

1 A bill to be entitled
2 An act relating to immigration and state-issued
3 identification; providing a short title and purpose of
4 the act; amending s. 20.60, F.S.; establishing the
5 Office for New Americans in the Department of
6 Commerce; providing responsibilities of the Office for
7 New Americans; amending s. 322.08, F.S.; requiring
8 proof of a specified identification number for certain
9 applicants for a driver license; deleting a provision
10 authorizing the Department of Highway Safety and Motor
11 Vehicles to require applicants to produce certain
12 documents from the United States Department of
13 Homeland Security for certain purposes; authorizing
14 additional specified documents issued by foreign
15 governments to satisfy proof-of-identity requirements;
16 providing that a driver license or temporary permit
17 issued based on specified documents is valid for a
18 specified period; deleting a provision authorizing
19 applications to include fingerprints and other unique
20 biometric means of identity; amending s. 322.12, F.S.;
21 prohibiting the Department of Highway Safety and Motor
22 Vehicles from waiving certain tests for applicants who
23 provide proof of identity using specified foreign
24 documents; amending s. 322.142, F.S.; providing a
25 short title; defining the term "agency that primarily

26 enforces immigration law"; prohibiting the Department
27 of Highway Safety and Motor Vehicles from disclosing
28 or making accessible certain photographs and related
29 information to any agency that primarily enforces
30 immigration law or to any employee or agent of such
31 agency; providing exceptions; requiring that the
32 department notify a person about whom certain
33 information was requested; requiring that the
34 department require a person or entity to certify
35 specified information before such person or entity
36 receives or has access to certain information;
37 requiring such person or entity to keep certain
38 records for a specified period; requiring that such
39 records be maintained in a manner and form prescribed
40 by department rule and be available for inspection by
41 the department; amending ss. 322.17, 322.18, and
42 322.19, F.S.; requiring a licensee to obtain a
43 duplicate or replacement instruction permit or driver
44 license, renew a driver license, or change his or her
45 name or address, respectively, in person and upon
46 submission of specified identification documents under
47 certain circumstances; repealing s. 395.3027, F.S.,
48 relating to patient immigration status data
49 collection; amending s. 402.308, F.S.; prohibiting
50 certain entities from denying a license to a child

51 care facility based on immigration status; amending s.
52 448.095, F.S.; removing requirement for certain
53 private employers to use the E-Verify System; removing
54 prohibition on employers from continuing to employ
55 certain persons; authorizing employers, state
56 contractors, and subcontractors to use the Employment
57 Eligibility Verification form to verify work
58 authorization status; removing provisions requiring
59 subcontractors to provide a certain affidavit,
60 terminating certain contracts, and providing a cause
61 of action; amending s. 454.021, F.S.; removing
62 provisions relating to a person's immigration status
63 when admitting persons to practice law in this state;
64 amending ss. 760.01, 760.05, 760.07, 760.08, 760.10,
65 760.23, 760.24, 760.25, 760.26, 760.29, and 760.60,
66 F.S.; providing that discrimination based on a
67 person's immigration status is unlawful; creating s.
68 760.45, F.S.; prohibiting a person or entity from
69 discriminating against an individual because the
70 individual holds or presents a driver license that
71 does not comply with the REAL ID Act of 2005;
72 prohibiting an employer from requiring an employee to
73 present a driver license; providing exceptions;
74 providing construction; prohibiting the state or a
75 local government, an agent acting on behalf of the

76 state or a local government, or a program or activity
77 that receives financial assistance from the state from
78 discriminating against an individual because the
79 individual holds or presents a driver license that
80 does not comply with the REAL ID Act of 2005; amending
81 s. 775.0848, F.S.; revising the reclassification of
82 certain penalties for offenses committed by persons
83 who have been previously convicted of a crime relating
84 to the reentry of removed aliens; repealing s. 787.07,
85 F.S., relating to human smuggling; repealing ss.
86 908.103, 908.105, and 908.106, F.S., relating to the
87 prohibition of sanctuary policies, duties relating to
88 immigration detainees, and the reimbursement of costs,
89 respectively; amending ss. 908.102 and 908.107, F.S.;
90 conforming provisions to changes made by the act;
91 amending s. 908.104, F.S.; requiring certain law
92 enforcement agencies to facilitate a certain screening
93 by a public defender of a person subject to a federal
94 immigration detainer who is in the agency's custody;
95 requiring such screening to be in the preferred
96 language of the detainee; authorizing law enforcement
97 agencies to decline to comply with a federal
98 immigration detainer under certain circumstances;
99 removing provisions relating to cooperation with
100 federal immigration authorities; creating s. 908.1041,

101 F.S.; providing definitions; prohibiting local law
102 enforcement agencies and officers, sheriff's deputies,
103 and federal immigration agencies from engaging in or
104 cooperating with immigration enforcement activities or
105 engaging in or cooperating with immigration
106 enforcement activities pursuant to the Unauthorized
107 Alien Transport Program within a specified distance of
108 public or private schools, child care facilities, or
109 religious institutions; providing an exception;
110 requiring law enforcement agencies to submit to the
111 Department of Law Enforcement a report within a
112 specified timeframe; providing requirements for the
113 report; amending s. 908.11, F.S.; prohibiting law
114 enforcement agencies from entering into or renewing an
115 immigration enforcement assistance agreement beginning
116 on a date certain; requiring certain agencies to
117 update the Department of Law Enforcement on the status
118 of active or pending agreements starting on a date
119 certain; requiring the department to establish certain
120 training on immigration enforcement; repealing s.
121 921.1426, F.S., relating to sentence of death for
122 capital offense committed by unauthorized alien;
123 amending s. 943.325, F.S.; authorizing, rather than
124 requiring, certain qualifying offenders to submit a
125 DNA sample to a law enforcement agency; prohibiting

126 law enforcement agencies from forcibly extracting DNA
127 samples from certain persons; amending s. 1002.31,
128 F.S.; requiring district school boards to provide
129 preferential treatment relating to open enrollment to
130 specified children, regardless of their immigration
131 status; amending s. 1003.21, F.S.; requiring specified
132 children, regardless of their immigration status, to
133 be admitted to their parent's or guardian's school of
134 choice; amending s. 1009.26, F.S.; requiring specified
135 entities to waive out-of-state fees for postsecondary
136 and graduate students if certain conditions are met;
137 revising the conditions under which such entities must
138 waive out-of-state fees; providing that a student who
139 receives a fee waiver is still eligible for state
140 financial aid; amending s. 1009.40, F.S.; prohibiting
141 the denial of resident status for purposes of
142 financial aid to certain students based solely on
143 their immigration status; amending ss. 435.04,
144 456.074, 480.041, 480.043, 775.30, 794.056, 921.0022,
145 and 938.085, F.S.; conforming provisions to changes
146 made by the act; providing an effective date.

147
148 Be It Enacted by the Legislature of the State of Florida:

149
150 **Section 1.** (1) This act may be cited as the "Florida

151 Economic Prosperity and Immigration Act."

152 (2) The purpose of this act is to show that although the
 153 administration of immigration is incredibly complex and
 154 immigration regulation is the role of the Federal Government,
 155 this state should do its part, when possible, by welcoming,
 156 valuing, and upholding the dignity of all immigrants who call
 157 the Sunshine State home.

158 **Section 2. Paragraph (a) of subsection (3) of section**
 159 **20.60, Florida Statutes, is amended to read:**

160 20.60 Department of Commerce; creation; powers and
 161 duties.—

162 (3) (a) The following divisions and offices of the
 163 Department of Commerce are established:

- 164 1. The Division of Economic Development.
- 165 2. The Division of Community Development.
- 166 3. The Division of Workforce Services.
- 167 4. The Division of Finance and Administration.
- 168 5. The Division of Information Technology.
- 169 6. The Office of the Secretary.
- 170 7. The Office of Economic Accountability and Transparency,

171 which shall:

- 172 a. Oversee the department's critical objectives as
- 173 determined by the secretary and make sure that the department's
- 174 key objectives are clearly communicated to the public.
- 175 b. Organize department resources, expertise, data, and

176 research to focus on and solve the complex economic challenges
177 facing the state.

178 c. Provide leadership for the department's priority issues
179 that require integration of policy, management, and critical
180 objectives from multiple programs and organizations internal and
181 external to the department; and organize and manage external
182 communication on such priority issues.

183 d. Promote and facilitate key department initiatives to
184 address priority economic issues and explore data and identify
185 opportunities for innovative approaches to address such economic
186 issues.

187 e. Promote strategic planning for the department.

188 8. The Office for New Americans, which shall:

189 a. Create and implement a statewide strategy and program
190 to foster and promote immigrant and refugee inclusion in this
191 state in order to improve economic mobility, enhance civic
192 participation, and improve receiving communities' openness to
193 immigrants and refugees.

194 b. Address this state's workforce needs by connecting
195 employers and job seekers within the immigrant and refugee
196 community.

197 c. Serve as an information clearinghouse for state
198 agencies on immigration-related policy issues and coordinate
199 among agencies as appropriate to make policy recommendations.

200 d. Act as a point of contact for state licensing boards

201 and other agencies dealing with professional regulations.

202 e. Identify and support implementation of programs and
203 strategies, including the creation of alternative employment
204 pathways, to reduce employment barriers for immigrants and
205 refugees.

206 f. Work with state agencies and community and foundation
207 partners to undertake studies and to research and analyze
208 economic and demographic trends to better understand and serve
209 this state's immigrant and refugee communities.

210 g. Coordinate and establish best practices for language
211 access initiatives for all state agencies.

212 **Section 3. Subsection (2) of section 322.08, Florida**
213 **Statutes, is amended to read:**

214 322.08 Application for license; requirements for license
215 and identification card forms.—

216 (2) Each such application shall include the following
217 information regarding the applicant:

218 (a) Full name (first, middle or maiden, and last), gender,
219 proof of social security card number satisfactory to the
220 department, which may include a military identification card,
221 county of residence, mailing address, proof of residential
222 address satisfactory to the department, country of birth, and a
223 brief description. An applicant who cannot provide a social
224 security card must provide proof of a number associated with a
225 document establishing identity, as specified in paragraph (c).

- 226 (b) Proof of birth date satisfactory to the department.
- 227 (c) Proof of identity satisfactory to the department. Such
- 228 proof must include one of the following documents issued to the
- 229 applicant:
- 230 1. A driver license record or identification card record
- 231 from another jurisdiction which complies with the REAL ID Act of
- 232 2005, Pub. L. No. 109-13, and which required the applicant to
- 233 submit a document for identification which is substantially
- 234 similar to a document required under subparagraph 2.,
- 235 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
- 236 6., subparagraph 7., or subparagraph 8.~~†~~
- 237 2. A certified copy of a United States birth certificate.~~†~~
- 238 3. A valid, unexpired United States passport or passport
- 239 card.~~†~~
- 240 4. A naturalization certificate issued by the United
- 241 States Department of Homeland Security.~~†~~
- 242 5. A valid, unexpired alien registration receipt card
- 243 (green card).~~†~~
- 244 6. A Consular Report of Birth Abroad provided by the
- 245 United States Department of State.~~†~~
- 246 7. An unexpired employment authorization card issued by
- 247 the United States Department of Homeland Security.~~†~~~~or~~
- 248 8. Proof of any of the following documents ~~nonimmigrant~~
- 249 ~~classification~~ provided by the United States Department of
- 250 Homeland Security, for an original driver license. ~~In order to~~

251 ~~prove nonimmigrant classification, an applicant must provide at~~
252 ~~least one of the following documents. In addition, the~~
253 ~~department may require applicants to produce United States~~
254 ~~Department of Homeland Security documents for the sole purpose~~
255 ~~of establishing the maintenance of, or efforts to maintain,~~
256 ~~continuous lawful presence:~~

257 a. A notice of hearing from an immigration court
258 scheduling a hearing on any proceeding.

259 b. A notice from the Board of Immigration Appeals
260 acknowledging pendency of an appeal.

261 c. A notice of the approval of an application for
262 adjustment of status issued by the United States Citizenship and
263 Immigration Services.

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

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

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

273 g. Evidence that an application is pending for adjustment
274 of status to that of an alien lawfully admitted for permanent
275 residence in the United States or conditional permanent resident

276 status in the United States, if a visa number is available
277 having a current priority date for processing by the United
278 States Citizenship and Immigration Services.

279 h. An unexpired passport issued by the government of
280 another country with:

281 (I) A stamp or mark affixed by the Federal Government onto
282 the passport to evidence and authorize lawful presence in the
283 United States; or

284 (II) An unexpired I-94, or current permanent resident
285 card, or unexpired immigrant visa, issued by the Federal
286 Government.

287 9. A passport issued by a foreign government.

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

289 11. A consular identification document.

290 12. A national identification card issued by a foreign
291 government.

292 13. A driver license issued by a foreign government. If
293 the foreign driver license is in a language other than English,
294 the driver license must be accompanied by a certified
295 translation or an affidavit of translation into English.

296 14. A school document, including any document issued by a
297 public or private primary or secondary school or a postsecondary
298 institution, college, or university, which either includes the
299 applicant's date of birth or, if a foreign school document, is
300 sealed by the school and includes a photograph of the applicant

301 at the age the record was issued.

302 15. A court document issued by or filed with a state
303 government in which the applicant is named as a party to a court
304 proceeding.

305 16. An income tax return.

306 17. A marriage license on which the applicant is named as
307 a party. If the language on the marriage license is a language
308 other than English, the marriage license must be accompanied by
309 a certified translation or an affidavit of translation into
310 English.

311 18. A judgment for the dissolution of a marriage on which
312 the applicant is named as a party. If the language on the
313 judgment is a language other than English, the judgment must be
314 accompanied by a certified translation or an affidavit of
315 translation into English.

316
317 A driver license or temporary permit issued based on documents
318 required in subparagraph 7., ~~or~~ subparagraph 8., subparagraph
319 9., subparagraph 10., subparagraph 11., subparagraph 12., or
320 subparagraph 13. is valid for a period not to exceed the
321 expiration date of the document presented or 8 years, whichever
322 date first occurs. A driver license or temporary permit issued
323 based on documents required in subparagraph 14., subparagraph
324 15., subparagraph 16., subparagraph 17., or subparagraph 18. is
325 valid for 8 years ~~1 year.~~

326 (d) Whether the applicant has previously been licensed to
 327 drive, and, if so, when and by what state, and whether any such
 328 license or driving privilege has ever been disqualified,
 329 revoked, or suspended, or whether an application has ever been
 330 refused, and, if so, the date of and reason for such
 331 disqualification, suspension, revocation, or refusal.

332 ~~(e) Each such application may include fingerprints and~~
 333 ~~other unique biometric means of identity.~~

334 **Section 4. Subsection (1) of section 322.12, Florida**
 335 **Statutes, is amended to read:**

336 322.12 Examination of applicants.—

337 (1) It is the intent of the Legislature that every
 338 applicant for an original driver license in this state be
 339 required to pass an examination pursuant to this section.
 340 However, the department may waive the knowledge, endorsement,
 341 and skills tests for an applicant who is otherwise qualified,
 342 except for an applicant who provides proof of identity under s.
 343 322.08(2)(c)9., 10., 11., 12., 13., 14., 15., 16., 17., or 18.,
 344 and who surrenders a valid driver license from another state or
 345 a province of Canada, or a valid driver license issued by the
 346 United States Armed Forces, if the driver applies for a Florida
 347 license of an equal or lesser classification. An applicant who
 348 fails to pass the initial knowledge test incurs a \$10 fee for
 349 each subsequent test, to be deposited into the Highway Safety
 350 Operating Trust Fund, except that if a subsequent test is

351 administered by the tax collector, the tax collector shall
352 retain such \$10 fee, less the general revenue service charge set
353 forth in s. 215.20(1). An applicant who fails to pass the
354 initial skills test incurs a \$20 fee for each subsequent test,
355 to be deposited into the Highway Safety Operating Trust Fund,
356 except that if a subsequent test is administered by the tax
357 collector, the tax collector shall retain such \$20 fee, less the
358 general revenue service charge set forth in s. 215.20(1). A
359 person who seeks to retain a hazardous-materials endorsement,
360 pursuant to s. 322.57(1)(e), must pass the hazardous-materials
361 test, upon surrendering his or her commercial driver license, if
362 the person has not taken and passed the hazardous-materials test
363 within 2 years before applying for a commercial driver license
364 in this state.

365 **Section 5. Section 322.142, Florida Statutes, is amended**
366 **to read:**

367 322.142 Color photographic or digital imaged licenses;
368 protection of personal information.—

369 (1) The department shall, upon receipt of the required
370 fee, issue to each qualified applicant for a driver license a
371 color photographic or digital imaged driver license bearing a
372 fullface photograph or digital image of the licensee.
373 Notwithstanding chapter 761 or s. 761.05, the requirement for a
374 fullface photograph or digital image of the licensee may not be
375 waived. A space shall be provided upon which the licensee shall

376 affix his or her usual signature, as required in s. 322.14, in
 377 the presence of an authorized agent of the department so as to
 378 ensure that such signature becomes a part of the license.

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

383 (3) The department may conduct negotiations and enter into
 384 contracts with qualified firms possessing the requisite
 385 qualifications for the development and production of
 386 photographic or digital imaged identification documents to
 387 assure efficient and economical processing of such licenses in
 388 sufficient quantity and of acceptable quality to meet the
 389 requirements and intent of this section, and to ensure adequate
 390 service at a sufficient number of locations, at the lowest
 391 competitive sealed bid price.

392 (4) The department may maintain a film negative or print
 393 file. The department shall maintain a record of the digital
 394 images and signatures ~~image and signature~~ of the licensees,
 395 together with other data required by the department for
 396 identification and retrieval. Reproductions from the file or
 397 digital record are exempt from ~~the provisions of~~ s. 119.07(1)
 398 and may be made and issued only for any of the following
 399 purposes:

400 (a) For departmental administrative purposes.†

401 (b) For the issuance of duplicate licenses.†

402 (c) In response to law enforcement agency requests, except
403 as provided in subsection (5).†

404 (d) To the Department of Business and Professional
405 Regulation and the Department of Health pursuant to an
406 interagency agreement for the purpose of accessing digital
407 images for reproduction of licenses issued by the Department of
408 Business and Professional Regulation or the Department of
409 Health.†

410 (e) To the Department of State or a supervisor of
411 elections pursuant to an interagency agreement to facilitate
412 determinations of eligibility of voter registration applicants
413 and registered voters in accordance with ss. 98.045 and 98.075.†

414 (f) To the Department of Revenue pursuant to an
415 interagency agreement for use in establishing paternity and
416 establishing, modifying, or enforcing support obligations in
417 Title IV-D cases.†

418 (g) To the Department of Children and Families pursuant to
419 an interagency agreement to conduct protective investigations
420 under part III of chapter 39 and chapter 415.†

421 (h) To the Department of Children and Families pursuant to
422 an interagency agreement specifying the number of employees in
423 each of that department's regions to be granted access to the
424 records for use as verification of identity to expedite the
425 determination of eligibility for public assistance and for use

426 | in public assistance fraud investigations.†

427 | (i) To the Agency for Health Care Administration pursuant
428 | to an interagency agreement for the purpose of authorized
429 | agencies verifying photographs in the Care Provider Background
430 | Screening Clearinghouse authorized under s. 435.12.†

431 | (j) To the Department of Financial Services pursuant to an
432 | interagency agreement to facilitate the location of owners of
433 | unclaimed property, the validation of unclaimed property claims,
434 | the identification of fraudulent or false claims, and the
435 | investigation of allegations of violations of the insurance code
436 | by licensees and unlicensed persons.†

437 | (k) To the Department of Commerce pursuant to an
438 | interagency agreement to facilitate the validation of
439 | reemployment assistance claims and the identification of
440 | fraudulent or false reemployment assistance claims.†

441 | (l) To district medical examiners pursuant to an
442 | interagency agreement for the purpose of identifying a deceased
443 | individual, determining cause of death, and notifying next of
444 | kin of any investigations, including autopsies and other
445 | laboratory examinations, authorized in s. 406.11.†

446 | (m) To the following persons for the purpose of
447 | identifying a person as part of the official work of a court:

- 448 | 1. A justice or judge of this state;
449 | 2. An employee of the state courts system who works in a
450 | position that is designated in writing for access by the Chief

451 Justice of the Supreme Court or a chief judge of a district or
 452 circuit court, or by his or her designee; or

453 3. A government employee who performs functions on behalf
 454 of the state courts system in a position that is designated in
 455 writing for access by the Chief Justice or a chief judge, or by
 456 his or her designee.~~;~~ ~~or~~

457 (n) To the Agency for Health Care Administration pursuant
 458 to an interagency agreement to prevent health care fraud. If the
 459 Agency for Health Care Administration enters into an agreement
 460 with a private entity to carry out duties relating to health
 461 care fraud prevention, such contracts shall include, but need
 462 not be limited to:

463 1. Provisions requiring internal controls and audit
 464 processes to identify access, use, and unauthorized access of
 465 information.

466 2. A requirement to report unauthorized access or use to
 467 the Agency for Health Care Administration within 1 business day
 468 after the discovery of the unauthorized access or use.

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

471 (5) (a) This subsection shall be known and may be cited as
 472 the "Driver License Privacy Act."

473 (b) For purposes of this subsection, the term "agency that
 474 primarily enforces immigration law" includes, but is not limited
 475 to, United States Immigration and Customs Enforcement, United

476 States Customs and Border Protection, or any successor agencies
477 that have similar duties.

478 (c) Except as required for the department to issue or
479 renew a driver license or learner's driver license that meets
480 federal standards for identification, the department may not
481 disclose or make accessible, in any manner, to any agency that
482 primarily enforces immigration law or to any employee or agent
483 of such agency, photographs and related information pertaining
484 to persons whose image or personal identifying information is
485 possessed by the department, unless the department is presented
486 with a lawful court order or judicial warrant signed by a judge
487 appointed under Article III of the United States Constitution.
488 Within 3 days after receiving a request for information under
489 this subsection from such an agency, the department must notify
490 the person about whom such information was requested of the
491 request and the identity of the agency that made such request.

492 (d) Before any person or entity receives or has access to
493 information from the department under this subsection, the
494 department must require such person or entity to certify to the
495 department that the person or entity will not:

- 496 1. Use such information for civil immigration purposes; or
497 2. Disclose such information to any agency that primarily
498 enforces immigration law or to any employee or agent of any such
499 agency unless such disclosure is pursuant to a cooperative
500 arrangement between municipal, state, and federal agencies, if

501 the arrangement does not enforce immigration law and if the
 502 disclosure is limited to the specific information being sought
 503 pursuant to the arrangement.

504 (e) In addition to any records required to be kept
 505 pursuant to 18 U.S.C. s. 2721(c), any person or entity that
 506 receives or has access to information from the department under
 507 this subsection must keep both of the following for a period of
 508 5 years records:

- 509 1. Of all the uses of such department information.
- 510 2. That identify each person or entity that primarily
 511 enforces immigration law which receives such department
 512 information from the person or entity.

513 (f) The records identified in paragraph (e) must be
 514 maintained in a manner and form prescribed by department rule
 515 and must be available for inspection by the department.

516 **Section 6. Subsection (3) of section 322.17, Florida**
 517 **Statutes, is amended to read:**

518 322.17 Replacement licenses and permits.—

519 (3) Notwithstanding any other provision ~~provisions~~ of this
 520 chapter, if a licensee establishes his or her identity for a
 521 driver license using an identification document authorized under
 522 s. 322.08(2)(c)7.-18. ~~s. 322.08(2)(c)7. or 8.~~, the licensee may
 523 not obtain a duplicate or replacement instruction permit or
 524 driver license except in person and upon submission of an
 525 identification document authorized under s. 322.08(2)(c)7.-18.

526 ~~s. 322.08(2)(c)7. or 8.~~

527 **Section 7. Paragraph (d) of subsection (2) and paragraph**
528 **(c) of subsection (4) of section 322.18, Florida Statutes, are**
529 **amended to read:**

530 322.18 Original applications, licenses, and renewals;
531 expiration of licenses; delinquent licenses.—

532 (2) Each applicant who is entitled to the issuance of a
533 driver license, as provided in this section, shall be issued a
534 driver license, as follows:

535 (d)1. Notwithstanding any other provision of this chapter,
536 if an applicant establishes his or her identity for a driver
537 license using a document authorized in s. 322.08(2)(c)7.-13. ~~s.~~
538 ~~322.08(2)(c)7. or 8.~~, the driver license shall expire 8 years ±
539 ~~year~~ after the date of issuance or upon the expiration date
540 cited on the ~~United States Department of Homeland Security~~
541 documents, whichever date first occurs.

542 2. Notwithstanding any other provision of this chapter, if
543 an applicant establishes his or her identity for a driver
544 license using a document authorized in s. 322.08(2)(c)14.-18.,
545 the driver license shall expire 8 years after the date of
546 issuance.

547 (4)

548 (c)1. Notwithstanding any other provision of this chapter,
549 if a licensee establishes his or her identity for a driver
550 license using an identification document authorized under s.

551 322.08(2)(c)7.-13. ~~s. 322.08(2)(c)7. or 8.~~, the licensee may not
552 renew the driver license except in person and upon submission of
553 an identification document authorized under s. 322.08(2)(c)7.-
554 13. ~~s. 322.08(2)(c)7. or 8.~~ A driver license renewed under this
555 ~~subparagraph~~ ~~paragraph~~ expires 8 years ~~1 year~~ after the date of
556 issuance or upon the expiration date cited on the ~~United States~~
557 ~~Department of Homeland Security~~ documents, whichever date first
558 occurs.

559 2. Notwithstanding any other provision of this chapter, if
560 a licensee establishes his or her identity for a driver license
561 using an identification document authorized under s.
562 322.08(2)(c)14.-18., the licensee may only renew the driver
563 license in person and upon submission of an identification
564 document authorized under s. 322.08(2)(c)14.-18. A driver
565 license renewed under this subparagraph expires 8 years after
566 the date of issuance.

567 **Section 8. Subsection (5) of section 322.19, Florida**
568 **Statutes, is amended to read:**

569 322.19 Change of address, name, or citizenship status.—
570 (5) Notwithstanding any other provision of this chapter,
571 if a licensee established his or her identity for a driver
572 license using an identification document authorized under s.
573 322.08(2)(c)7.-18. ~~s. 322.08(2)(c)7. or 8.~~, the licensee may not
574 change his or her name or address except in person and upon
575 submission of an identification document authorized under s.

576 ~~322.08(2)(c)7.-18. s. 322.08(2)(c)7. or 8.~~

577 **Section 9.** Section 395.3027, Florida Statutes, is
578 repealed.

579 **Section 10. Subsection (6) is added to section 402.308,**
580 **Florida Statutes, to read:**

581 402.308 Issuance of license.—

582 (6) IMMIGRATION STATUS.—The department or a local
583 licensing agency may not deny a child care facility a license or
584 a license renewal based solely on the immigration status of a
585 child under the care of the child care facility.

586 **Section 11. Paragraph (f) of subsection (2) of section**
587 **448.095, Florida Statutes, is redesignated as paragraph (e), and**
588 **paragraphs (b) and (e) of subsection (2), paragraph (a) of**
589 **subsection (4), subsection (5), and paragraphs (a) and (b) of**
590 **subsection (6) are amended, to read:**

591 448.095 Employment eligibility.—

592 (2) EMPLOYMENT VERIFICATION.—

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

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

600 ~~2.3.~~ Each employer required to use the E-Verify system

601 under this paragraph must certify on its first return each
602 calendar year to the tax service provider that it is in
603 compliance with this section when making contributions to or
604 reimbursing the state's unemployment compensation or
605 reemployment assistance system. An employer that voluntarily
606 uses the E-Verify system may also make such a certification on
607 its first return each calendar year in order to document such
608 use.

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

612 (4) DEFENSES.—

613 (a) An employer that uses the E-Verify system or, ~~if that~~
614 ~~system is unavailable,~~ the Employment Eligibility Verification
615 form (Form I-9) as provided in paragraph (2)(c), with respect to
616 the employment of an unauthorized alien has established a
617 rebuttable presumption that the employer has not violated s.
618 448.09 with respect to such employment.

619 (5) PUBLIC AGENCY CONTRACTING.—

620 ~~(a)~~ A public agency must require in any contract that the
621 contractor, and any subcontractor thereof, register with and use
622 the E-Verify system or the Employment Eligibility Verification
623 form (Form I-9) to verify the work authorization status of all
624 new employees of the contractor or subcontractor. A public
625 agency or a contractor or subcontractor thereof may not enter

626 into a contract unless each party to the contract registers with
627 and uses the E-Verify system or the Employment Eligibility
628 Verification form (Form I-9).

629 ~~(b) If a contractor enters into a contract with a~~
630 ~~subcontractor, the subcontractor must provide the contractor~~
631 ~~with an affidavit stating that the subcontractor does not~~
632 ~~employ, contract with, or subcontract with an unauthorized~~
633 ~~alien. The contractor shall maintain a copy of such affidavit~~
634 ~~for the duration of the contract.~~

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

639 ~~2. A public agency that has a good faith belief that a~~
640 ~~subcontractor knowingly violated this subsection, but the~~
641 ~~contractor otherwise complied with this subsection, shall~~
642 ~~promptly notify the contractor and order the contractor to~~
643 ~~immediately terminate the contract with the subcontractor.~~

644 ~~3. A contract terminated under this paragraph is not a~~
645 ~~breach of contract and may not be considered as such. If a~~
646 ~~public agency terminates a contract with a contractor under this~~
647 ~~paragraph, the contractor may not be awarded a public contract~~
648 ~~for at least 1 year after the date on which the contract was~~
649 ~~terminated. A contractor is liable for any additional costs~~
650 ~~incurred by a public agency as a result of the termination of a~~

651 ~~contract.~~

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

656 (6) COMPLIANCE.—

657 (a) In addition to the requirements under s. 288.061(6),
658 beginning on July 1, 2024, if the Department of Commerce
659 determines that an employer failed to use the E-Verify system or
660 the Employment Eligibility Verification form (Form I-9) to
661 verify the employment eligibility of employees as required under
662 this section, the department must notify the employer of the
663 department's determination of noncompliance and provide the
664 employer with 30 days to cure the noncompliance.

665 (b) If the Department of Commerce determines that an
666 employer failed to use the E-Verify system or the Employment
667 Eligibility Verification form (Form I-9) as required under this
668 section three times in any 24-month period, the department must
669 impose a fine of \$1,000 per day until the employer provides
670 sufficient proof to the department that the noncompliance is
671 cured. Noncompliance constitutes grounds for the suspension of
672 all licenses issued by a licensing agency subject to chapter 120
673 until the noncompliance is cured.

674 **Section 12. Subsection (3) of section 454.021, Florida**
675 **Statutes, is amended to read:**

676 454.021 Attorneys; admission to practice law; Supreme
 677 Court to govern and regulate.—

678 (3) Upon certification by the Florida Board of Bar
 679 Examiners that an applicant ~~who is an unauthorized immigrant who~~
 680 ~~was brought to the United States as a minor; has been present in~~
 681 ~~the United States for more than 10 years; has received~~
 682 ~~documented employment authorization from the United States~~
 683 ~~Citizenship and Immigration Services (USCIS); has been issued a~~
 684 ~~social security number; if a male, has registered with the~~
 685 ~~Selective Service System if required to do so under the Military~~
 686 ~~Selective Service Act, 50 U.S.C. App. 453; and has fulfilled all~~
 687 requirements for admission to practice law in this state, the
 688 Supreme Court of Florida may admit that applicant as an attorney
 689 at law authorized to practice in this state and may direct an
 690 order be entered upon the court's records to that effect.

691 **Section 13. Subsection (2) of section 760.01, Florida**
 692 **Statutes, is amended to read:**

693 760.01 Purposes; construction; title.—

694 (2) The general purposes of the Florida Civil Rights Act
 695 of 1992 are to secure for all individuals within the state
 696 freedom from discrimination because of race, color, religion,
 697 sex, pregnancy, national origin, age, handicap, immigration
 698 status, or marital status and thereby to protect their interest
 699 in personal dignity, to make available to the state their full
 700 productive capacities, to secure the state against domestic

701 strife and unrest, to preserve the public safety, health, and
702 general welfare, and to promote the interests, rights, and
703 privileges of individuals within the state.

704 **Section 14. Section 760.05, Florida Statutes, is amended**
705 **to read:**

706 760.05 Functions of the commission.—The commission shall
707 promote and encourage fair treatment and equal opportunity for
708 all persons regardless of race, color, religion, sex, pregnancy,
709 national origin, age, handicap, immigration status, or marital
710 status and mutual understanding and respect among all members of
711 all economic, social, racial, religious, and ethnic groups; and
712 shall endeavor to eliminate discrimination against, and
713 antagonism between, religious, racial, and ethnic groups and
714 their members.

715 **Section 15. Section 760.07, Florida Statutes, is amended**
716 **to read:**

717 760.07 Remedies for unlawful discrimination.—Any violation
718 of any Florida statute that makes unlawful discrimination
719 because of race, color, religion, gender, pregnancy, national
720 origin, age, handicap, immigration status, or marital status in
721 the areas of education, employment, or public accommodations
722 gives rise to a cause of action for all relief and damages
723 described in s. 760.11(5), unless greater damages are expressly
724 provided for. If the statute prohibiting unlawful discrimination
725 provides an administrative remedy, the action for equitable

726 relief and damages provided for in this section may be initiated
727 only after the plaintiff has exhausted his or her administrative
728 remedy. The term "public accommodations" does not include lodge
729 halls or other similar facilities of private organizations which
730 are made available for public use occasionally or periodically.
731 The right to trial by jury is preserved in any case in which the
732 plaintiff is seeking actual or punitive damages.

733 **Section 16. Section 760.08, Florida Statutes, is amended**
734 **to read:**

735 760.08 Discrimination in places of public accommodation.—
736 All persons are entitled to the full and equal enjoyment of the
737 goods, services, facilities, privileges, advantages, and
738 accommodations of any place of public accommodation without
739 discrimination or segregation on the ground of race, color,
740 national origin, sex, pregnancy, handicap, familial status,
741 immigration status, or religion.

742 **Section 17. Subsections (1) and (2), paragraphs (a) and**
743 **(b) of subsection (3), subsections (4), (5), and (6), and**
744 **paragraph (a) of subsection (9) of section 760.10, Florida**
745 **Statutes, are amended to read:**

746 760.10 Unlawful employment practices.—

747 (1) It is an unlawful employment practice for an employer:

748 (a) To discharge or to fail or refuse to hire any
749 individual, or otherwise to discriminate against any individual
750 with respect to compensation, terms, conditions, or privileges

751 of employment, because of such individual's race, color,
752 religion, sex, pregnancy, national origin, age, handicap,
753 immigration status, or marital status.

754 (b) To limit, segregate, or classify employees or
755 applicants for employment in any way which would deprive or tend
756 to deprive any individual of employment opportunities, or
757 adversely affect any individual's status as an employee, because
758 of such individual's race, color, religion, sex, pregnancy,
759 national origin, age, handicap, immigration status, or marital
760 status.

761 (2) It is an unlawful employment practice for an
762 employment agency to fail or refuse to refer for employment, or
763 otherwise to discriminate against, any individual because of
764 race, color, religion, sex, pregnancy, national origin, age,
765 handicap, immigration status, or marital status or to classify
766 or refer for employment any individual on the basis of race,
767 color, religion, sex, pregnancy, national origin, age, handicap,
768 immigration status, or marital status.

769 (3) It is an unlawful employment practice for a labor
770 organization:

771 (a) To exclude or to expel from its membership, or
772 otherwise to discriminate against, any individual because of
773 race, color, religion, sex, pregnancy, national origin, age,
774 handicap, immigration status, or marital status.

775 (b) To limit, segregate, or classify its membership or

776 applicants for membership, or to classify or fail or refuse to
777 refer for employment any individual, in any way that would
778 deprive or tend to deprive any individual of employment
779 opportunities, or adversely affect any individual's status as an
780 employee or as an applicant for employment, because of such
781 individual's race, color, religion, sex, pregnancy, national
782 origin, age, handicap, immigration status, or marital status.

783 (4) It is an unlawful employment practice for any
784 employer, labor organization, or joint labor-management
785 committee controlling apprenticeship or other training or
786 retraining, including on-the-job training programs, to
787 discriminate against any individual because of race, color,
788 religion, sex, pregnancy, national origin, age, handicap,
789 immigration status, or marital status in admission to, or
790 employment in, any program established to provide apprenticeship
791 or other training.

792 (5) Whenever, in order to engage in a profession,
793 occupation, or trade, it is required that a person receive a
794 license, certification, or other credential, become a member or
795 an associate of any club, association, or other organization, or
796 pass any examination, it is an unlawful employment practice for
797 any person to discriminate against any other person seeking such
798 license, certification, or other credential, seeking to become a
799 member or associate of such club, association, or other
800 organization, or seeking to take or pass such examination,

801 because of such other person's race, color, religion, sex,
802 pregnancy, national origin, age, handicap, immigration status,
803 or marital status.

804 (6) It is an unlawful employment practice for an employer,
805 labor organization, employment agency, or joint labor-management
806 committee to print, or cause to be printed or published, any
807 notice or advertisement relating to employment, membership,
808 classification, referral for employment, or apprenticeship or
809 other training, indicating any preference, limitation,
810 specification, or discrimination, based on race, color,
811 religion, sex, pregnancy, national origin, age, absence of
812 handicap, immigration status, or marital status.

813 (9) Notwithstanding any other provision of this section,
814 it is not an unlawful employment practice under ss. 760.01-
815 760.10 for an employer, employment agency, labor organization,
816 or joint labor-management committee to:

817 (a) Take or fail to take any action on the basis of
818 religion, sex, pregnancy, national origin, age, handicap,
819 immigration status, or marital status in those certain instances
820 in which religion, sex, condition of pregnancy, national origin,
821 age, absence of a particular handicap, immigration status, or
822 marital status is a bona fide occupational qualification
823 reasonably necessary for the performance of the particular
824 employment to which such action or inaction is related.

825 **Section 18. Subsections (1) through (5) of section 760.23,**

826 **Florida Statutes, are amended to read:**

827 760.23 Discrimination in the sale or rental of housing and
828 other prohibited practices.—

829 (1) It is unlawful to refuse to sell or rent after the
830 making of a bona fide offer, to refuse to negotiate for the sale
831 or rental of, or otherwise to make unavailable or deny a
832 dwelling to any person because of race, color, national origin,
833 sex, disability, familial status, immigration status, or
834 religion.

835 (2) It is unlawful to discriminate against any person in
836 the terms, conditions, or privileges of sale or rental of a
837 dwelling, or in the provision of services or facilities in
838 connection therewith, because of race, color, national origin,
839 sex, disability, familial status, immigration status, or
840 religion.

841 (3) It is unlawful to make, print, or publish, or cause to
842 be made, printed, or published, any notice, statement, or
843 advertisement with respect to the sale or rental of a dwelling
844 that indicates any preference, limitation, or discrimination
845 based on race, color, national origin, sex, disability, familial
846 status, immigration status, or religion or an intention to make
847 any such preference, limitation, or discrimination.

848 (4) It is unlawful to represent to any person because of
849 race, color, national origin, sex, disability, familial status,
850 immigration status, or religion that any dwelling is not

851 available for inspection, sale, or rental when such dwelling is
 852 in fact so available.

853 (5) It is unlawful, for profit, to induce or attempt to
 854 induce any person to sell or rent any dwelling by a
 855 representation regarding the entry or prospective entry into the
 856 neighborhood of a person or persons of a particular race, color,
 857 national origin, sex, disability, familial status, immigration
 858 status, or religion.

859 **Section 19. Section 760.24, Florida Statutes, is amended**
 860 **to read:**

861 760.24 Discrimination in the provision of brokerage
 862 services.—It is unlawful to deny any person access to, or
 863 membership or participation in, any multiple-listing service,
 864 real estate brokers' organization, or other service,
 865 organization, or facility relating to the business of selling or
 866 renting dwellings, or to discriminate against him or her in the
 867 terms or conditions of such access, membership, or
 868 participation, on account of race, color, national origin, sex,
 869 disability, familial status, immigration status, or religion.

870 **Section 20. Subsection (1) and paragraph (a) of subsection**
 871 **(2) of section 760.25, Florida Statutes, are amended to read:**

872 760.25 Discrimination in the financing of housing or in
 873 residential real estate transactions.—

874 (1) It is unlawful for any bank, building and loan
 875 association, insurance company, or other corporation,

876 association, firm, or enterprise the business of which consists
877 in whole or in part of the making of commercial real estate
878 loans to deny a loan or other financial assistance to a person
879 applying for the loan for the purpose of purchasing,
880 constructing, improving, repairing, or maintaining a dwelling,
881 or to discriminate against him or her in the fixing of the
882 amount, interest rate, duration, or other term or condition of
883 such loan or other financial assistance, because of the race,
884 color, national origin, sex, disability, familial status,
885 immigration status, or religion of such person or of any person
886 associated with him or her in connection with such loan or other
887 financial assistance or the purposes of such loan or other
888 financial assistance, or because of the race, color, national
889 origin, sex, disability, familial status, immigration status, or
890 religion of the present or prospective owners, lessees, tenants,
891 or occupants of the dwelling or dwellings in relation to which
892 such loan or other financial assistance is to be made or given.

893 (2) (a) It is unlawful for any person or entity whose
894 business includes engaging in residential real estate
895 transactions to discriminate against any person in making
896 available such a transaction, or in the terms or conditions of
897 such a transaction, because of race, color, national origin,
898 sex, disability, familial status, immigration status, or
899 religion.

900 **Section 21. Section 760.26, Florida Statutes, is amended**

901 **to read:**

902 760.26 Prohibited discrimination in land use decisions and
903 in permitting of development.—It is unlawful to discriminate in
904 land use decisions or in the permitting of development based on
905 race, color, national origin, sex, disability, familial status,
906 immigration status, religion, or, except as otherwise provided
907 by law, the source of financing of a development or proposed
908 development.

909 **Section 22. Subsection (2) and paragraph (a) of subsection**
910 **(5) of section 760.29, Florida Statutes, are amended to read:**

911 760.29 Exemptions.—

912 (2) Nothing in ss. 760.20–760.37 prohibits a religious
913 organization, association, or society, or any nonprofit
914 institution or organization operated, supervised, or controlled
915 by or in conjunction with a religious organization, association,
916 or society, from limiting the sale, rental, or occupancy of any
917 dwelling which it owns or operates for other than a commercial
918 purpose to persons of the same religion or from giving
919 preference to such persons, unless membership in such religion
920 is restricted on account of race, color, ~~or~~ national origin, or
921 immigration status. Nothing in ss. 760.20–760.37 prohibits a
922 private club not in fact open to the public, which as an
923 incident to its primary purpose or purposes provides lodgings
924 which it owns or operates for other than a commercial purpose,
925 from limiting the rental or occupancy of such lodgings to its

926 members or from giving preference to its members.

927 (5) Nothing in ss. 760.20-760.37:

928 (a) Prohibits a person engaged in the business of
929 furnishing appraisals of real property from taking into
930 consideration factors other than race, color, national origin,
931 sex, disability, familial status, immigration status, or
932 religion.

933 **Section 23. Section 760.45, Florida Statutes, is created**
934 **to read:**

935 760.45 Discrimination on the basis of certain driver
936 licenses prohibited.-

937 (1) A person or entity, including a business establishment
938 or an employer, may not discriminate against an individual
939 because the individual holds or presents a driver license that
940 does not comply with the REAL ID Act of 2005, Pub. L. No. 109-
941 13.

942 (2) An employer may not require an employee to present a
943 driver license unless possessing a driver license is required by
944 law or is lawfully required by the employer. This subsection may
945 not be construed to limit or expand an employer's authority to
946 require a person to possess a driver license.

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

949 (a) Alter an employer's rights or obligations under the
950 Immigration and Nationality Act, 8 U.S.C. s. 1324(a), regarding

951 obtaining documentation that evidences identity and
952 authorization for employment.

953 (b) Prohibit any other action taken by an employer which
954 is required under 8 U.S.C. s. 1324a(a).

955 (4) The state or a local government; an agent or person
956 acting on behalf of the state or a local government; or a
957 program or activity that is funded directly by, or receives
958 financial assistance from, the state may not discriminate
959 against an individual because the individual holds or presents a
960 driver license that does not comply with the REAL ID Act of
961 2005, Pub. L. No. 109-13. This prohibition includes, but is not
962 limited to, notifying a law enforcement agency of the
963 individual's identity or that the individual holds a driver
964 license that does not comply with the REAL ID Act of 2005, Pub.
965 L. No. 109-13, if a notification is not required by law or would
966 not have been provided if the individual's driver license had
967 been compliant with such act.

968 **Section 24. Subsection (1) of section 760.60, Florida**
969 **Statutes, is amended to read:**

970 760.60 Discriminatory practices of certain clubs
971 prohibited; remedies.—

972 (1) It is unlawful for a person to discriminate against
973 any individual because of race, color, religion, gender,
974 national origin, handicap, age above the age of 21, immigration
975 status, or marital status in evaluating an application for

976 membership in a club that has more than 400 members, that
977 provides regular meal service, and that regularly receives
978 payment for dues, fees, use of space, facilities, services,
979 meals, or beverages directly or indirectly from nonmembers for
980 business purposes. It is unlawful for a person, on behalf of
981 such a club, to publish, circulate, issue, display, post, or
982 mail any advertisement, notice, or solicitation that contains a
983 statement to the effect that the accommodations, advantages,
984 facilities, membership, or privileges of the club are denied to
985 any individual because of race, color, religion, gender,
986 national origin, handicap, age above the age of 21, immigration
987 status, or marital status. This subsection does not apply to
988 fraternal or benevolent organizations, ethnic clubs, or
989 religious organizations where business activity is not
990 prevalent.

991 **Section 25. Section 775.0848, Florida Statutes, is amended**
992 **to read:**

993 775.0848 Commission of a felony after unlawful reentry
994 into the United States ~~Offenses committed by an unauthorized~~
995 ~~alien; reclassification.—A person who has been previously~~
996 convicted of a crime relating to the reentry of removed aliens
997 under 8 U.S.C. s. 1326 shall have the penalty for committing a
998 ~~any misdemeanor or felony committed after such conviction by an~~
999 ~~unauthorized alien as defined in s. 908.111 shall be~~
1000 reclassified in the following manner:

1001 ~~(1) A misdemeanor of the second degree is reclassified to~~
 1002 ~~a misdemeanor of the first degree.~~

1003 ~~(2) A misdemeanor of the first degree is reclassified to a~~
 1004 ~~felony of the third degree.~~

1005 (1)~~(3)~~ A felony of the third degree is reclassified to a
 1006 felony of the second degree.

1007 (2)~~(4)~~ A felony of the second degree is reclassified to a
 1008 felony of the first degree.

1009 (3)~~(5)~~ A felony of the first degree is reclassified to a
 1010 life felony.

1011 **Section 26.** Section 787.07, Florida Statutes, is repealed.

1012 **Section 27.** Sections 908.103, 908.105, and 908.106,
 1013 Florida Statutes, are repealed.

1014 **Section 28. Subsection (6) of section 908.102, Florida**
 1015 **Statutes, is amended to read:**

1016 908.102 Definitions.—As used in this chapter, the term:

1017 ~~(6) "Sanctuary policy" means a law, policy, practice,~~
 1018 ~~procedure, or custom adopted or allowed by a state entity or~~
 1019 ~~local governmental entity which prohibits or impedes a law~~
 1020 ~~enforcement agency from complying with 8 U.S.C. s. 1373 or which~~
 1021 ~~prohibits or impedes a law enforcement agency from communicating~~
 1022 ~~or cooperating with a federal immigration agency so as to limit~~
 1023 ~~such law enforcement agency in, or prohibit the agency from:~~

1024 ~~(a) Complying with an immigration detainer;~~

1025 ~~(b) Complying with a request from a federal immigration~~

1026 ~~agency to notify the agency before the release of an inmate or~~
 1027 ~~detainee in the custody of the law enforcement agency;~~

1028 ~~(c) Providing a federal immigration agency access to an~~
 1029 ~~inmate for interview;~~

1030 ~~(d) Participating in any program or agreement authorized~~
 1031 ~~under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s.~~
 1032 ~~1357 as required by s. 908.11;~~

1033 ~~(e) Providing a federal immigration agency with an~~
 1034 ~~inmate's incarceration status or release date;~~

1035 ~~(f) Providing information to a state entity on the~~
 1036 ~~immigration status of an inmate or detainee in the custody of~~
 1037 ~~the law enforcement agency;~~

1038 ~~(g) Executing a lawful judicial warrant; or~~

1039 ~~(h) Participating in a federal immigration operation with~~
 1040 ~~a federal immigration agency as permitted by federal and state~~
 1041 ~~law.~~

1042 **Section 29. Section 908.104, Florida Statutes, is amended**
 1043 **to read:**

1044 908.104 Cooperation with federal immigration authorities.—
 1045 To ensure compliance with Title VI of the 1964 Civil Rights Act,

1046 ~~(1) Consistent with all duties created in state and~~
 1047 ~~federal law, state and local law enforcement agencies and any~~
 1048 ~~official responsible for directing or supervising such agency~~
 1049 ~~shall use best efforts to support the enforcement of federal~~
 1050 ~~immigration law. This subsection applies to an official,~~

1051 ~~representative, agent, or employee of the entity or agency only~~
1052 ~~when he or she is acting within the scope of his or her official~~
1053 ~~duties or within the scope of his or her employment.~~

1054 ~~(2) Except as otherwise expressly prohibited by federal~~
1055 ~~law, a state entity, local governmental entity, or law~~
1056 ~~enforcement agency, or an employee, an agent, or a~~
1057 ~~representative of the entity or agency, may not prohibit or in~~
1058 ~~any way restrict a law enforcement agency from taking any of the~~
1059 ~~following actions with respect to information regarding a~~
1060 ~~person's immigration status:~~

1061 ~~(a) Sending the information to or requesting, receiving,~~
1062 ~~or reviewing the information from a federal immigration agency~~
1063 ~~for purposes of this chapter.~~

1064 ~~(b) Recording and maintaining the information for purposes~~
1065 ~~of this chapter.~~

1066 ~~(c) Exchanging the information with a federal immigration~~
1067 ~~agency or another state entity, local governmental entity, or~~
1068 ~~law enforcement agency for purposes of this chapter.~~

1069 ~~(d) Using the information to comply with an immigration~~
1070 ~~detainer.~~

1071 ~~(e) Using the information to confirm the identity of a~~
1072 ~~person who is detained by a law enforcement agency.~~

1073 ~~(f) Sending the applicable information obtained pursuant~~
1074 ~~to enforcement of s. 448.095 to a federal immigration agency.~~

1075 ~~(3) A state entity, local governmental entity, or law~~

1076 ~~enforcement agency may not prohibit or in any way restrict a law~~
 1077 ~~enforcement officer from executing or assisting in the execution~~
 1078 ~~of a lawful judicial warrant.~~

1079 ~~(4) (a) For purposes of this subsection, the term~~
 1080 ~~"applicable criminal case" means a criminal case in which:~~

1081 ~~1. The judgment requires the defendant to be confined in a~~
 1082 ~~secure correctional facility; and~~

1083 ~~2. The judge:~~

1084 ~~a. Indicates in the record under s. 908.105 that the~~
 1085 ~~defendant is subject to an immigration detainer; or~~

1086 ~~b. Otherwise indicates in the record that the defendant is~~
 1087 ~~subject to a transfer into federal custody.~~

1088 ~~(b) In an applicable criminal case, when the judge~~
 1089 ~~sentences a defendant who is the subject of an immigration~~
 1090 ~~detainer to confinement, the judge shall issue an order~~
 1091 ~~requiring the secure correctional facility in which the~~
 1092 ~~defendant is to be confined to reduce the defendant's sentence~~
 1093 ~~by a period of not more than 12 days on the facility's~~
 1094 ~~determination that the reduction in sentence will facilitate the~~
 1095 ~~seamless transfer of the defendant into federal custody. For~~
 1096 ~~purposes of this paragraph, the term "secure correctional~~
 1097 ~~facility" means a state correctional institution as defined in~~
 1098 ~~s. 944.02 or a county detention facility or a municipal~~
 1099 ~~detention facility as defined in s. 951.23.~~

1100 ~~(c) If the information specified in sub-subparagraph~~

1101 ~~(a)2.a. or sub-subparagraph (a)2.b. is not available at the time~~
1102 ~~the sentence is pronounced in the case, but is received by a law~~
1103 ~~enforcement agency afterwards, the law enforcement agency shall~~
1104 ~~notify the judge who shall issue the order described by~~
1105 ~~paragraph (b) as soon as the information becomes available.~~

1106 ~~(5)~~ when a county correctional facility or the Department
1107 of Corrections receives verification from a federal immigration
1108 agency that a person subject to an immigration detainer is in
1109 the law enforcement agency's custody, the agency must facilitate
1110 a screening of the person by a public defender to determine if
1111 the person is or has been a necessary witness or victim of a
1112 crime of domestic violence, rape, sexual exploitation, sexual
1113 assault, murder, manslaughter, assault, battery, human
1114 trafficking, kidnapping, false imprisonment, involuntary
1115 servitude, fraud in foreign labor contracting, blackmail,
1116 extortion, or witness tampering. The screening must be in the
1117 preferred language of the person being detained. If the public
1118 defender determines that the person is a necessary witness or
1119 victim of the aforementioned acts, the county correctional
1120 facility or the Department of Corrections may decline to comply
1121 with the federal immigration detainer. Otherwise, the county
1122 correctional facility or the Department of Corrections may
1123 securely transport the person to a federal facility in this
1124 state or to another point of transfer to federal custody outside
1125 the jurisdiction of the law enforcement agency. The law

1126 enforcement agency may transfer a person who is subject to an
 1127 immigration detainer and is confined in a secure correctional
 1128 facility to the custody of a federal immigration agency not
 1129 earlier than 12 days before his or her release date. A law
 1130 enforcement agency shall obtain judicial authorization before
 1131 securely transporting an alien to a point of transfer outside of
 1132 this state.

1133 ~~(6) Upon request from a federal immigration agency, a~~
 1134 ~~sheriff or chief correctional officer operating a county~~
 1135 ~~detention facility must provide the requesting federal~~
 1136 ~~immigration agency a list of all inmates booked into a county~~
 1137 ~~detention facility and any information regarding each inmate's~~
 1138 ~~immigration status.~~

1139 ~~(7) This section does not require a state entity, local~~
 1140 ~~governmental entity, or law enforcement agency to provide a~~
 1141 ~~federal immigration agency with information related to a victim~~
 1142 ~~of or a witness to a criminal offense if:~~

1143 ~~(a) The victim or witness is necessary to the~~
 1144 ~~investigation or prosecution of a crime, and such crime occurred~~
 1145 ~~in the United States; and~~

1146 ~~(b) The victim or witness timely and in good faith~~
 1147 ~~responds to the entity's or agency's request for information and~~
 1148 ~~cooperates in the investigation or prosecution of such offense.~~

1149 ~~(8) A state entity, local governmental entity, or law~~
 1150 ~~enforcement agency that, pursuant to subsection (7), withholds~~

1151 ~~information regarding the immigration information of a victim of~~
1152 ~~or witness to a criminal offense shall document the victim's or~~
1153 ~~witness's cooperation in the entity's or agency's investigative~~
1154 ~~records related to the offense and shall retain the records for~~
1155 ~~at least 10 years for the purpose of audit, verification, or~~
1156 ~~inspection by the Auditor General.~~

1157 ~~(9) This section does not authorize a law enforcement~~
1158 ~~agency to detain an alien unlawfully present in the United~~
1159 ~~States pursuant to an immigration detainer solely because the~~
1160 ~~alien witnessed or reported a crime or was a victim of a~~
1161 ~~criminal offense.~~

1162 ~~(10) This section does not apply to any alien unlawfully~~
1163 ~~present in the United States if he or she is or has been a~~
1164 ~~necessary witness or victim of a crime of domestic violence,~~
1165 ~~rape, sexual exploitation, sexual assault, murder, manslaughter,~~
1166 ~~assault, battery, human trafficking, kidnapping, false~~
1167 ~~imprisonment, involuntary servitude, fraud in foreign labor~~
1168 ~~contracting, blackmail, extortion, or witness tampering,~~
1169 ~~provided that such crime was committed in the United States.~~
1170 ~~Documentation, including, but not limited to, police reports,~~
1171 ~~testimony, sworn statements, or a victim impact statement, must~~
1172 ~~be relied upon to verify that the person was a necessary witness~~
1173 ~~or victim to the crime.~~

1174 **Section 30. Section 908.1041, Florida Statutes, is created**
1175 **to read:**

1176 908.1041 Prohibition against engaging in immigration
1177 enforcement activities near public and private schools, child
1178 care facilities, or religious institutions.-

1179 (1) As used in this section, the term:

1180 (a) "Child care facility" has the same meaning as in s.
1181 402.302.

1182 (b) "Immigration enforcement activities" means any action
1183 by a law enforcement officer or agency, including, but not
1184 limited to, the identification, detention, questioning,
1185 investigation, or arrest of individuals based on their
1186 immigration status.

1187 (c) "Private school" has the same meaning as in s.
1188 1002.01.

1189 (d) "Public school" means any facility or location
1190 providing primary or secondary education, including, but not
1191 limited to, public K-12 schools, charter schools, and school
1192 grounds.

1193 (e) "Religious institution" means any building or space
1194 primarily used for religious worship or practices, including,
1195 but not limited to, a church, synagogue, mosque, temple, and
1196 other place of religious gathering.

