

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Rules

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BILL: SB 1174

INTRODUCER: Senator Ingoglia

SUBJECT: Identification Documents

DATE: February 20, 2024

REVISED: \_\_\_\_\_

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	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	<b>Favorable</b>
2.	<u>Hackett</u>	<u>Ryon</u>	<u>CA</u>	<b>Favorable</b>
3.	<u>Davis</u>	<u>Twogood</u>	<u>RC</u>	<b>Favorable</b>

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**I. Summary:**

SB 1174 prohibits a county or municipality from accepting as identification an identification card or document issued by an entity that knowingly issues the card or document to individuals who are not lawfully present in the United States. The prohibition does not apply to documentation issued by or on behalf of the Federal Government.

**II. Present Situation:**

In 2023, the Legislature enacted an expansive immigration bill.<sup>1</sup> Among the wide-ranging provisions contained in the bill were two statutes that prohibited counties and municipalities from providing funds for the issuance of identification cards.

Section 125.0156, F.S., prohibits a county and s. 166.246, F.S., prohibits a municipality from providing funds to any person, entity, or organization for the purpose of issuing an identification card or document to a person who does not provide proof of lawful presence in the United States.

According to the 2023 Senate bill analysis,<sup>2</sup> and by way of background information, several counties had partnered with local organizations to offer a community ID card which would enable residents to provide a form of identification to law enforcement, schools, organizations, and social service agencies. Apparently, many of the organizations that issued the ID cards did not inquire into the individual's immigration status as a condition of issuing the card.

In response to this practice, sections 125.0156, F.S. and 166.246, F.S., were created thereby prohibiting a county or municipality from providing funds to an entity for the purpose of issuing

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<sup>1</sup> Ch. 2023-40, Laws of Fla.

<sup>2</sup> Florida Senate, *Senate Bill Analysis and Fiscal Impact Statement, CS/CS/SB 1718* (April 25, 2023), available at <https://www.flsenate.gov/Session/Bill/2023/1718/Analyses/2023s01718.fp.PDF>.

ID cards or documents to an individual who does not provide proof of lawful presence in the United States.

### **III. Effect of Proposed Changes:**

The bill prohibits a county or a municipality from accepting as identification any identification card or document that is issued by any person, entity, or organization that knowingly issues the identification cards or documents to individuals who are not lawfully present in the United States. This prohibition does not extend to any documentation that is issued by or on behalf of the Federal Government.

The bill takes effect July 1, 2024.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None identified.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill may result in reduced demand for government services by persons who are not lawfully present in the United States. Additionally, the bill might reduce the potential for fraud based on the use of unofficial identification documents.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 125.0156 and 166.246.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.