

1 A bill to be entitled
2 An act relating to immigration and state-issued
3 identification; providing a short title; providing
4 legislative intent; amending s. 117.107, F.S.;
5 prohibiting notary publics from using specified terms
6 to describe themselves in certain circumstances;
7 amending s. 322.08, F.S.; requiring proof of a
8 specified identification number for certain applicants
9 for a driver license; deleting a provision authorizing
10 the Department of Highway Safety and Motor Vehicles to
11 require applicants to produce certain documents from
12 the Department of Homeland Security for certain
13 purposes; authorizing additional specified documents
14 issued by foreign governments to satisfy proof-of-
15 identity requirements; providing that a driver license
16 or temporary permit issued based on specified
17 documents is valid for a specified period; deleting a
18 provision authorizing applications to include
19 fingerprints and other unique biometric means of
20 identity; amending s. 322.12, F.S.; prohibiting the
21 department from waiving certain tests for applicants
22 who provide proof of identity using specified foreign
23 documents; amending s. 322.142, F.S.; providing a
24 short title; defining the term "agency that primarily
25 enforces immigration law"; prohibiting the department

26 from disclosing or making accessible certain
27 photographs and related information to any agency that
28 primarily enforces immigration law; providing
29 exceptions; requiring that the department notify a
30 person about whom certain information was requested;
31 requiring that the department require a person or
32 entity to certify specified information before any
33 such person or entity receives or has access to
34 certain information; requiring such person or entity
35 to keep certain records for a specified period;
36 requiring that such records be maintained in a manner
37 and form prescribed by department rule and be
38 available for inspection by the department; amending
39 ss. 322.17, 322.18, and 322.19, F.S.; prohibiting a
40 licensee from obtaining a duplicate or replacement
41 instruction permit or driver license, renewing a
42 driver license, or changing his or her name or
43 address, respectively, except in person and upon
44 submission of specified identification documents under
45 certain circumstances; conforming provisions to
46 changes made by the act; creating s. 760.45, F.S.;
47 prohibiting a person or an entity from discriminating
48 against an individual because the individual holds or
49 presents a driver license that does not comply with
50 the REAL ID Act of 2005; prohibiting an employer from

51 requiring an employee to present a driver license;
52 providing exceptions; providing construction;
53 prohibiting the state or a local government or a
54 program or activity that receives financial assistance
55 from the state from discriminating against an
56 individual because the individual holds or presents a
57 driver license that does not comply with the REAL ID
58 Act of 2005; repealing s. 395.3027, F.S., relating to
59 patient immigration status data collection by
60 hospitals; amending s. 402.307, F.S.; specifying that
61 a child's immigration status may not be a reason for
62 denying licensure of a child-caring agency; amending
63 s. 448.095, F.S.; deleting a requirement that certain
64 private employers use the E-Verify system to verify a
65 new employee's eligibility to work; deleting a
66 requirement that an employer discontinue employing a
67 person after learning that the person is or has become
68 an unauthorized alien; revising requirements for
69 public agency contracting; amending s. 760.01, F.S.;
70 adding immigration status to the purposes of the
71 Florida Civil Rights Act; requiring the state and
72 political subdivisions to accept identification
73 documents issued by certain entities; requiring the
74 Department of Commerce to establish criteria for a
75 specified program relating to identification

76 documents; amending s. 454.021, F.S.; deleting
77 provisions relating to licenses to practice law for
78 certain unauthorized immigrants; deleting the future
79 repeal of specified provisions; providing that, unless
80 required by federal law, a person's immigration status
81 alone may not determine the person's ability to obtain
82 professional or occupational licenses in the state;
83 repealing s. 787.07, F.S., relating to human
84 smuggling; amending s. 908.11, F.S.; prohibiting law
85 enforcement agencies from entering into or renewing
86 certain agreements with the United States Immigration
87 and Customs Enforcement; revising a reporting
88 requirement; amending s. 908.102, F.S.; providing and
89 revising definitions; repealing s. 908.103, F.S.,
90 relating to a prohibition on sanctuary policies;
91 amending s. 908.104, F.S.; deleting provisions
92 relating to support of federal immigration law by law
93 enforcement agencies; revising provisions concerning
94 cooperation with federal immigration authorities by
95 correctional facilities; repealing s. 908.105, F.S.,
96 relating to duties of law enforcement agencies
97 concerning to immigration detainers; repealing s.
98 908.106, F.S., relating to reimbursement of costs of
99 housing certain persons subject to immigration
100 detainers; amending s. 908.107, F.S.; providing for

101 the award of damages for certain violations; deleting
102 provisions concerning violations of provisions
103 relating to sanctuary policies; repealing s. 908.111,
104 F.S., relating to a prohibition against governmental
105 entity contracts with common carriers; creating s.
106 908.112, F.S.; specifying duties of certain officials
107 concerning certification of certain activities in
108 support of visa applications; creating s. 908.113,
109 F.S.; prohibiting certain persons from offering
110 certain services concerning assistance in immigration
111 matters; requiring certain businesses offering
112 immigration assistance to make a required disclosure;
113 providing exceptions; amending s. 943.325, F.S.;
114 revising provisions relating to collection of DNA
115 samples from persons held on immigration detainers;
116 amending s. 1002.31, F.S.; providing for preferential
117 treatment in controlled open enrollment to specified
118 children; amending s. 1003.21, F.S.; specifying that a
119 child's immigration status does not affect access to
120 public schools; amending s. 1009.26, F.S.; revising
121 requirements for certain fee waivers; amending s.
122 1009.40, F.S.; providing that a student may not be
123 denied classification as a resident for purposes of
124 receiving state financial aid awards based solely upon
125 his or her immigration status if certain requirements

126 are met; amending ss. 456.074, 480.041, 480.043,
 127 775.30, 794.056, 921.0022, and 938.085, F.S.;
 128 conforming provisions to changed made by the act;
 129 providing effective dates.

130

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

132

133 Section 1. (1) This act may be cited as the "Welcoming
 134 Florida Act."

135 (2) It is the intent of the Legislature that the
 136 "Welcoming Florida Act" is centered on promoting the values that
 137 all Floridians share of fairness, safety, and prosperity. The
 138 Legislature finds that it is time to turn the page on policies
 139 that have failed the Florida economy and the millions of Florida
 140 families and return to values of treating everyone in our state
 141 with dignity and respect as contributing members of our society
 142 and economy, regardless of where they come from. This is a
 143 moment to open our arms to people who want to help build a
 144 brighter future together. The outcomes of recent legislation
 145 have been clearly and demonstrably harmful to Floridians and our
 146 economy. The state has an opportunity to embody our shared
 147 values while also putting the economic prosperity of our
 148 communities first.

149 Section 2. Subsection (13) is added to section 117.107,
 150 Florida Statutes, to read:

151 117.107 Prohibited acts.—

152 (13) A notary public, who does not hold an active license
 153 to practice law in a state of the United States and is not
 154 otherwise permitted to practice law or represent others under
 155 federal law in an immigration matter, may not use the term
 156 notario publico, notario, immigration assistant, immigration
 157 consultant, immigration specialist, or any other designation or
 158 title, in any language, which conveys or implies that he or she
 159 possesses professional legal skills in immigration law, when
 160 advertising his or her notary public services.

161 Section 3. Subsection (2) of section 322.08, Florida
 162 Statutes, is amended to read:

163 322.08 Application for license; requirements for license
 164 and identification card forms.—

165 (2) Each such application shall include the following
 166 information regarding the applicant:

167 (a) Full name (first, middle or maiden, and last), gender,
 168 proof of social security card number satisfactory to the
 169 department, which may include a military identification card,
 170 county of residence, mailing address, proof of residential
 171 address satisfactory to the department, country of birth, and a
 172 brief description. An applicant who cannot provide a social
 173 security card must provide proof of a number associated with a
 174 document establishing identity, as specified in paragraph (c).

175 (b) Proof of birth date satisfactory to the department.

176 (c) Proof of identity satisfactory to the department. Such
 177 proof must include one of the following documents issued to the
 178 applicant:

179 1. A driver license record or identification card record
 180 from another jurisdiction that required the applicant to submit
 181 a document for identification which is substantially similar to
 182 a document required under subparagraph 2., subparagraph 3.,
 183 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
 184 7., or subparagraph 8.†

185 2. A certified copy of a United States birth certificate.†

186 3. A valid, unexpired United States passport.†

187 4. A naturalization certificate issued by the United
 188 States Department of Homeland Security.†

189 5. A valid, unexpired alien registration receipt card
 190 (green card).†

191 6. A Consular Report of Birth Abroad provided by the
 192 United States Department of State.†

193 7. An unexpired employment authorization card issued by
 194 the United States Department of Homeland Security.† ~~or~~

195 8. Any of the following documents ~~Proof of nonimmigrant~~
 196 ~~classification~~ provided by the United States Department of
 197 Homeland Security, for an original driver license. ~~In order to~~
 198 ~~prove nonimmigrant classification, an applicant must provide at~~
 199 ~~least one of the following documents. In addition, the~~
 200 ~~department may require applicants to produce United States~~

201 ~~Department of Homeland Security documents for the sole purpose~~
 202 ~~of establishing the maintenance of, or efforts to maintain,~~
 203 ~~continuous lawful presence:~~

204 a. A notice of hearing from an immigration court
 205 scheduling a hearing on any proceeding.

206 b. A notice from the Board of Immigration Appeals
 207 acknowledging pendency of an appeal.

208 c. A notice of the approval of an application for
 209 adjustment of status issued by the United States Citizenship and
 210 Immigration Services.

211 d. An official documentation confirming the filing of a
 212 petition for asylum or refugee status or any other relief issued
 213 by the United States Citizenship and Immigration Services.

214 e. A notice of action transferring any pending matter from
 215 another jurisdiction to this state issued by the United States
 216 Citizenship and Immigration Services.

