

By Senator Dockery

15-00577-09

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

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

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

17 787.07 Human smuggling.-

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

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

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

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

33 (b) If, during the course of a violation of paragraph (a),
34 the minor suffers great bodily harm or death, the person commits
35 a felony of the first degree, punishable as provided in s.
36 775.082, s. 775.083, or s. 775.084.

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

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