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LEGISLATIVE ACTION

Senate

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House

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Floor: NC/RM

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05/02/2019 04:54 PM

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Senator Lee moved the following:

1 **Senate Amendment to Senate Amendment (406006) to House**
2 **Amendment**

3
4 Delete lines 62 - 97

5 and insert:

6 enforcement agency with respect to a person who has been
7 arrested or incarcerated for an alleged criminal act from
8 complying with 8 U.S.C. s. 1373 or from communicating or
9 cooperating with a federal immigration agency so as to limit or
10 prohibit such agency from:

11 (a) Complying with an immigration detainer;



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12 (b) Complying with a request from a federal immigration
13 agency to notify the agency before the release of an inmate or
14 detainee in the custody of the law enforcement agency;

15 (c) Providing a federal immigration agency access to an
16 inmate for interview;

17 (d) Participating in any program or agreement authorized
18 under section 287 of the Immigration and Nationality Act, 8
19 U.S.C. s. 1357; or

20 (e) Providing a federal immigration agency with an inmate's
21 incarceration status or release date.

22 (7) "State entity" means the state or any office, board,
23 bureau, commission, department, branch, division, or institution
24 thereof, including institutions within the State University
25 System and the Florida College System.

26 908.103 Sanctuary policies prohibited.—A state entity, law
27 enforcement agency, or local governmental entity may not adopt
28 or have in effect a sanctuary policy.

29 908.104 Cooperation with federal immigration authorities.—

30 (1) A law enforcement agency shall use best efforts to
31 support the enforcement of federal immigration law. This
32 subsection applies to an official, representative, agent, or
33 employee of the entity or agency only when he or she is acting
34 within the scope of his or her official duties or within the
35 scope of his or her employment.

36 (2) Except as otherwise expressly prohibited by federal
37 law, a state entity, local governmental entity, or law
38 enforcement agency, or an employee, an agent, or a
39 representative of the entity or agency, may not prohibit or in
40 any way restrict a law enforcement agency from taking any of the



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41 following actions with respect to information regarding the
42 immigration status of a person who has been arrested or
43 incarcerated for an alleged criminal act: