

By Senator Steube

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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 a
4 person from entering or being present in this state if
5 he or she has been denied admission, excluded,
6 deported, or removed from the United States unless the
7 United States Attorney General consents to his or her
8 admission or the person can establish that federal law
9 does not require advance consent; providing criminal
10 penalties; 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 877.28, Florida Statutes, is created to
15 read:

16 877.28 Reentry into the state after removal.—A person who,
17 pursuant to 8 U.S.C. ss. 1151 et seq., is denied admission to;
18 who is excluded, deported, or removed from; or who departs the
19 United States while an order of exclusion, deportation, or
20 removal is outstanding against that person and thereafter he or
21 she enters or is at any time found in this state commits a
22 felony of the third degree, punishable as provided in s.
23 775.082, s. 775.083, or s. 775.084, unless:

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

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

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

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30 (2) With respect to a person previously denied admission
31 and removed, such person establishes that he or she was not
32 required to obtain such advance consent under federal law.

33 Section 2. This act shall take effect October 1, 2018.