217 f. An order of an immigration judge or immigration officer
 218 granting relief which ~~that~~ authorizes the alien to live and work
 219 in the United States, including, but not limited to, asylum.

220 g. Evidence that an application is pending for adjustment
 221 of status to that of an alien lawfully admitted for permanent
 222 residence in the United States or conditional permanent resident
 223 status in the United States, if a visa number is available
 224 having a current priority date for processing by the United
 225 States Citizenship and Immigration Services.

HB 1527

2024

226 h. ~~On or after January 1, 2010,~~ An unexpired foreign
227 passport with an unexpired United States Visa affixed,
228 accompanied by an approved I-94, documenting the most recent
229 admittance into the United States.

230 9. A passport issued by a foreign government.

231 10. A birth certificate issued by a foreign government.

232 11. A consular identification document.

233 12. A national identification card issued by a foreign
234 government.

235 13. A driver license issued by a foreign government. If
236 the foreign driver license is in a language other than English,
237 it must be accompanied by a certified translation or an
238 affidavit of translation into English.

239 14. A school document, including any document issued by a
240 public or private primary or secondary school or a postsecondary
241 institution, college, or university, which includes the
242 applicant's date of birth or, if a foreign school document, is
243 sealed by the school and includes a photograph of the applicant
244 at the age the document was issued.

245 15. A court document issued by or filed with a government
246 within the United States in which the applicant is named as a
247 party to the court proceeding.

248 16. An income tax return.

249 17. A marriage license on which the applicant is named as
250 a party. If the language on the marriage license is a language

251 other than English, the marriage license must be accompanied by
252 a certified translation or an affidavit of translation into
253 English.

254 18. A judgment for the dissolution of a marriage on which
255 the applicant is named as a party. If the language on the
256 judgment is a language other than English, the judgment must be
257 accompanied by a certified translation or an affidavit of
258 translation into English.

259
260 A driver license or temporary permit issued based on documents
261 required in subparagraph 7., ~~or~~ subparagraph 8., subparagraph
262 9., subparagraph 10., subparagraph 11., subparagraph 12., or
263 subparagraph 13. is valid for a period not to exceed the
264 expiration date of the document presented or 8 years, whichever
265 date first occurs. A driver license or temporary permit issued
266 based on documents required in subparagraph 14., subparagraph
267 15., subparagraph 16., subparagraph 17., or subparagraph 18. is
268 valid for 8 years ~~1 year.~~

269 (d) Whether the applicant has previously been licensed to
270 drive, and, if so, when and by what state, and whether any such
271 license or driving privilege has ever been disqualified,
272 revoked, or suspended, or whether an application has ever been
273 refused, and, if so, the date of and reason for such
274 disqualification, suspension, revocation, or refusal.

275 ~~(e) Each such application may include fingerprints and~~

HB 1527

2024

276 ~~other unique biometric means of identity.~~

277 Section 4. Subsection (1) of section 322.12, Florida
278 Statutes, is amended to read:

279 322.12 Examination of applicants.—

280 (1) It is the intent of the Legislature that every
281 applicant for an original driver license in this state be
282 required to pass an examination pursuant to this section.
283 However, the department may waive the knowledge, endorsement,
284 and skills tests for an applicant who is otherwise qualified,
285 except for an applicant who provides proof of identity under s.
286 322.08(2)(c)9.-18., and who surrenders a valid driver license
287 from another state or a province of Canada, or a valid driver
288 license issued by the United States Armed Forces, if the driver
289 applies for a Florida license of an equal or lesser
290 classification. An applicant who fails to pass the initial
291 knowledge test incurs a \$10 fee for each subsequent test, to be
292 deposited into the Highway Safety Operating Trust Fund, except
293 that if a subsequent test is administered by the tax collector,
294 the tax collector shall retain such \$10 fee, less the general
295 revenue service charge set forth in s. 215.20(1). An applicant
296 who fails to pass the initial skills test incurs a \$20 fee for
297 each subsequent test, to be deposited into the Highway Safety
298 Operating Trust Fund, except that if a subsequent test is
299 administered by the tax collector, the tax collector shall
300 retain such \$20 fee, less the general revenue service charge set

301 forth in s. 215.20(1). A person who seeks to retain a hazardous-
302 materials endorsement, pursuant to s. 322.57(1)(e), must pass
303 the hazardous-materials test, upon surrendering his or her
304 commercial driver license, if the person has not taken and
305 passed the hazardous-materials test within 2 years before
306 applying for a commercial driver license in this state.

307 Section 5. Section 322.142, Florida Statutes, is amended
308 to read:

309 322.142 Color photographic or digital imaged licenses;
310 protection of personal information.—

311 (1) The department shall, upon receipt of the required
312 fee, issue to each qualified applicant for a driver license a
313 color photographic or digital imaged driver license bearing a
314 fullface photograph or digital image of the licensee.
315 Notwithstanding chapter 761 or s. 761.05, the requirement for a
316 fullface photograph or digital image of the licensee may not be
317 waived. A space shall be provided upon which the licensee shall
318 affix his or her usual signature, as required in s. 322.14, in
319 the presence of an authorized agent of the department so as to
320 ensure that such signature becomes a part of the license.

321 (2) The department shall, upon receipt of the required
322 fee, issue to each qualified licensee applying for a renewal
323 license in accordance with s. 322.18 a color photographic or
324 digital imaged license as provided for in subsection (1).

325 (3) The department may conduct negotiations and enter into

HB 1527

2024

326 contracts with qualified firms possessing the requisite
327 qualifications for the development and production of
328 photographic or digital imaged identification documents to
329 assure efficient and economical processing of such licenses in
330 sufficient quantity and of acceptable quality to meet the
331 requirements and intent of this section, and to ensure adequate
332 service at a sufficient number of locations, at the lowest
333 competitive sealed bid price.

334 (4) The department may maintain a film negative or print
335 file. The department shall maintain a record of the digital
336 images and signatures ~~image and signature~~ of the licensees,
337 together with other data required by the department for
338 identification and retrieval. Reproductions from the file or
339 digital record are exempt from ~~the provisions of~~ s. 119.07(1)
340 and may be made and issued only for any of the following
341 purposes:

342 (a) For departmental administrative purposes. ~~†~~

343 (b) For the issuance of duplicate licenses. ~~†~~

344 (c) In response to law enforcement agency requests, except
345 as provided in subsection (5). ~~†~~

346 (d) To the Department of Business and Professional
347 Regulation and the Department of Health pursuant to an
348 interagency agreement for the purpose of accessing digital
349 images for reproduction of licenses issued by the Department of
350 Business and Professional Regulation or the Department of

351 Health.‡

352 (e) To the Department of State or a supervisor of
 353 elections pursuant to an interagency agreement to facilitate
 354 determinations of eligibility of voter registration applicants
 355 and registered voters in accordance with ss. 98.045 and 98.075.‡

356 (f) To the Department of Revenue pursuant to an
 357 interagency agreement for use in establishing paternity and
 358 establishing, modifying, or enforcing support obligations in
 359 Title IV-D cases.‡

360 (g) To the Department of Children and Families pursuant to
 361 an interagency agreement to conduct protective investigations
 362 under part III of chapter 39 and chapter 415.‡

363 (h) To the Department of Children and Families pursuant to
 364 an interagency agreement specifying the number of employees in
 365 each of that department's regions to be granted access to the
 366 records for use as verification of identity to expedite the
 367 determination of eligibility for public assistance and for use
 368 in public assistance fraud investigations.‡

369 (i) To the Agency for Health Care Administration pursuant
 370 to an interagency agreement for the purpose of authorized
 371 agencies verifying photographs in the Care Provider Background
 372 Screening Clearinghouse authorized under s. 435.12.‡

373 (j) To the Department of Financial Services pursuant to an
 374 interagency agreement to facilitate the location of owners of
 375 unclaimed property, the validation of unclaimed property claims,

376 the identification of fraudulent or false claims, and the
 377 investigation of allegations of violations of the insurance code
 378 by licensees and unlicensed persons.†

379 (k) To the Department of Economic Opportunity pursuant to
 380 an interagency agreement to facilitate the validation of
 381 reemployment assistance claims and the identification of
 382 fraudulent or false reemployment assistance claims.†

383 (l) To district medical examiners pursuant to an
 384 interagency agreement for the purpose of identifying a deceased
 385 individual, determining cause of death, and notifying next of
 386 kin of any investigations, including autopsies and other
 387 laboratory examinations, authorized in s. 406.11.†

388 (m) To the following persons for the purpose of
 389 identifying a person as part of the official work of a court:

- 390 1. A justice or judge of this state;
- 391 2. An employee of the state courts system who works in a
 392 position that is designated in writing for access by the Chief
 393 Justice of the Supreme Court or a chief judge of a district or
 394 circuit court, or by his or her designee; or
- 395 3. A government employee who performs functions on behalf
 396 of the state courts system in a position that is designated in
 397 writing for access by the Chief Justice or a chief judge, or by
 398 his or her designee.†~~†~~

399 (n) To the Agency for Health Care Administration pursuant
 400 to an interagency agreement to prevent health care fraud. If the

401 Agency for Health Care Administration enters into an agreement
402 with a private entity to carry out duties relating to health
403 care fraud prevention, such contracts shall include, but need
404 not be limited to:

405 1. Provisions requiring internal controls and audit
406 processes to identify access, use, and unauthorized access of
407 information.

408 2. A requirement to report unauthorized access or use to
409 the Agency for Health Care Administration within 1 business day
410 after the discovery of the unauthorized access or use.

411 3. Provisions for liquidated damages for unauthorized
412 access or use of no less than \$5,000 per occurrence.

413 (5) (a) This subsection may be cited as the "Driver License
414 Privacy Act."

