

By Senator Haridopolos

26-00430-08

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1 A bill to be entitled

2 An act relating to human smuggling; creating s. 877.28,  
3 F.S.; prohibiting transporting into the state an  
4 individual who the person knows is illegally entering the  
5 United States or has illegally entered or remained in the  
6 United States; providing penalties; providing enhanced  
7 penalties for specified violations; providing an effective  
8 date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12 Section 1. Section 877.28, Florida Statutes, is created to  
13 read:

14 877.28 Human smuggling.--

15 (1) (a) Except as provided in paragraph (b), a person who  
16 transports into the state an individual who the person knows is  
17 illegally entering the United States or has illegally entered or  
18 remained in the United States commits a felony of the third  
19 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
20 775.084.

21 (b) A person who transports a minor in violation of  
22 paragraph (a) commits a felony of the second degree, punishable  
23 as provided in s. 775.082, s. 775.083, or s. 775.084.

24 (2) (a) If a violation of this section results in great  
25 bodily harm to a person transported, a mandatory minimum sentence  
26 of 5 years' imprisonment must be imposed.

27 (b) If a violation of this section results in the death of  
28 a person transported, a mandatory minimum sentence of 10 years'  
29 imprisonment must be imposed.

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30 |       (3) A person commits a separate offense for each person he  
31 | or she transports in violation of this section.

32 |       Section 2. This act shall take effect October 1, 2008.