicable, within one year after being established or, if the institution or facility was established before July 1, 2023, no later than April 1, 2024, to the Board of Governors, the Department of Corrections, the Department of Juvenile Justice, or the State Board of Education, as applicable.
- Provides that beginning July 1, 2024, a person may submit a complaint to the Attorney General alleging that a covered entity failed to meet the minimum requirements for restrooms and changing facilities required by the bill, and that failure to comply with the minimum requirements for restrooms and changing facilities subjects a covered entity to licensure or regulatory disciplinary action.
- Authorizes the Attorney General to take enforcement action against covered entities through the judicial system beginning July 1, 2024, by seeking injunctive relief, and by seeking a fine of up to \$10,000 for any covered entity found to have willfully violated the requirements in the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
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Vote: Senate 26-12; House 80-36

Committee on Rules

CS/CS/SB 1718 — Immigration

by Fiscal Policy Committee; Rules Committee; and Senator Ingoglia

The bill (Chapter 2023-40, L.O.F.) amends various Florida statutes to address provisions related to individuals in this state who may be unauthorized aliens. Specifically the bill:

- Amends the crime of human smuggling to provide that a person commits a third degree felony when he or she knowingly and willfully transports into this state an individual whom the person knows or reasonably should know has entered the United States in violation of the law and has not been inspected by the Federal Government since his or her unlawful entry from another country;
- Enhances the crime of human smuggling when smuggling a minor, more than five people, or when the defendant has a prior conviction for human smuggling;
- Adds the crime of human smuggling to the list of crimes that allow for prosecution under the Florida RICO (Racketeer Influenced and Corrupt Organization) Act;
- Allows a law enforcement agency to send relevant information obtained pursuant to enforcement of s. 448.095, F.S., to a federal immigration agency;
- Amends the state's domestic security statutes to provide the necessary authority for the Florida Department of Law Enforcement to coordinate with and provide assistance to the Federal Government in the enforcement of federal immigration laws, and responses to immigration enforcement incidents within or affecting Florida;
- Beginning July 1, 2023, requires private employers with 25 or more employees to use the E-Verify system for new employees (the bill retains the current law requirements for public employers and contractors and subcontractors thereof to use the E-Verify system);
- Alters the defenses for employers using the I-9 Form or E-Verify system; and, beginning July 1, 2024, amends the penalties for an employer's noncompliance to register and use the E-Verify system, including imposing a daily fine of \$1,000 and allowing for the suspension of employer licenses after multiple findings of noncompliance;
- Creates penalties for employers who knowingly employ unauthorized aliens, effective July 1, 2024, including quarterly reporting and the suspension or revocation of employer licenses in certain circumstances;
- Creates a third degree felony for an unauthorized alien to knowingly use a false identification document or who fraudulently uses an identification document of another person, to obtain employment;
- Prohibits a county or municipality from providing funds to any person, entity, or organization for the purpose of issuing an identification card or other document to an individual who does not provide proof of lawful presence in the United States;
- Prohibits a person from operating a motor vehicle if his or her driver's license is issued by another state which exclusively provides such a license to undocumented immigrants who are unable to prove lawful presence in the United States when the licenses are issued;
- Provides that certain existing exemptions from obtaining a Florida driver license for nonresidents do not apply for undocumented immigrants;

- Repeals the statute that allows an applicant to the Florida Bar who is an unauthorized immigrant to be admitted to the Bar by the Florida Supreme Court if certain conditions are met effective November 1, 2028;
- Requires a person who is in the custody of a law enforcement agency and is subject to an immigration detainer to submit a DNA sample when he or she is booked into a jail, correctional, or juvenile facility;
- Requires any hospital that accepts Medicaid to include a question on its admission or registration forms inquiring about whether the patient is a United States citizen, is lawfully present in the United States, or is not lawfully present in the United States;
- Requires each hospital to provide a quarterly report to the Agency for Health Care Administration, detailing the number of emergency department visits or hospital admissions by patients who responded to the above question in each category; and
- Appropriates a nonrecurring sum of \$12 million from the General Revenue Fund to the Division of Emergency Management for the 2023-2024 fiscal year for the Unauthorized Alien Transport Program created in ch. 2023-3, L.O.F.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023, except where otherwise provided.

Vote: Senate 27-10; House 83-36