1197 (2) A law enforcement agency, officer, sheriff's deputy,
1198 or federal immigration agency may not engage in or cooperate
1199 with immigration enforcement activities or engage in or
1200 cooperate with immigration enforcement activities pursuant to

1201 the Unauthorized Alien Transport Program under s. 908.13 within
 1202 500 feet of any public or private school, child care facility,
 1203 or religious institution, except in cases of exigent
 1204 circumstances when immediate action is necessary to prevent harm
 1205 or death. A local law enforcement agency may not:

1206 (a) Use agency resources, personnel, or authority to
 1207 question, detain, or arrest individuals solely based on their
 1208 immigration status on the grounds of, or within 500 feet of, a
 1209 public or private school, child care facility, or religious
 1210 institution.

1211 (b) Collaborate with federal immigration agency
 1212 authorities for immigration enforcement purposes within or
 1213 around the areas described in this subsection unless authorized
 1214 to do so by a court with jurisdiction over the matter.

1215 (3) This section does not prohibit a local law enforcement
 1216 agency from engaging in activities related to criminal
 1217 investigations, emergency responses, or school safety as
 1218 authorized by law, provided such activities do not involve
 1219 immigration enforcement activities.

1220 (4) Within 30 days after the effective date of this act,
 1221 each local law enforcement agency shall submit to the Department
 1222 of Law Enforcement a report detailing policies and protocols for
 1223 compliance with this section, including training protocols for
 1224 officers.

1225 (5) A local law enforcement agency or officer who violates

1226 this section may be subject to disciplinary action by the local
1227 governmental entity, including suspension, dismissal, or loss of
1228 funding for local enforcement efforts.

1229 **Section 31. Subsections (3) and (4) of section 908.107,**
1230 **Florida Statutes, are amended to read:**

1231 908.107 Enforcement.—

1232 ~~(3) If a local governmental entity or local law~~
1233 ~~enforcement agency violates this chapter, the court must enjoin~~
1234 ~~the unlawful sanctuary policy. The court has continuing~~
1235 ~~jurisdiction over the parties and subject matter and may enforce~~
1236 ~~its orders with the initiation of contempt proceedings as~~
1237 ~~provided by law.~~

1238 ~~(4) An order approving a consent decree or granting an~~
1239 ~~injunction must include written findings of fact that describe~~
1240 ~~with specificity the existence and nature of the sanctuary~~
1241 ~~policy that violates this chapter.~~

1242 **Section 32. Section 908.11, Florida Statutes, is amended**
1243 **to read:**

1244 908.11 Immigration enforcement assistance agreements;
1245 reporting requirement.—

1246 (1) Beginning January 1, 2026, the sheriff or the chief
1247 correctional officer operating a county detention facility may
1248 not ~~must~~ enter into or renew a written agreement with the United
1249 States Immigration and Customs Enforcement to participate in the
1250 immigration program established under s. 287(g) of the

1251 Immigration and Nationality Act, 8 U.S.C. s. 1357. The State
1252 Board of Immigration Enforcement must approve the termination of
1253 any such agreement. ~~This subsection does not require a sheriff~~
1254 ~~or chief correctional officer operating a county detention~~
1255 ~~facility to participate in a particular program model.~~

1256 (2) Beginning no later than April 1, 2025, ~~and until the~~
1257 sheriff or chief correctional officer operating a county
1258 detention facility that has such a enters into the written
1259 agreement ~~required under subsection (1), each sheriff or chief~~
1260 ~~correctional officer operating a county detention facility must~~
1261 notify the State Board of Immigration Enforcement ~~quarterly of~~
1262 the status of any active or pending agreement.

1263 (3) The Department of Law Enforcement must establish a
1264 regular training schedule to educate relevant employees and
1265 other state entities that collaborate with federal agencies
1266 about current immigration enforcement policies and priorities
1267 ~~such written agreement and any reason for noncompliance with~~
1268 ~~this section, if applicable.~~

1269 **Section 33.** Section 921.1426, Florida Statutes, as created
1270 by 2025-2, Laws of Florida, is repealed.

1271 **Section 34.** **Paragraphs (b) and (c) of subsection (3) of**
1272 **section 943.325, Florida Statutes, are redesignated as**
1273 **paragraphs (c) and (d), respectively, and paragraph (a) of**
1274 **subsection (3) and paragraphs (b) and (f) of subsection (7) of**
1275 **that section are amended, to read:**

1276 943.325 DNA database.—

1277 (3) COLLECTION OF SAMPLES.—

1278 (a) Each qualifying offender must ~~shall~~ submit a DNA

1279 sample at the time he or she is booked into a jail, correctional

1280 facility, or juvenile facility.

1281 (b) A person who becomes a qualifying offender solely

1282 because of the issuance of an immigration detainer by a federal

1283 immigration agency may ~~must~~ submit a DNA sample when the law

1284 enforcement agency having custody of the offender receives the

1285 detainer. A law enforcement agency may not forcibly extract a

1286 DNA sample from such person and the person may not be charged

1287 with a criminal offense solely for refusing to submit a DNA

1288 sample.

1289 (7) COLLECTION OF DNA SAMPLES FROM OFFENDERS.—

1290 (b) Arrested qualifying offenders must submit a DNA sample

1291 at the time they are booked into a jail, correctional facility,

1292 or juvenile facility, except as provided in paragraph (3) (b).

1293 ~~(f) A law enforcement agency having custody of a person~~

1294 ~~who becomes a qualifying offender solely because of the issuance~~

1295 ~~of an immigration detainer by a federal immigration agency shall~~

1296 ~~ensure that a DNA sample is taken from the offender immediately~~

1297 ~~after the agency receives the detainer and shall secure and~~

1298 ~~transmit the sample to the department in a timely manner.~~

1299 **Section 35. Paragraph (c) of subsection (2) of section**

1300 **1002.31, Florida Statutes, is amended to read:**

1301 1002.31 Controlled open enrollment; public school parental
 1302 choice.—

1303 (2)

1304 (c) Each district school board must provide preferential
 1305 treatment in its controlled open enrollment process to all of
 1306 the following:

1307 1. Dependent children of active duty military personnel
 1308 whose move resulted from military orders.

1309 2. Children who have been relocated due to a foster care
 1310 placement in a different school zone.

1311 3. Children who move due to a court-ordered change in
 1312 custody due to separation or divorce, or the serious illness or
 1313 death of a custodial parent.

1314 4. Students residing in the school district.

1315 5. Children who are experiencing homelessness and children
 1316 known to the department, as defined in s. 39.0016(1), regardless
 1317 of their immigration status.

1318 **Section 36. Paragraph (f) of subsection (1) of section**
 1319 **1003.21, Florida Statutes, is amended to read:**

1320 1003.21 School attendance.—

1321 (1)

1322 (f) Children and youths who are experiencing homelessness
 1323 and children who are known to the department, as defined in s.
 1324 39.0016, regardless of their immigration status, must have
 1325 access to a free public education and in accordance with s.

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1326 1002.31 must be admitted to the school of their parent's or
1327 guardian's choice, contingent on the school's capacity, in the
1328 school district in which they or their families or guardian
1329 live. School districts shall assist such children in meeting the
1330 requirements of subsection (4) and s. 1003.22, as well as local
1331 requirements for documentation.

1332 **Section 37. Paragraphs (a), (b), and (c) of subsection**
1333 **(12) of section 1009.26, Florida Statutes, are amended to read:**

1334 1009.26 Fee waivers.—

1335 (12) (a) A state university, a Florida College System
1336 institution, a career center operated by a school district under
1337 s. 1001.44, or a charter technical career center shall waive
1338 out-of-state fees for undergraduate and graduate students who
1339 are citizens of the United States or lawfully present in the
1340 United States who meet the following conditions:

1341 1. Attended a secondary school in this state for 2 ~~3~~
1342 ~~consecutive~~ years ~~immediately~~ before graduating from a high
1343 school in this state or received a high school equivalency
1344 diploma under s. 1003.435;

1345 2. Apply for enrollment in an institution of higher
1346 education within 24 months after high school or postsecondary
1347 graduation; and

1348 3. Submit an official Florida high school or postsecondary
1349 school transcript as evidence of attendance and graduation. In
1350 lieu of an official high school transcript, a student may submit

1351 a high school equivalency diploma under s. 1003.435

1352 (b) Tuition and fees charged to a student who qualifies

1353 for the out-of-state fee waiver under this subsection may not

1354 exceed the tuition and fees charged to a resident student. The

1355 waiver is applicable for 110 percent of the required credit

1356 hours of the undergraduate or graduate degree or certificate

1357 program for which the student is enrolled. Each state

1358 university, Florida College System institution, career center

1359 operated by a school district under s. 1001.44, and charter

1360 technical career center shall report to the Board of Governors

1361 and the State Board of Education, respectively, the number and

1362 value of all fee waivers granted annually under this subsection.

1363 By October 1 of each year, the Board of Governors for the state

1364 universities and the State Board of Education for Florida

1365 College System institutions, career centers operated by a school

1366 district under s. 1001.44, and charter technical career centers

1367 shall annually report for the previous academic year the

1368 percentage of resident and nonresident students enrolled

1369 systemwide.

1370 (c) A state university student granted an out-of-state fee

1371 waiver under this subsection must be considered a nonresident

1372 student for purposes of calculating the systemwide total

1373 enrollment of nonresident students as limited by regulation of

1374 the Board of Governors. ~~In addition,~~ A student who is granted an

1375 out-of-state fee waiver under this subsection is ~~not~~ eligible

1376 for state financial aid under part III of this chapter and may
 1377 ~~must~~ not be reported as a resident for tuition purposes.

1378 **Section 38. Paragraph (a) of subsection (1) of section**
 1379 **1009.40, Florida Statutes, is amended to read:**

1380 1009.40 General requirements for student eligibility for
 1381 state financial aid awards and tuition assistance grants.—

1382 (1)(a) The general requirements for eligibility of
 1383 students for state financial aid awards and tuition assistance
 1384 grants consist of the following:

1385 1. Achievement of the academic requirements of and
 1386 acceptance at a state university or Florida College System
 1387 institution; a nursing diploma school approved by the Florida
 1388 Board of Nursing; a Florida college or university which is
 1389 accredited by an accrediting agency recognized by the State
 1390 Board of Education; a Florida institution the credits of which
 1391 are acceptable for transfer to state universities; a career
 1392 center; or a private career institution accredited by an
 1393 accrediting agency recognized by the State Board of Education.

