

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 from another country;  
 7           providing criminal penalties; providing enhanced penalties  
 8           if the individual being transported is a minor or suffers  
 9           great bodily harm or death; providing an effective date.

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

12  
 13           Section 1. Section 787.07, Florida Statutes, is created to  
 14 read:

15           787.07 Human smuggling.--

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

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

25           (2) (a) A person who transports into this state a minor who  
 26 the person knows, or should know, is illegally entering the  
 27 United States from another country commits a felony of the  
 28 second degree, punishable as provided in s. 775.082, s. 775.083,

CS/HB 123

2009

29 | or s. 775.084.

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

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

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