415 (b) For purposes of this subsection, the term "agency that
416 primarily enforces immigration law" includes, but is not limited
417 to, United States Immigration and Customs Enforcement, United
418 States Bureau of Customs and Border Protection, or any successor
419 agencies that have similar duties.

420 (c) Except as required for the department to issue or
421 renew a driver license or learner's driver license that meets
422 federal standards for identification, the department may not
423 disclose or make accessible, in any manner, photographs and
424 related information pertaining to persons whose images or
425 personal identifying information is possessed by the department

426 to any agency that primarily enforces immigration law or to any
427 employee or agent of such agency, unless the department is
428 presented with a lawful court order or judicial warrant signed
429 by a judge appointed pursuant to Article III of the United
430 States Constitution. Within 3 days after receiving a request for
431 information under this subsection from such an agency, the
432 department must notify the person about whom such information
433 was requested of the request and the identity of the agency that
434 made such request.

435 (d) Before any person or entity receives or has access to
436 information from the department under this subsection, the
437 department must require such person or entity to certify to the
438 department that the person or entity will not:

439 1. Use such information for civil immigration purposes; or
440 2. Disclose such information to any agency that primarily
441 enforces immigration law or to any employee or agent of any such
442 agency unless such disclosure is pursuant to a cooperative
443 arrangement between municipal, state, and federal agencies, if
444 the arrangement does not enforce immigration law and if the
445 disclosure is limited to the specific information being sought
446 pursuant to the arrangement.

447 (e) In addition to any records required to be kept
448 pursuant to 18 U.S.C. s. 2721(c), any person or entity that
449 receives or has access to information from the department under
450 this subsection must keep for a period of at least 5 years

451 records:

452 1. Of all the uses of such department information.

453 2. That identify each person or entity that primarily
 454 enforces immigration law which receives such department
 455 information from the person or entity.

456 (f) The records identified in subparagraphs (e)1. and 2.
 457 must be maintained in a manner and form prescribed by department
 458 rule and must be available for inspection by the department.

459 Section 6. Subsection (3) of section 322.17, Florida
 460 Statutes, is amended to read:

461 322.17 Replacement licenses and permits.—

462 (3) Notwithstanding any other provision ~~provisions~~ of this
 463 chapter, if a licensee establishes his or her identity for a
 464 driver license using an identification document authorized under
 465 s. 322.08(2)(c)7.-18. ~~s. 322.08(2)(c)7. or 8.~~, the licensee may
 466 not obtain a duplicate or replacement instruction permit or
 467 driver license except in person and upon submission of an
 468 identification document authorized under s. 322.08(2)(c)7.-18.
 469 ~~s. 322.08(2)(c)7. or 8.~~

470 Section 7. Paragraph (d) of subsection (2) and paragraph
 471 (c) of subsection (4) of section 322.18, Florida Statutes, are
 472 amended to read:

473 322.18 Original applications, licenses, and renewals;
 474 expiration of licenses; delinquent licenses.—

475 (2) Each applicant who is entitled to the issuance of a

476 driver license, as provided in this section, shall be issued a
 477 driver license, as follows:

478 (d)1. Notwithstanding any other provision of this chapter,
 479 if an applicant establishes his or her identity for a driver
 480 license using a document authorized in s. 322.08(2)(c)7.-13. ~~s.~~
 481 ~~322.08(2)(c)7. or 8.~~, the driver license expires 8 years ~~shall~~
 482 ~~expire 1 year~~ after the date of issuance or upon the expiration
 483 date cited on the ~~United States Department of Homeland Security~~
 484 documents, whichever date first occurs.

485 2. Notwithstanding any other provision of this chapter, if
 486 an applicant establishes his or her identity for a driver
 487 license using a document authorized in s. 322.08(2)(c)14.-18.,
 488 the driver license expires 8 years after the date of issuance.

489 (4)

490 (c)1. Notwithstanding any other provision of this chapter,
 491 if a licensee establishes his or her identity for a driver
 492 license using an identification document authorized under s.
 493 322.08(2)(c)7.-13. ~~s. 322.08(2)(c)7. or 8.~~, the licensee may not
 494 renew the driver license except in person and upon submission of
 495 an identification document authorized under s. 322.08(2)(c)7.-
 496 13. ~~s. 322.08(2)(c)7. or 8.~~ A driver license renewed under this
 497 subparagraph ~~paragraph~~ expires 8 years ~~1 year~~ after the date of
 498 issuance or upon the expiration date cited on the ~~United States~~
 499 ~~Department of Homeland Security~~ documents, whichever date first
 500 occurs.

501 2. Notwithstanding any other provision of this chapter, if
 502 a licensee establishes his or her identity for a driver license
 503 using an identification document authorized under s.
 504 322.08(2)(c)14.-18., the licensee may not renew the driver
 505 license except in person and upon submission of an
 506 identification document authorized under s. 322.08(2)(c)14.-18.
 507 A driver license renewed under this subparagraph expires 8 years
 508 after the date of issuance.

509 Section 8. Subsection (4) of section 322.19, Florida
 510 Statutes, is amended to read:

511 322.19 Change of address or name.—

512 (4) Notwithstanding any other provision of this chapter,
 513 if a licensee established his or her identity for a driver
 514 license using an identification document authorized under s.
 515 322.08(2)(c)7.-18. ~~s. 322.08(2)(c)7. or 8.~~, the licensee may not
 516 change his or her name or address except in person and upon
 517 submission of an identification document authorized under s.
 518 322.08(2)(c)7.-18. ~~s. 322.08(2)(c)7. or 8.~~

519 Section 9. Section 760.45, Florida Statutes, is created to
 520 read:

521 760.45 Discrimination on the basis of certain driver
 522 licenses prohibited.—

523 (1) A person or an entity, including a business
 524 establishment or an employer, may not discriminate against an
 525 individual because the individual holds or presents a driver

526 license that does not comply with the REAL ID Act of 2005, Pub.
 527 L. No. 109-13.

528 (2) An employer may not require an employee to present a
 529 driver license unless possessing a driver license is required by
 530 law or is lawfully required by the employer. This subsection may
 531 not be construed to limit or expand an employer's authority to
 532 require a person to possess a driver license.

533 (3) This section may not be construed to do either of the
 534 following:

535 (a) Alter an employer's rights or obligations under the
 536 Immigration and Nationality Act, 8 U.S.C. s. 1324(a), regarding
 537 obtaining documentation that evidences identity and
 538 authorization for employment; or

539 (b) Prohibit any other action taken by an employer which
 540 is required under the Immigration and Nationality Act, 8 U.S.C.
 541 s. 1324(a).

542 (4) The state or a local government, an agent or a person
 543 acting on behalf of the state or a local government, or a
 544 program or an activity that is funded directly by or receives
 545 financial assistance from the state may not discriminate against
 546 an individual because the individual holds or presents a driver
 547 license that does not comply with the REAL ID Act of 2005, Pub.
 548 L. No. 109-13. This prohibition includes, but is not limited to,
 549 notifying a law enforcement agency of the individual's identity
 550 or that the individual holds a driver license that does not

551 comply with the REAL ID Act of 2005, Pub. L. No. 109-13, if a
552 notification is not required by law or would not have been
553 provided if the individual's driver license had been compliant
554 with such act.

555 Section 10. Section 395.3027, Florida Statutes, is
556 repealed.

557 Section 11. Subsection (6) is added to section 402.307,
558 Florida Statutes, to read:

559 402.307 Approval of licensing agency.—

560 (6) The immigration status of a child, whether
561 unaccompanied or otherwise, including unaccompanied alien
562 children, may not be a reason a prospective or established
563 licensed child-caring agency is denied a license or license
564 renewal.

565 Section 12. Subsection (2), paragraph (a) of subsection
566 (4), subsection (5), and paragraph (a) of subsection (6) of
567 section 448.095, Florida Statutes, are amended to read:

568 448.095 Employment eligibility.—

569 (2) EMPLOYMENT VERIFICATION.—

570 (a) An employer shall verify each new employee's
571 employment eligibility within 3 business days after the first
572 day that the new employee begins working for pay as required
573 under 8 C.F.R. s. 274a.

574 (b)1. A public agency shall use the E-Verify system to
575 verify a new employee's employment eligibility as required under

576 paragraph (a).

577 ~~2. Beginning on July 1, 2023, a private employer with 25~~
578 ~~or more employees shall use the E-Verify system to verify a new~~
579 ~~employee's employment eligibility as required under paragraph~~
580 ~~(a).~~

581 2.3. Each employer required to use the E-Verify system
582 under this paragraph must certify on its first return each
583 calendar year to the tax service provider that it is in
584 compliance with this section when making contributions to or
585 reimbursing the state's unemployment compensation or
586 reemployment assistance system. An employer that voluntarily
587 uses the E-Verify system may also make such a certification on
588 its first return each calendar year in order to document such
589 use.

590 (c) If the E-Verify system is unavailable for 3 business
591 days after the first day that the new employee begins working
592 for pay and an employer cannot access the system to verify a new
593 employee's employment eligibility, the employer must use the
594 Employment Eligibility Verification form (Form I-9) to verify
595 employment eligibility. The unavailability of the E-Verify
596 system does not bar the employer from using the rebuttable
597 presumption established in paragraph (4) (a). An employer must
598 document the unavailability of the E-Verify system by retaining
599 a screenshot from each day which shows the employer's lack of
600 access to the system, a public announcement that the E-Verify

601 system is not available, or any other communication or notice
 602 recorded by the employer regarding the unavailability of the
 603 system.

604 (d) The employer must retain a copy of the documentation
 605 provided and any official verification generated, if applicable,
 606 for at least 3 years.

607 ~~(e) An employer may not continue to employ an unauthorized~~
 608 ~~alien after obtaining knowledge that a person is or has become~~
 609 ~~an unauthorized alien.~~

610 (e)~~(f)~~ An employee leasing company licensed under part XI
 611 of chapter 468 which enters into a written agreement or
 612 understanding with a client company which places the primary
 613 obligation for compliance with this section upon the client
 614 company is not required to verify employment eligibility of any
 615 new employees of the client company. In the absence of a written
 616 agreement or understanding, the employee leasing company is
 617 responsible for compliance with this section. Such employee
 618 leasing company shall, at all times, remain an employer as
 619 otherwise defined in federal laws or regulations.

620 (4) DEFENSES.—

621 (a) An employer that uses the E-Verify system or, ~~if that~~
 622 ~~system is unavailable,~~ the Employment Eligibility Verification
 623 form (Form I-9) as provided in paragraph (2)(c), with respect to
 624 the employment of an unauthorized alien has established a
 625 rebuttable presumption that the employer has not violated s.

626 448.09 with respect to such employment.

627 (5) PUBLIC AGENCY CONTRACTING.—

628 ~~(a)~~ A public agency must require in any contract that the
629 contractor, and any subcontractor thereof, register with and use
630 the E-Verify system or the Employment Eligibility Verification
631 form (Form I-9) to verify the work authorization status of all
632 new employees of the contractor or subcontractor. ~~A public~~
633 ~~agency or a contractor or subcontractor thereof may not enter~~
634 ~~into a contract unless each party to the contract registers with~~
635 ~~and uses the E-Verify system.~~

636 ~~(b)~~ ~~If a contractor enters into a contract with a~~
637 ~~subcontractor, the subcontractor must provide the contractor~~
638 ~~with an affidavit stating that the subcontractor does not~~
639 ~~employ, contract with, or subcontract with an unauthorized~~
640 ~~alien. The contractor shall maintain a copy of such affidavit~~
641 ~~for the duration of the contract.~~

642 ~~(c)1.~~ ~~A public agency, contractor, or subcontractor who~~
643 ~~has a good faith belief that a person or an entity with which it~~
644 ~~is contracting has knowingly violated s. 448.09(1) shall~~
645 ~~terminate the contract with the person or entity.~~

646 ~~2.~~ ~~A public agency that has a good faith belief that a~~
647 ~~subcontractor knowingly violated this subsection, but the~~
648 ~~contractor otherwise complied with this subsection, shall~~
649 ~~promptly notify the contractor and order the contractor to~~
650 ~~immediately terminate the contract with the subcontractor.~~

651 ~~3. A contract terminated under this paragraph is not a~~
 652 ~~breach of contract and may not be considered as such. If a~~
 653 ~~public agency terminates a contract with a contractor under this~~
 654 ~~paragraph, the contractor may not be awarded a public contract~~
 655 ~~for at least 1 year after the date on which the contract was~~
 656 ~~terminated. A contractor is liable for any additional costs~~
 657 ~~incurred by a public agency as a result of the termination of a~~
 658 ~~contract.~~

659 ~~(d) A public agency, contractor, or subcontractor may file~~
 660 ~~a cause of action with a circuit or county court to challenge a~~
 661 ~~termination under paragraph (c) no later than 20 calendar days~~
 662 ~~after the date on which the contract was terminated.~~

663 (6) COMPLIANCE.—

664 (a) In addition to the requirements under s. 288.061(6),
 665 beginning on July 1, 2024, if the Department of Economic
 666 Opportunity determines that an employer failed to use the E-
 667 Verify system or the Employment Eligibility Verification form
 668 (Form I-9) to verify the employment eligibility of employees as
 669 required under this section, the department must notify the
 670 employer of the department's determination of noncompliance and
 671 provide the employer with 30 days to cure the noncompliance.

672 Section 13. Subsection (2) of section 760.01, Florida
 673 Statutes, is amended to read:

674 760.01 Purposes; construction; title.—

675 (2) The general purposes of the Florida Civil Rights Act

676 of 1992 are to secure for all individuals within the state
677 freedom from discrimination because of race, color, religion,
678 sex, pregnancy, national origin, age, handicap, immigration
679 status, or marital status and thereby to protect their interest
680 in personal dignity, to make available to the state their full
681 productive capacities, to secure the state against domestic
682 strife and unrest, to preserve the public safety, health, and
683 general welfare, and to promote the interests, rights, and
684 privileges of individuals within the state.

685 Section 14. (1) In order to encourage the safety of law
686 enforcement, first responders, medical and hospital staff,
687 children, school officials, and all residents of the state, the
688 State of Florida will recognize and accept identification
689 documents, including identification cards issued by
690 municipalities, counties, other political subdivisions, and
691 nongovernmental organizations that have been approved by
692 municipalities, counties, and other political subdivisions.

693 (2) The Department of Commerce shall establish criteria
694 for participation in this program and will create a recurring
695 grant for Fiscal Year 2024-2025 of \$5 million from the General
696 Revenue Fund to assist political subdivisions in the creation of
697 their respective programs.

698 Section 15. Effective upon this act becoming law,
699 subsection (3) of section 454.021, Florida Statutes, is amended
700 to read:

701 454.021 Attorneys; admission to practice law; Supreme
 702 Court to govern and regulate.—

703 (3) Upon certification by the Florida Board of Bar
 704 Examiners that an applicant or petitioner who has fulfilled all
 705 requirements for admission to practice law in the state ~~who is~~
 706 ~~an unauthorized immigrant who was brought to the United States~~
 707 ~~as a minor; has been present in the United States for more than~~
 708 ~~10 years; has received documented employment authorization from~~
 709 ~~the United States Citizenship and Immigration Services (USCIS);~~
 710 ~~has been issued a social security number; if a male, has~~
 711 ~~registered with the Selective Service System if required to do~~
 712 ~~so under the Military Selective Service Act, 50 U.S.C. App. 453;~~
 713 ~~and has fulfilled all requirements for admission to practice law~~
 714 ~~in this state,~~ the Supreme Court of Florida may admit that
 715 applicant or petitioner regardless of his or her immigration
 716 status, as an attorney at law authorized to practice in this
 717 state and may direct an order be entered upon the court's
 718 records to that effect.

719 Section 16. Section 8 of chapter 2023-40, Laws of Florida,
 720 is repealed.

721 Section 17. Notwithstanding any other law, and unless
 722 required by federal law, a person's immigration status alone
 723 shall not determine the person's ability to obtain a
 724 professional or occupational license in the state.

725 Section 18. Section 787.07, Florida Statutes, is repealed.

726 Section 19. Section 908.11, Florida Statutes, is amended
 727 to read:

728 908.11 Immigration enforcement assistance agreements;
 729 reporting requirement.—

730 (1) By July ~~January~~ 1, 2024 ~~2023~~, a ~~each~~ law enforcement
 731 agency operating a county detention facility may not ~~must~~ enter
 732 into or renew a written agreement with the United States
 733 Immigration and Customs Enforcement to participate in the
 734 immigration program established under s. 287(g) of the
 735 Immigration and Nationality Act, 8 U.S.C. s. 1357. ~~This~~
 736 ~~subsection does not require a law enforcement agency to~~
 737 ~~participate in a particular program model.~~

738 (2) Beginning no later than May 1, 2025, ~~any October 1,~~
 739 ~~2022, and until the~~ law enforcement agency that has such an
 740 agreement ~~enters into the written agreement required under~~
 741 ~~subsection (1), each law enforcement agency operating a county~~
 742 ~~detention facility~~ must notify the Department of Law Enforcement
 743 as to the status of any active or pending agreement ~~quarterly of~~
 744 ~~the status of such written agreement and any reason for~~
 745 ~~noncompliance with this section, if applicable.~~

746 Section 20. Section 908.102, Florida Statutes, is amended
 747 to read:

748 908.102 Definitions.—As used in this chapter, the term:

749 (1) "Certification form" means the certification of a Form
 750 I-918, Supplement B, U Nonimmigrant Status Certification as

751 required by 8 U.S.C. s. 1184(p).

752 (2) "Certifying agency" means a state or local law
 753 enforcement agency, a prosecutor, a judge, or any other
 754 governmental agency that has criminal, civil, administrative
 755 investigative, or prosecutorial authority.

756 (3) "Certifying official" means any of the following:

757 (a) The head of the certifying agency.

758 (b) A person in a supervisory role who has been
 759 specifically designated by the head of the certifying agency to
 760 issue Form I-918 Supplement B certifications on behalf of that
 761 agency.

762 (c) A judge.

763 (d) Any other certifying official described in 8 C.F.R. s.
 764 214.14(a) (3) .

765 (4)-(1) "Federal immigration agency" means the United
 766 States Department of Justice and the United States Department of
 767 Homeland Security, a division within such an agency, including
 768 United States Immigration and Customs Enforcement and United
 769 States Customs and Border Protection, any successor agency, and
 770 any other federal agency charged with the enforcement of
 771 immigration law.

772 (5)-(2) "Immigration detainer" means a written or
 773 electronic request issued by a federal immigration agency using
 774 the federal agency's official form, such as a Form I-200 Warrant
 775 for Arrest of Alien or a Form I-205 Warrant of

776 Removal/Deportation, which is accompanied by a warrant signed by
777 a judge to request that a state, local, federal, or military law
778 enforcement agency detain a person for an additional 48 hours
779 after the person would otherwise be released pursuant to charges
780 being disposed of through a finding of guilty or not guilty;
781 when charges have been dropped; when bail has been secured; or
782 when a convicted person has served his or her sentence a
783 ~~facially sufficient written or electronic request issued by a~~
784 ~~federal immigration agency using that agency's official form to~~
785 ~~request that another law enforcement agency detain a person~~
786 ~~based on probable cause to believe that the person to be~~
787 ~~detained is a removable alien under federal immigration law,~~
788 ~~including detainers issued pursuant to 8 U.S.C. ss. 1226 and~~
789 ~~1357 along with a warrant described in paragraph (c). For~~
790 ~~purposes of this subsection, an immigration detainer is deemed~~
791 ~~facially sufficient if:~~

792 ~~(a) The federal immigration agency's official form is~~
793 ~~complete and indicates on its face that the federal immigration~~
794 ~~official has probable cause to believe that the person to be~~
795 ~~detained is a removable alien under federal immigration law; or~~

796 ~~(b) The federal immigration agency's official form is~~
797 ~~incomplete and fails to indicate on its face that the federal~~
798 ~~immigration official has probable cause to believe that the~~
799 ~~person to be detained is a removable alien under federal~~
800 ~~immigration law, but is supported by an affidavit, order, or~~

HB 1527

2024

801 ~~other official documentation that indicates that the federal~~
802 ~~immigration agency has probable cause to believe that the person~~
803 ~~to be detained is a removable alien under federal immigration~~
804 ~~law; and~~

805 ~~(c) The federal immigration agency supplies with its~~
806 ~~detention request a Form I-200 Warrant for Arrest of Alien or a~~
807 ~~Form I-205 Warrant of Removal/Deportation or a successor warrant~~
808 ~~or other warrant authorized by federal law.~~

809 ~~(6)-(3)~~ "Inmate" means a person in the custody of a law
810 enforcement agency.

811 ~~(7)-(4)~~ "Law enforcement agency" means an agency in this
812 state charged with enforcement of state, county, municipal, or
813 federal laws or with managing custody of detained persons in
814 this state and includes municipal police departments, sheriffs'
815 offices, state police departments, state university and college
816 police departments, county correctional agencies, and the
817 Department of Corrections.

818 ~~(8)-(5)~~ "Local governmental entity" means any county,
819 municipality, or other political subdivision of this state.

820 (9) "Petitioner" means a person who requests a
821 certification, including indirect and bystander victims.

822 (10) "Qualifying criminal activity" means an offense for
823 which the elements are substantially similar to an offense
824 described in 8 U.S.C. s. 1101(a)(15)(U)(iii) or the attempt,
825 solicitation, or conspiracy to commit such an offense.

826 Qualifying criminal activity pursuant to s. 1011(a)(15)(U)(iii)
827 of the Immigration and Nationality Act which includes, but is
828 not limited to, the following crimes:

- 829 (a) Rape.
830 (b) Torture.
831 (c) Human trafficking.
832 (d) Incest.
833 (e) Domestic violence.
834 (f) Sexual assault.
835 (g) Abusive sexual contact.
836 (h) Prostitution.
837 (i) Sexual Exploitation.
838 (j) Female genital mutilation.
839 (k) Being held hostage.
840 (l) Peonage.
841 (m) Perjury.
842 (n) Involuntary servitude.
843 (o) Slavery.
844 (p) Kidnapping.
845 (q) Abduction.
846 (r) Unlawful criminal restraint.
847 (s) False imprisonment.
848 (t) Blackmail.
849 (u) Extortion.
850 (v) Manslaughter.

- 851 (w) Murder.
- 852 (x) Felonious assault.
- 853 (y) Witness tampering.
- 854 (z) Obstruction of justice.
- 855 (aa) Fraud in foreign labor contracting.
- 856 (bb) Stalking.
- 857 ~~(6) "Sanctuary policy" means a law, policy, practice,~~
- 858 ~~procedure, or custom adopted or allowed by a state entity or~~
- 859 ~~local governmental entity which prohibits or impedes a law~~
- 860 ~~enforcement agency from complying with 8 U.S.C. s. 1373 or which~~
- 861 ~~prohibits or impedes a law enforcement agency from communicating~~
- 862 ~~or cooperating with a federal immigration agency so as to limit~~
- 863 ~~such law enforcement agency in, or prohibit the agency from:~~
- 864 ~~(a) Complying with an immigration detainer;~~
- 865 ~~(b) Complying with a request from a federal immigration~~
- 866 ~~agency to notify the agency before the release of an inmate or~~
- 867 ~~detainee in the custody of the law enforcement agency;~~
- 868 ~~(c) Providing a federal immigration agency access to an~~
- 869 ~~inmate for interview;~~
- 870 ~~(d) Participating in any program or agreement authorized~~
- 871 ~~under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s.~~
- 872 ~~1357 as required by s. 908.11;~~
- 873 ~~(e) Providing a federal immigration agency with an~~
- 874 ~~inmate's incarceration status or release date; or~~
- 875 ~~(f) Providing information to a state entity on the~~

876 ~~immigration status of an inmate or detainee in the custody of~~
877 ~~the law enforcement agency.~~

878 ~~(11)-(7)~~ "State entity" means the state or any office,
879 board, bureau, commission, department, branch, division, or
880 institution thereof, including institutions within the State
881 University System and the Florida College System.

882 Section 21. Section 908.103, Florida Statutes, is
883 repealed.

884 Section 22. Subsections (3) through (8) of section
885 908.104, Florida Statutes, are renumbered as subsections (1)
886 through (6), respectively, and present subsections (1) and (2),
887 paragraph (a) of present subsection (3), and present subsections
888 (4) and (6) of that section are amended, to read:

889 908.104 Cooperation with federal immigration authorities.—

890 ~~(1) A law enforcement agency shall use best efforts to~~
891 ~~support the enforcement of federal immigration law. This~~
892 ~~subsection applies to an official, representative, agent, or~~
893 ~~employee of the entity or agency only when he or she is acting~~
894 ~~within the scope of his or her official duties or within the~~
895 ~~scope of his or her employment.~~

896 ~~(2) Except as otherwise expressly prohibited by federal~~
897 ~~law, a state entity, local governmental entity, or law~~
898 ~~enforcement agency, or an employee, an agent, or a~~
899 ~~representative of the entity or agency, may not prohibit or in~~
900 ~~any way restrict a law enforcement agency from taking any of the~~

901 ~~following actions with respect to information regarding a~~
 902 ~~person's immigration status:~~

903 ~~(a) Sending the information to or requesting, receiving,~~
 904 ~~or reviewing the information from a federal immigration agency~~
 905 ~~for purposes of this chapter.~~

906 ~~(b) Recording and maintaining the information for purposes~~
 907 ~~of this chapter.~~

908 ~~(c) Exchanging the information with a federal immigration~~
 909 ~~agency or another state entity, local governmental entity, or~~
 910 ~~law enforcement agency for purposes of this chapter.~~

911 ~~(d) Using the information to comply with an immigration~~
 912 ~~detainer.~~

913 ~~(e) Using the information to confirm the identity of a~~
 914 ~~person who is detained by a law enforcement agency.~~

915 ~~(f) Sending the applicable information obtained pursuant~~
 916 ~~to enforcement of s. 448.095 to a federal immigration agency.~~

917 (1)(3)(a) For purposes of this subsection, the term
 918 "applicable criminal case" means a criminal case in which:

919 1. The judgment requires the defendant to be confined in a
 920 secure correctional facility; and

921 2. The judge:

922 ~~a. Indicates in the record under s. 908.105 that the~~
 923 ~~defendant is subject to an immigration detainer; or~~

924 ~~b. Otherwise indicates in the record that the defendant is~~
 925 ~~subject to a transfer into federal custody.~~

HB 1527

2024

926 (2)-(4) To ensure compliance with Title VI of the 1964
927 Civil Rights Act, when a county correctional facility or the
928 Department of Corrections receives verification from a federal
929 immigration agency that a person in its custody is subject to an
930 immigration detainer ~~is in the law enforcement agency's custody,~~
931 the agency must provide for a screening by a public defender in
932 the person's preferred language to determine if he or she is or
933 has been a necessary witness or victim of a crime of domestic
934 violence, rape, sexual exploitation, sexual assault, murder,
935 manslaughter, assault, battery, human trafficking, kidnapping,
936 false imprisonment, involuntary servitude, fraud in foreign
937 labor contracting, blackmail, extortion, or witness tampering.
938 If the public defender determines the person is a necessary
939 witness or victim in an aforementioned act, the county
940 correctional facility or the Department of Corrections may
941 decline to comply with the federal immigration detainer.
942 Otherwise, the county correctional facility or Department of
943 Corrections may securely transport the person to a federal
944 facility in this state or to another point of transfer to
945 federal custody outside the jurisdiction of the law enforcement
946 agency. The law enforcement agency may transfer a person who is
947 subject to an immigration detainer and is confined in a secure
948 correctional facility to the custody of a federal immigration
949 agency not earlier than 12 days before his or her release date.
950 A law enforcement agency shall obtain judicial authorization

951 before securely transporting an alien to a point of transfer
 952 outside of this state.

953 ~~(4)-(6)~~ A state entity, local governmental entity, or law
 954 enforcement agency that, pursuant to subsection (3) ~~(5)~~,
 955 withholds information regarding the immigration information of a
 956 victim of or witness to a criminal offense shall document the
 957 victim's or witness's cooperation in the entity's or agency's
 958 investigative records related to the offense and shall retain
 959 the records for at least 10 years for the purpose of audit,
 960 verification, or inspection by the Auditor General.

961 Section 23. Section 908.105, Florida Statutes, is
 962 repealed.

963 Section 24. Section 908.106, Florida Statutes, is
 964 repealed.

965 Section 25. Subsections (3) and (4) of section 908.107,
 966 Florida Statutes, are amended to read:

967 908.107 Enforcement.—

968 (3) A person or an entity may bring, in an appropriate
 969 state court, an action against any state or local law
 970 enforcement agency based on a violation of this chapter to
 971 recover for actual monetary loss from such a violation, or to
 972 receive \$100,000 in liquidated damages for each such violation,
 973 whichever is greater, or both.

974 ~~(3) If a local governmental entity or local law~~
 975 ~~enforcement agency violates this chapter, the court must enjoin~~

976 | ~~the unlawful sanctuary policy. The court has continuing~~
 977 | ~~jurisdiction over the parties and subject matter and may enforce~~
 978 | ~~its orders with the initiation of contempt proceedings as~~
 979 | ~~provided by law.~~

980 | ~~(4) An order approving a consent decree or granting an~~
 981 | ~~injunction must include written findings of fact that describe~~
 982 | ~~with specificity the existence and nature of the sanctuary~~
 983 | ~~policy that violates this chapter.~~

984 | Section 26. Section 908.111, Florida Statutes, is
 985 | repealed.

986 | Section 27. Section 908.112, Florida Statutes, is created
 987 | to read:

988 | 908.112 U-visa certification policy.—

989 | (1) Upon the request of a petitioner or a victim's family
 990 | member, a certifying official from a certifying agency shall
 991 | certify victim helpfulness on the Form I-918 Supplement B
 992 | certification when the victim was a victim of a qualifying
 993 | criminal activity and has been helpful, is being helpful, or is
 994 | likely to be helpful to the detection or investigation or
 995 | prosecution of that qualifying criminal activity.

996 | (2) For purposes of determining helpfulness pursuant to
 997 | paragraph (1), there is a rebuttable presumption that a victim
 998 | is helpful, has been helpful, or is likely to be helpful to the
 999 | detection or investigation or prosecution of that qualifying
 1000 | criminal activity, if the victim has not refused or failed to

1001 provide information and assistance reasonably requested by law
 1002 enforcement.

1003 (3) The certifying official shall fully complete and sign
 1004 the Form I-918 Supplement B certification and, regarding victim
 1005 helpfulness, include specific details about the nature of the
 1006 crime investigated or prosecuted and a detailed description of
 1007 the victim's helpfulness or likely helpfulness to the detection
 1008 or investigation or prosecution of the criminal activity.

1009 (a) The certifying agency shall not consider any other
 1010 factors in deciding whether to sign the certification form,
 1011 except whether the victim was a victim of qualifying criminal
 1012 activity and the victim's helpfulness.

1013 (4) A current investigation or an arrest, the filing of
 1014 charges, and a prosecution or conviction are not required for
 1015 the victim to request and obtain the Form I-918 Supplement B
 1016 certification from a certifying official.

1017 (5) A certifying official may only withdraw the
 1018 certification if the victim refuses to provide information and
 1019 assistance when reasonably requested.

1020 (6) (a) If a certifying official or agency denies
 1021 certification under this section, the official or agency shall
 1022 in writing notify the petitioner of the reason for the denial.
 1023 The denial notification must contain the following information:

1024 1. An internal case number that allows the certifying
 1025 agency to individually identify each certification request.

1026 2. The date of the denial.

1027 3. The reason for the denial must be of one of the

1028 following:

1029 a. Lack of qualifying criminal activity;

1030 b. Lack of helpfulness;

1031 c. Lack of jurisdiction over the certification request; or

1032 d. Other circumstances for which a certifying official or

1033 agency may lawfully deny a certification.

1034 (b) Upon receiving notice that a request for certification

1035 under this section is denied, a petitioner may provide

1036 supplemental information to the certifying agency and request

1037 that the certification denial be reviewed by the certifying

1038 agency.

1039 (c) A petitioner may submit a new request for

1040 certification, after a previous request is denied, to another

1041 certifying agency for processing if the previous certifying

1042 agency was involved in investigating the qualifying criminal

1043 activity.

1044 (d) A certification agency shall keep a copy of a denial

1045 notification for at least 3 years after the date of the

1046 notification.

1047 (7)(a) Except under circumstances in which there is good

1048 cause for delay, a certifying agency shall grant or deny a

1049 request for certification:

1050 1. Within 90 days after the date of the certification

1051 request; or

1052 2. Within 14 days after the date after the certification
1053 request if the victim is in removal proceedings.

1054 (b) If a certifying agency fails to respond within the
1055 statutory timeframe or refuses to certify that an applicant was
1056 a victim of qualifying criminal activity, the applicant may
1057 petition a circuit court to review the determination of the
1058 certifying agency within 30 days after such determination or
1059 within 30 days after the expiration of the statutory timeframe.

1060 (c) The circuit court shall conduct an evidentiary hearing
1061 on such petition within 30 days after the filing of the
1062 petition. Upon conducting a hearing and the circuit court being
1063 satisfied that the applicant having proven his or her
1064 eligibility for completion of a certification form by a
1065 preponderance of the evidence and the circuit court having found
1066 that the certifying agency's refusal to sign was unreasonable, a
1067 circuit court judge may execute the certification form. In
1068 assessing the reasonableness of the certifying agency's decision
1069 or failure to respond, the circuit court may consider whether
1070 the applicant has complied with the terms of this section and
1071 whether circumstances exist that would justify a deferral of a
1072 decision, including whether a certification would jeopardize an
1073 ongoing criminal investigation or prosecution or the safety of
1074 an individual, cause a suspect to flee or evade detection, or
1075 result in the destruction of evidence or whether the applicant's

HB 1527

2024

1076 cooperation is not complete. Upon finding that the certifying
1077 agency denied the application without a factual or legal
1078 justification or failed to respond to the applicant, the circuit
1079 court shall make an award of reasonable costs and attorney fees
1080 to a prevailing applicant. Such determination shall be without
1081 prejudice to any future proceeding premised upon a material
1082 change in circumstances.

1083 (d) Any petition filed under paragraph (b), along with the
1084 record of all hearings and all other pleadings, papers filed,
1085 and orders entered in connection with such petition shall be
1086 kept under seal by the clerk unless otherwise ordered by the
1087 court.

1088 (8) Certifying agencies and certifying officials are
1089 prohibited from disclosing the immigration status of a victim or
1090 person requesting the Form I-918 Supplement B certification,
1091 except to comply with federal law or legal process or if
1092 authorized by the victim or person requesting the Form I-918
1093 Supplement B certification.

1094 (9) A certifying agency that receives a request for a Form
1095 I-918 Supplemental B certification shall report to the Speaker
1096 of the House, President of the Senate, and Governor on or before
1097 January 15, 2025, and annually thereafter, the number of victims
1098 who requested Form I-918 Form B certifications from the agency,
1099 the number of those certification forms that were signed, the
1100 number of those certification forms that were denied, the number

1101 of pending certifications on the date of the report, and the
 1102 reason for each denial.

1103 (10) A certifying official is immune from civil and
 1104 criminal liability for, in good faith, certifying or denying
 1105 certification under this section.

1106 (11) A certifying agency shall:

1107 (a) Designate a person or persons within the agency
 1108 responsible for processing requests for certification under this
 1109 section.

1110 (b) Develop written procedures for processing requests for
 1111 certification under this section.

1112 (c) Establish a process for each certifying agency to
 1113 train certifying officials and communicate with community-based
 1114 organizations and faith-based service providers about this
 1115 process.

1116 Section 28. Section 908.113, Florida Statutes, is created
 1117 to read:

1118 908.113 Fraud protection.—

1119 (1) Persons, other than those licensed to practice law in
 1120 a state of the United States or otherwise permitted to practice
 1121 law or represent others under federal law in an immigration
 1122 matter, are prohibited from engaging in the practice of law in
 1123 an immigration matter for compensation.

1124 (2) Persons, other than those licensed to practice law in
 1125 a state of the United States or otherwise permitted to practice

1126 law or represent others under federal law in an immigration
1127 matter, are prohibited from engaging in the following acts or
1128 practices for compensation:

1129 (a) Advising or assisting another person in determining
1130 the person's legal or illegal status for the purpose of an
1131 immigration matter.

1132 (b) Selecting, assisting another in selecting, or advising
1133 another as to his or her answers on a government agency form or
1134 document in an immigration matter. However, a person who
1135 provides or offers to provide immigration assistance service may
1136 perform the following services:

1137 1. Completing a governmental agency form, requested by the
1138 customer and appropriate to the customer's needs, only if the
1139 completion of that form does not involve a legal judgment for
1140 that particular matter.

1141 2. Transcribing responses to a governmental agency form
1142 that is related to an immigration matter, but not advising a
1143 customer as to his or her answers on those forms.

1144 3. Translating and interpreting information on forms for a
1145 customer and translating the customer's answers to questions
1146 posed on those forms.

1147 4. Securing for the customer supporting documents
1148 currently in existence, such as birth and marriage certificates,
1149 which may be needed to be submitted with governmental agency
1150 forms.

1151 5. Translating documents from any language into English.

1152 6. Notarizing signatures on government agency forms, if
 1153 the person performing the service is a notary public of the
 1154 State of Florida.

1155 7. Making referrals, without fee, to an attorney who could
 1156 undertake legal representation for a person in an immigration
 1157 matter.

1158 8. Preparing or arranging for the preparation of
 1159 photographs and fingerprints.

1160 9. Arranging for the performance of medical testing,
 1161 including X-rays and AIDS tests, and obtaining the results of
 1162 such test.

1163 10. Conducting English language and civics courses.

1164 11. Other services that the Attorney General determines by
 1165 rule may be appropriately performed by such person in furthering
 1166 the purposes of this section.

1167 (c) Selecting or assisting another in selecting, or
 1168 advising another in selecting, a benefit, visa, or program to
 1169 apply for in an immigration matter.

1170 (d) Soliciting to prepare documents for, or otherwise
 1171 representing the interests of, another in a judicial or
 1172 administrative proceeding in an immigration matter.

1173 (e) Explaining, advising, or otherwise interpreting the
 1174 meaning or intent of a question on a governmental agency form in
 1175 an immigration matter.

1176 (f) Charging a fee for referring another to a person
 1177 licensed to practice law.

1178 (g) Selecting, drafting, or completing legal documents
 1179 affecting the legal rights of another in an immigration matter.

1180 (3) A person or business offering immigration services,
 1181 other than those holding an active license to practice law in
 1182 the state or otherwise permitted to practice law or represent
 1183 others under federal law in an immigration matter, must post
 1184 conspicuous notices on its main website and at its place of
 1185 business in English and every other language in which the person
 1186 or business proves or offers immigration assistance with the
 1187 following statement:

1188 I AM NOT AN ATTORNEY LICENSED TO PRACTICE LAW AND MAY NOT
 1189 GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE. I AM NOT
 1190 ACCREDITED TO REPRESENT YOU BEFORE THE STATE OF FLORIDA,
 1191 THE UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE,
 1192 OR THE IMMIGRATION BOARD OF APPEALS.

1193 (4) Persons, other than those holding an active license to
 1194 practice law in a state of the United States or otherwise
 1195 permitted to practice law or represent others under federal law
 1196 in an immigration matter are prohibited from engaging in the
 1197 following acts or practices, regardless of whether compensation
 1198 is sought:

1199 (a) Representing, either orally or in any document,
 1200 letterhead, advertisement, stationery, business card, website,

HB 1527

2024

1201 or other comparable written material, that he or she is a
1202 notario publico, notario, immigration assistant, immigration
1203 consultant, immigration specialist, or using any other
1204 designation or title, in any language, that conveys or implies
1205 that he or she possesses professional legal skills in the area
1206 of immigration law.

1207 (b) Representing, in any language, either orally or in any
1208 document, letterhead, advertisement, stationery, business card,
1209 website, or other comparable written material, that he or she
1210 can or is willing to provide services in an immigration matter,
1211 if such services would constitute the practice of law.

1212 (5)(a) The prohibitions of subsections (1) through (4) do
1213 not apply to the activities of nonlawyer assistants acting under
1214 the supervision of a person holding an active license to
1215 practice law in the state or otherwise permitted to practice law
1216 or represent others under federal law in an immigration matter.

1217 (b) This section does not prohibit a person from offering
1218 translation or interpretation services, regardless of whether
1219 compensation is sought. Translating words contained on a
1220 government form from English to another language and translating
1221 a person's words from another language to English does not
1222 constitute the unauthorized practice of law.

1223 Section 29. Paragraph (a) of subsection (3) and paragraph
1224 (f) of subsection (7) of section 943.325, Florida Statutes, are
1225 amended to read:

HB 1527

2024

1226 943.325 DNA database.—

1227 (3) COLLECTION OF SAMPLES.—

1228 (a) Each qualifying offender who is not a qualifying
1229 offender solely because of the issuance of an immigration
1230 detainer by a federal immigration agency shall submit a DNA
1231 sample at the time he or she is booked into a jail, correctional
1232 facility, or juvenile facility. However, a person who becomes a
1233 qualifying offender solely because of the issuance of an
1234 immigration detainer by a federal immigration agency must be
1235 asked in writing, in his or her preferred language, if the
1236 person consents or declines to submit a DNA sample when the law
1237 enforcement agency having custody of such ~~the~~ offender receives
1238 the detainer. A law enforcement agency may not forcibly extract
1239 a DNA sample and a person who becomes a qualifying offender
1240 solely because of the issuance of an immigration detainer may
1241 not be charged with a criminal offense for declining to submit a
1242 DNA sample.

1243 (7) COLLECTION OF DNA SAMPLES FROM OFFENDERS.—

1244 ~~(f) A law enforcement agency having custody of a person~~
1245 ~~who becomes a qualifying offender solely because of the issuance~~
1246 ~~of an immigration detainer by a federal immigration agency shall~~
1247 ~~ensure that a DNA sample is taken from the offender immediately~~
1248 ~~after the agency receives the detainer and shall secure and~~
1249 ~~transmit the sample to the department in a timely manner.~~

1250 Section 30. Paragraph (c) of subsection (2) of section

HB 1527

2024

1251 | 1002.31, Florida Statutes, is amended to read:
 1252 | 1002.31 Controlled open enrollment; public school parental
 1253 | choice.—
 1254 | (2)
 1255 | (c) Each district school board must provide preferential
 1256 | treatment in its controlled open enrollment process to all of
 1257 | the following:
 1258 | 1. Dependent children of active duty military personnel
 1259 | whose move resulted from military orders.
 1260 | 2. Children who have been relocated due to a foster care
 1261 | placement in a different school zone.
 1262 | 3. Children who move due to a court-ordered change in
 1263 | custody due to separation or divorce, or the serious illness or
 1264 | death of a custodial parent.
 1265 | 4. Students residing in the school district.
 1266 | 5. Children and youths who are experiencing a lack of
 1267 | housing and children who are known to the department, as defined
 1268 | in s. 39.0016(1).
 1269 | Section 31. Paragraph (f) of subsection (1) of section
 1270 | 1003.21, Florida Statutes, is amended to read:
 1271 | 1003.21 School attendance.—
 1272 | (1)
 1273 | (f) Children and youths who are experiencing homelessness,
 1274 | regardless of their immigration status, and children who are
 1275 | known to the department, as defined in s. 39.0016, must have

1276 | access to a free public education and must be admitted to the
 1277 | school of their parent or guardian's choice in the school
 1278 | district in which they or their families live in accordance with
 1279 | the rules set forth in 1002.31. School districts shall assist
 1280 | such children in meeting the requirements of subsection (4) and
 1281 | s. 1003.22, as well as local requirements for documentation.

1282 | Section 32. Paragraphs (a), (b), and (c) of subsection
 1283 | (12) of section 1009.26, Florida Statutes, are amended to read:

1284 | 1009.26 Fee waivers.—

1285 | (12) (a) A state university, a Florida College System
 1286 | institution, a career center operated by a school district under
 1287 | s. 1001.44, or a charter technical career center shall waive
 1288 | out-of-state fees for undergraduate and graduate students,
 1289 | including, but not limited to, students who are undocumented for
 1290 | federal immigration purposes, who meet the following conditions:

1291 | 1. Attend ~~Attended~~ a secondary school in this state for 2
 1292 | ~~3 consecutive~~ years ~~immediately~~ before graduating from a high
 1293 | school in this state or successfully completing the requirements
 1294 | for a high school equivalency diploma after 2 years of relevant
 1295 | coursework;

1296 | 2. Apply for enrollment in an institution of higher
 1297 | education within 24 months after high school or undergraduate
 1298 | school graduation; and

1299 | 3. Submit an official Florida high school transcript as
 1300 | evidence of attendance and graduation or evidence of having

1301 completed the requirements for a high school equivalency
1302 diploma.

1303 (b) Tuition and fees charged to a student who qualifies
1304 for the out-of-state fee waiver under this subsection may not
1305 exceed the tuition and fees charged to a resident student. The
1306 waiver is applicable for 110 percent of the required credit
1307 hours of the undergraduate or graduate degree or certificate
1308 program for which the student is enrolled. Each state
1309 university, Florida College System institution, career center
1310 operated by a school district under s. 1001.44, and charter
1311 technical career center shall report to the Board of Governors
1312 and the State Board of Education, respectively, the number and
1313 value of all fee waivers granted annually under this subsection.
1314 By October 1 of each year, the Board of Governors for the state
1315 universities and the State Board of Education for Florida
1316 College System institutions, career centers operated by a school
1317 district under s. 1001.44, and charter technical career centers
1318 shall annually report for the previous academic year the
1319 percentage of resident and nonresident students enrolled
1320 systemwide.

1321 (c) A state university student granted an out-of-state fee
1322 waiver under this subsection must be considered a nonresident
1323 student for purposes of calculating the systemwide total
1324 enrollment of nonresident students as limited by regulation of
1325 the Board of Governors. In addition, a student who is granted an

1326 out-of-state fee waiver under this subsection is ~~not~~ eligible
 1327 for state financial aid under part III of this chapter and shall
 1328 ~~must~~ not be reported as a resident for tuition purposes.

1329 Section 33. Paragraph (a) of subsection (1) of section
 1330 1009.40, Florida Statutes, is amended to read:

1331 1009.40 General requirements for student eligibility for
 1332 state financial aid awards and tuition assistance grants.—

1333 (1)(a) The general requirements for eligibility of
 1334 students for state financial aid awards and tuition assistance
 1335 grants consist of the following:

1336 1. Achievement of the academic requirements of and
 1337 acceptance at a state university or Florida College System
 1338 institution; a nursing diploma school approved by the Florida
 1339 Board of Nursing; a Florida college or university which is
 1340 accredited by an accrediting agency recognized by the State
 1341 Board of Education; a Florida institution the credits of which
 1342 are acceptable for transfer to state universities; a career
 1343 center; or a private career institution accredited by an
 1344 accrediting agency recognized by the State Board of Education.

1345 2. Residency in this state for no less than 1 year
 1346 preceding the award of aid or a tuition assistance grant for a
 1347 program established pursuant to s. 1009.50, s. 1009.505, s.
 1348 1009.51, s. 1009.52, s. 1009.521, s. 1009.53, s. 1009.60, s.
 1349 1009.62, s. 1009.72, s. 1009.73, s. 1009.75, s. 1009.77, s.
 1350 1009.89, or s. 1009.894. Residency in this state must be for

HB 1527

2024

1351 purposes other than to obtain an education. Resident status for
1352 purposes of receiving state financial aid awards shall be
1353 determined in the same manner as resident status for tuition
1354 purposes pursuant to s. 1009.21. However, a student may not be
1355 denied classification as a resident for purposes of receiving
1356 state financial aid awards based solely upon his or her
1357 immigration status if he or she has met the conditions for an
1358 out-of-state fee waiver under s. 1009.26(12)(a).

1359 3. Submission of certification attesting to the accuracy,
1360 completeness, and correctness of information provided to
1361 demonstrate a student's eligibility to receive state financial
1362 aid awards or tuition assistance grants. Falsification of such
1363 information shall result in the denial of a pending application
1364 and revocation of an award or grant currently held to the extent
1365 that no further payments shall be made. Additionally, students
1366 who knowingly make false statements in order to receive state
1367 financial aid awards or tuition assistance grants commit a
1368 misdemeanor of the second degree subject to the provisions of s.
1369 837.06 and shall be required to return all state financial aid
1370 awards or tuition assistance grants wrongfully obtained.

1371 Section 34. Paragraph (e) of subsection (4) of section
1372 456.074, Florida Statutes, is amended to read:

1373 456.074 Certain health care practitioners; immediate
1374 suspension of license.—

1375 (4) The department shall issue an emergency order

1376 suspending the license of a massage therapist or establishment
 1377 as defined in chapter 480 upon receipt of information that the
 1378 massage therapist, a person with an ownership interest in the
 1379 establishment, or, for a corporation that has more than \$250,000
 1380 of business assets in this state, the owner, officer, or
 1381 individual directly involved in the management of the
 1382 establishment has been convicted or found guilty of, or has
 1383 entered a plea of guilty or nolo contendere to, regardless of
 1384 adjudication, a violation of s. 796.07(2)(a) which is
 1385 reclassified under s. 796.07(7) or a felony offense under any of
 1386 the following provisions of state law or a similar provision in
 1387 another jurisdiction:

~~(e) Section 787.07, relating to human smuggling.~~

1388
 1389 Section 35. Paragraph (e) of subsection (7) of section
 1390 480.041, Florida Statutes, is amended to read:

1391 480.041 Massage therapists; qualifications; licensure;
 1392 endorsement.—

1393 (7) The board shall deny an application for a new or
 1394 renewal license if an applicant has been convicted or found
 1395 guilty of, or enters a plea of guilty or nolo contendere to,
 1396 regardless of adjudication, a violation of s. 796.07(2)(a) which
 1397 is reclassified under s. 796.07(7) or a felony offense under any
 1398 of the following provisions of state law or a similar provision
 1399 in another jurisdiction:

~~(e) Section 787.07, relating to human smuggling.~~

HB 1527

2024

1401 Section 36. Paragraph (e) of subsection (8) of section
 1402 480.043, Florida Statutes, is amended to read:

1403 480.043 Massage establishments; requisites; licensure;
 1404 inspection; human trafficking awareness training and policies.—

1405 (8) The department shall deny an application for a new or
 1406 renewal license if an establishment owner or a designated
 1407 establishment manager or, for a corporation that has more than
 1408 \$250,000 of business assets in this state, an establishment
 1409 owner, a designated establishment manager, or any individual
 1410 directly involved in the management of the establishment has
 1411 been convicted of or entered a plea of guilty or nolo contendere
 1412 to any misdemeanor or felony crime, regardless of adjudication,
 1413 related to prostitution or related acts as described in s.
 1414 796.07 or a felony offense under any of the following provisions
 1415 of state law or a similar provision in another jurisdiction:

1416 ~~(e) Section 787.07, relating to human smuggling.~~

1417 Section 37. Subsection (2) of section 775.30, Florida
 1418 Statutes, is amended to read:

1419 775.30 Terrorism; defined; penalties.—

1420 (2) A person who violates s. 782.04(1)(a)1. or (2), s.
 1421 782.065, s. 782.07(1), s. 782.09, s. 784.045, s. 784.07, s.
 1422 787.01, s. 787.02, ~~s. 787.07~~, s. 790.115, s. 790.15, s. 790.16,
 1423 s. 790.161, s. 790.1615, s. 790.162, s. 790.166, s. 790.19, s.
 1424 806.01, s. 806.031, s. 806.111, s. 815.06, s. 815.061, s.
 1425 859.01, or s. 876.34, in furtherance of intimidating or coercing

1426 | the policy of a government, or in furtherance of affecting the
 1427 | conduct of a government by mass destruction, assassination, or
 1428 | kidnapping, commits the crime of terrorism, a felony of the
 1429 | first degree, punishable as provided in s. 775.082, s. 775.083,
 1430 | or s. 775.084.

1431 | Section 38. Subsection (1) of section 794.056, Florida
 1432 | Statutes, is amended to read:

1433 | 794.056 Rape Crisis Program Trust Fund.—

1434 | (1) The Rape Crisis Program Trust Fund is created within
 1435 | the Department of Health for the purpose of providing funds for
 1436 | rape crisis centers in this state. Trust fund moneys shall be
 1437 | used exclusively for the purpose of providing services for
 1438 | victims of sexual assault. Funds credited to the trust fund
 1439 | consist of those funds collected as an additional court
 1440 | assessment in each case in which a defendant pleads guilty or
 1441 | nolo contendere to, or is found guilty of, regardless of
 1442 | adjudication, an offense provided in s. 775.21(6) and (10) (a),
 1443 | (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
 1444 | 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
 1445 | 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
 1446 | 787.025; s. 787.06; ~~s. 787.07~~; s. 794.011; s. 794.05; s. 794.08;
 1447 | former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
 1448 | 796.06; s. 796.07(2) (a)–(d) and (i); s. 800.03; s. 800.04; s.
 1449 | 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
 1450 | 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.

1451 847.0137; s. 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a),
 1452 (13), and (14) (c); or s. 985.701(1). Funds credited to the trust
 1453 fund also shall include revenues provided by law, moneys
 1454 appropriated by the Legislature, and grants from public or
 1455 private entities.

1456 Section 39. Paragraph (d) of subsection (3) of section
 1457 921.0022, Florida Statutes, is amended to read:

1458 921.0022 Criminal Punishment Code; offense severity
 1459 ranking chart.—

1460 (3) OFFENSE SEVERITY RANKING CHART

1461 (d) LEVEL 4

1462

Florida	Felony	
Statute	Degree	Description

1463

316.1935(3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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1464

499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or
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			transaction statements.
1465	499.0051(5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
1466	517.07(1)	3rd	Failure to register securities.
1467	517.12(1)	3rd	Failure of dealer or associated person of a dealer of securities to register.
1468	784.031	3rd	Battery by strangulation.
1469	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
1470	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
1471	784.075	3rd	Battery on detention or commitment facility staff.
1472	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling

HB 1527

2024

			certain fluids or materials.
1473	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
1474	784.081(3)	3rd	Battery on specified official or employee.
1475	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
1476	784.083(3)	3rd	Battery on code inspector.
1477	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
1478	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
1479	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody

HB 1527

2024

1480			proceedings.
	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
1481	787.07	3rd	Human smuggling.
1482	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
1483	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
1484	790.115(2)(c)	3rd	Possessing firearm on school property.
1485	794.051(1)	3rd	Indecent, lewd, or lascivious touching of certain minors.
1486	800.04(7)(c)	3rd	Lewd or lascivious exhibition;

HB 1527

2024

1487			offender less than 18 years.
	806.135	2nd	Destroying or demolishing a memorial or historic property.
1488			
	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
1489			
	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
1490			
	810.06	3rd	Burglary; possession of tools.
1491			
	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
1492			
	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
1493			
	812.014	3rd	Grand theft, 3rd degree;

1494	(2) (c) 4. & 6.-10.		specified items.
1495	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
1496	817.505 (4) (a)	3rd	Patient brokering.
1497	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
1498	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
1499	817.5695 (3) (c)	3rd	Exploitation of person 65 years of age or older, value less than \$10,000.
1500	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.

HB 1527

2024

1501	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
1502	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
1503	836.14 (2)	3rd	Person who commits theft of a sexually explicit image with intent to promote it.
1504	836.14 (3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.
1505	837.02 (1)	3rd	Perjury in official proceedings.
1506	837.021 (1)	3rd	Make contradictory statements in official proceedings.
1507	838.022	3rd	Official misconduct.

HB 1527

2024

1508	839.13(2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
1509	839.13(2) (c)	3rd	Falsifying records of the Department of Children and Families.
1510	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
1511	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
1512	843.15(1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
1513	843.19(2)	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.

HB 1527

2024

1514	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
1515	870.01(3)	2nd	Aggravated rioting.
1516	870.01(5)	2nd	Aggravated inciting a riot.
1517	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.
1518	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)5. drugs).
1519	914.14(2)	3rd	Witnesses accepting bribes.
1520	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.

HB 1527

2024

1521	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF facilities.
1522	918.12	3rd	Tampering with jurors.
1523	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
1524	944.47(1) (a) 6.	3rd	Introduction of contraband (cellular telephone or other portable communication device) into correctional institution.
1525	951.22(1) (h) , (j) & (k)	3rd	Intoxicating drug, instrumentality or other device to aid escape, or cellular telephone or other portable communication device introduced into county detention facility.
1526			
1527	Section 40. Section 938.085, Florida Statutes, is amended		
1528	to read:		

1529 938.085 Additional cost to fund rape crisis centers.—In
 1530 addition to any sanction imposed when a person pleads guilty or
 1531 nolo contendere to, or is found guilty of, regardless of
 1532 adjudication, a violation of s. 775.21(6) and (10) (a), (b), and
 1533 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
 1534 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
 1535 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
 1536 787.06; ~~s. 787.07~~; s. 794.011; s. 794.05; s. 794.08; former s.
 1537 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
 1538 796.07(2) (a)–(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
 1539 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
 1540 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
 1541 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a), (13), and
 1542 (14) (c); or s. 985.701(1), the court shall impose a surcharge of
 1543 \$151. Payment of the surcharge shall be a condition of
 1544 probation, community control, or any other court-ordered
 1545 supervision. The sum of \$150 of the surcharge shall be deposited
 1546 into the Rape Crisis Program Trust Fund established within the
 1547 Department of Health by chapter 2003-140, Laws of Florida. The
 1548 clerk of the court shall retain \$1 of each surcharge that the
 1549 clerk of the court collects as a service charge of the clerk's
 1550 office.

1551 Section 41. Except as otherwise expressly provided in this
 1552 act and except for this section, which shall take effect upon
 1553 this act becoming a law, this act shall take effect July 1,

HB 1527

2024

1554 | 2024.