

By Senator Steube

23-01110-17

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1                   A bill to be entitled  
2           An act relating to reentry into the state by certain  
3           persons; creating s. 877.28, F.S.; prohibiting entry  
4           to, or presence in, the state of a person denied  
5           admission, excluded, deported, or removed unless the  
6           United States Attorney General consents to his or her  
7           admission or the person can establish that federal law  
8           does not require advance consent; providing criminal  
9           penalties; providing an effective date.

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

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

15           877.28 Reentry into the state after removal.—A person who,  
16 pursuant to 8 U.S.C. ss. 1151 et seq., is denied admission to,  
17 is excluded, deported, or removed from, or who departs the  
18 United States while an order of exclusion, deportation, or  
19 removal is outstanding and thereafter enters or is at any time  
20 found in the state commits a felony of the third degree,  
21 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
22 unless:

23           (1) The United States Attorney General expressly consents  
24 to such person's reapplying for admission:

25           (a) Before his or her reembarkation at a place outside the  
26 United States; or

27           (b) On his or her application for admission from a foreign  
28 contiguous territory; or

29           (2) With respect to a person previously denied admission

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30 and removed, such person establishes that he or she was not  
31 required to obtain such advance consent under federal law.

32 Section 2. This act shall take effect October 1, 2017.