

1 A bill to be entitled
 2 An act relating to human smuggling; creating s. 787.07,
 3 F.S.; providing that a person commits a third degree
 4 felony if he or she transports an individual into this
 5 state and knows, or should know, that the individual is
 6 illegally entering the United States or has illegally
 7 remained in the United States; providing criminal
 8 penalties; providing enhanced penalties if the individual
 9 being transported is a minor or suffers great bodily harm
 10 or death; providing an effective date.

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

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 14 Section 1. Section 787.07, Florida Statutes, is created to
 15 read:

16 787.07 Human smuggling.--

17 (1) (a) A person who transports into this state an
 18 individual 18 years of age or older who the person knows, or
 19 should know, is illegally entering the United States or has
 20 illegally remained in the United States commits a felony of the
 21 third degree, punishable as provided in s. 775.082, s. 775.083,
 22 or s. 775.084.

23 (b) If, during the course of a violation of paragraph (a),
 24 the individual being transported suffers great bodily harm or
 25 death, the violation is a felony of the second degree,
 26 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

27 (2) (a) A person who transports into this state a minor who
 28 the person knows, or should know, is illegally entering the

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29 United States or has illegally remained in the United States
30 commits a felony of the second degree, punishable as provided in
31 s. 775.082, s. 775.083, or s. 775.084.

32 (b) If, during the course of a violation of paragraph (a),
33 the minor suffers great bodily harm or death, the person commits
34 a felony of the first degree, punishable as provided in s.
35 775.082, s. 775.083, or s. 775.084.

36 (3) A person commits a separate offense for each
37 individual or minor he or she transports into this state in
38 violation of this section.

39 Section 2. This act shall take effect October 1, 2009.