

By Senators Baker and Posey

20-00550-08

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1 A bill to be entitled
2 An act relating to illegal aliens; providing definitions;
3 requiring law enforcement officers, sheriffs, chief
4 correctional officers, and clerks of the circuit court to
5 report to the Immigration and Customs Enforcement office
6 of the United States Department of Homeland Security
7 suspected illegal aliens who are arrested, detained, or
8 convicted of a felony; requiring law enforcement agencies
9 to provide written notice to each law enforcement officer
10 of the officer's duty to cooperate with federal officials
11 with regards to federal immigration laws; requiring the
12 Office of the Attorney General, the Department of Law
13 Enforcement, and all state and local law enforcement
14 agencies to vigorously pursue all opportunities to collect
15 federal funds to which the state may be entitled for the
16 reimbursement of moneys spent to enforce federal
17 immigration laws; providing an effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Illegal aliens; reporting to federal officials.-

22 (1) As used in this section, the term:

23 (a) "County or municipal detention facility" has the same
24 meaning as in s. 951.23, Florida Statutes.

25 (b) "Law enforcement officer" has the same meaning as in s.
26 943.10, Florida Statutes.

27 (c) "Law enforcement agency" means any agency or unit of
28 government which has authority to employ or appoint law
29 enforcement officers.

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30 (2) (a) If a law enforcement officer has probable cause to
31 believe that a person arrested for a felony offense is not
32 legally present in the United States, the officer shall report
33 that person to the Immigration and Customs Enforcement office of
34 the United States Department of Homeland Security.

35 (b) If a person arrested for a felony offense is detained
36 in a county or municipal detention facility and the sheriff or
37 chief correctional officer reasonably believes that the person is
38 not legally present in the United States, the sheriff or chief
39 correctional officer shall report that person to the Immigration
40 and Customs Enforcement office of the United States Department of
41 Homeland Security.

42 (c) A judge of the circuit court shall direct the clerk of
43 the circuit court to notify the Immigration and Customs
44 Enforcement office of the United States Department of Homeland
45 Security when a suspected alien has been convicted of or pleaded
46 guilty to a felony.

47 (3) (a) Each law enforcement agency shall provide written
48 notice to its law enforcement officers of each officer's duty to
49 cooperate with federal officials with regards to enforcing
50 federal laws governing immigration.

51 (b) Each law enforcement agency shall provide written
52 confirmation to the Department of Law Enforcement by March 1 of
53 each year that it has provided the notice to each officer
54 employed by the agency.

55 (4) The Office of the Attorney General, the Department of
56 Law Enforcement, and all state and local law enforcement agencies
57 shall vigorously pursue all opportunities to collect all federal
58 funds to which the state may be entitled for the reimbursement of

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59 moneys spent to enforce federal immigration laws.

60 Section 2. This act shall take effect July 1, 2008.