1394 2. Residency in this state for no less than 1 year
 1395 preceding the award of aid or a tuition assistance grant for a
 1396 program established pursuant to s. 1009.50, s. 1009.505, s.
 1397 1009.51, s. 1009.52, s. 1009.521, s. 1009.53, s. 1009.60, s.
 1398 1009.62, s. 1009.72, s. 1009.73, s. 1009.75, s. 1009.77, s.
 1399 1009.89, or s. 1009.894. Residency in this state must be for
 1400 purposes other than to obtain an education. Resident status for

1401 purposes of receiving state financial aid awards shall be
1402 determined in the same manner as resident status for tuition
1403 purposes pursuant to s. 1009.21. However, a student may not be
1404 denied classification as a resident for purposes of receiving
1405 state financial aid based solely on the student's immigration
1406 status if he or she has met the conditions for an out-of-state
1407 fee waiver under s. 1009.26(12) (a).

1408 3. Submission of certification attesting to the accuracy,
1409 completeness, and correctness of information provided to
1410 demonstrate a student's eligibility to receive state financial
1411 aid awards or tuition assistance grants. Falsification of such
1412 information shall result in the denial of a pending application
1413 and revocation of an award or grant currently held to the extent
1414 that no further payments shall be made. Additionally, students
1415 who knowingly make false statements in order to receive state
1416 financial aid awards or tuition assistance grants commit a
1417 misdemeanor of the second degree subject to the provisions of s.
1418 837.06 and shall be required to return all state financial aid
1419 awards or tuition assistance grants wrongfully obtained.

1420 **Section 39. Paragraph (w) of subsection (2) of section**
1421 **435.04, Florida Statutes, is amended to read:**

1422 435.04 Level 2 screening standards.—

1423 (2) The security background investigations under this
1424 section must ensure that persons subject to this section have
1425 not been arrested for and are awaiting final disposition of;

1426 have not been found guilty of, regardless of adjudication, or
 1427 entered a plea of nolo contendere or guilty to; or have not been
 1428 adjudicated delinquent and the record has not been sealed or
 1429 expunged for, any offense prohibited under any of the following
 1430 provisions of state law or similar law of another jurisdiction:

1431 ~~(w) Section 787.07, relating to human smuggling.~~

1432 **Section 40. Paragraph (e) of subsection (4) and paragraph**
 1433 **(i) of subsection (5) of section 456.074, Florida Statutes, are**
 1434 **amended to read:**

1435 456.074 Certain health care practitioners; immediate
 1436 suspension of license.—

1437 (4) The department shall issue an emergency order
 1438 suspending the license of a massage therapist and establishment
 1439 as those terms are defined in chapter 480 upon receipt of
 1440 information that the massage therapist; the designated
 1441 establishment manager as defined in chapter 480; an employee of
 1442 the establishment; a person with an ownership interest in the
 1443 establishment; or, for a corporation that has more than \$250,000
 1444 of business assets in this state, the owner, officer, or
 1445 individual directly involved in the management of the
 1446 establishment has been arrested for committing or attempting,
 1447 soliciting, or conspiring to commit, or convicted or found
 1448 guilty of, or has entered a plea of guilty or nolo contendere
 1449 to, regardless of adjudication, a violation of s. 796.07 or a
 1450 felony offense under any of the following provisions of state

1451 law or a similar provision in another jurisdiction:

1452 ~~(e) Section 787.07, relating to human smuggling.~~

1453 (5) The department shall issue an emergency order
 1454 suspending the license of any health care practitioner who is
 1455 arrested for committing or attempting, soliciting, or conspiring
 1456 to commit any act that would constitute a violation of any of
 1457 the following criminal offenses in this state or similar
 1458 offenses in another jurisdiction:

1459 ~~(i) Section 787.07, relating to human smuggling.~~

1460 **Section 41. Paragraph (e) of subsection (6) of section**
 1461 **480.041, Florida Statutes, is amended to read:**

1462 480.041 Massage therapists; qualifications; licensure;
 1463 endorsement.—

1464 (6) The board shall deny an application for a new or
 1465 renewal license if an applicant has been convicted or found
 1466 guilty of, or enters a plea of guilty or nolo contendere to,
 1467 regardless of adjudication, a violation of s. 796.07(2)(a) which
 1468 is reclassified under s. 796.07(7) or a felony offense under any
 1469 of the following provisions of state law or a similar provision
 1470 in another jurisdiction:

1471 ~~(e) Section 787.07, relating to human smuggling.~~

1472 **Section 42. Paragraph (e) of subsection (8) of section**
 1473 **480.043, Florida Statutes, is amended to read:**

1474 480.043 Massage establishments; requisites; licensure;
 1475 inspection; human trafficking awareness training and policies.—

1476 (8) The department shall deny an application for a new or
 1477 renewal license if an establishment owner or a designated
 1478 establishment manager or, for a corporation that has more than
 1479 \$250,000 of business assets in this state, an establishment
 1480 owner, a designated establishment manager, or any individual
 1481 directly involved in the management of the establishment has
 1482 been convicted of or entered a plea of guilty or nolo contendere
 1483 to any misdemeanor or felony crime, regardless of adjudication,
 1484 related to prostitution or related acts as described in s.
 1485 796.07 or a felony offense under any of the following provisions
 1486 of state law or a similar provision in another jurisdiction:

1487 ~~(c) Section 787.07, relating to human smuggling.~~

1488 **Section 43. Subsection (2) of section 775.30, Florida**
 1489 **Statutes, is amended to read:**

1490 775.30 Terrorism; defined; penalties.—

1491 (2) A person who violates s. 782.04(1)(a)1. or (2), s.
 1492 782.065, s. 782.07(1), s. 782.09, s. 784.045, s. 784.07, s.
 1493 787.01, s. 787.02, ~~s. 787.07~~, s. 790.115, s. 790.15, s. 790.16,
 1494 s. 790.161, s. 790.1615, s. 790.162, s. 790.166, s. 790.19, s.
 1495 806.01, s. 806.031, s. 806.111, s. 815.06, s. 815.061, s.
 1496 859.01, or s. 876.34, in furtherance of intimidating or coercing
 1497 the policy of a government, or in furtherance of affecting the
 1498 conduct of a government by mass destruction, assassination, or
 1499 kidnapping, commits the crime of terrorism, a felony of the
 1500 first degree, punishable as provided in s. 775.082, s. 775.083,

1501 or s. 775.084.

1502 **Section 44. Subsection (1) of section 794.056, Florida**
 1503 **Statutes, is amended to read:**

1504 794.056 Rape Crisis Program Trust Fund.—

1505 (1) The Rape Crisis Program Trust Fund is created within
 1506 the Department of Health for the purpose of providing funds for
 1507 rape crisis centers in this state. Trust fund moneys shall be
 1508 used exclusively for the purpose of providing services for
 1509 victims of sexual assault. Funds credited to the trust fund
 1510 consist of those funds collected as an additional court
 1511 assessment in each case in which a defendant pleads guilty or
 1512 nolo contendere to, or is found guilty of, regardless of
 1513 adjudication, an offense provided in s. 775.21(6) and (10)(a),
 1514 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
 1515 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
 1516 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
 1517 787.025; s. 787.06; ~~s. 787.07~~; s. 794.011; s. 794.05; s. 794.08;
 1518 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
 1519 796.06; s. 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s.
 1520 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
 1521 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
 1522 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),
 1523 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust
 1524 fund also shall include revenues provided by law, moneys
 1525 appropriated by the Legislature, and grants from public or

1526 private entities.

1527 **Section 45. Paragraph (d) of subsection (3) of section**
 1528 **921.0022, Florida Statutes, is amended to read:**

1529 921.0022 Criminal Punishment Code; offense severity
 1530 ranking chart.—

1531 (3) OFFENSE SEVERITY RANKING CHART

1532 (d) LEVEL 4

1533

Florida	Felony	
Statute	Degree	Description

1534

104.155	3rd	Unqualified noncitizen electors voting; aiding or soliciting noncitizen electors in voting.
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1535

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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1536

499.0051 (1)	3rd	Failure to maintain or deliver transaction history, transaction information, or
--------------	-----	---

			transaction statements.
1537	499.0051 (5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
1538	517.07 (1)	3rd	Failure to register securities.
1539	517.12 (1)	3rd	Failure of dealer or associated person of a dealer of securities to register.
1540	784.031	3rd	Battery by strangulation.
1541	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
1542	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
1543	784.075	3rd	Battery on detention or commitment facility staff.
1544	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling

			certain fluids or materials.
1545	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
1546	784.081(3)	3rd	Battery on specified official or employee.
1547	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
1548	784.083(3)	3rd	Battery on code inspector.
1549	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
1550	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
1551	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody

1552			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.
1553	787.07	3rd	Human smuggling.
1554	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
1555	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
1556	790.115 (2) (c)	3rd	Possessing firearm on school property.
1557	794.051 (1)	3rd	Indecent, lewd, or lascivious touching of certain minors.
1558	800.04 (7) (c)	3rd	Lewd or lascivious exhibition;

1559			offender less than 18 years.
	806.135	2nd	Destroying or demolishing a memorial or historic property.
1560			
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
1561			
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
1562			
	810.06	3rd	Burglary; possession of tools.
1563			
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
1564			
	810.145 (3) (b)	3rd	Digital voyeurism dissemination.
1565			
	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000

1566			or more but less than \$20,000.
	812.014	3rd	Grand theft, 3rd degree;
	(2) (c) 4. &		specified items.
	6.-10.		
1567			
	812.014 (2) (d) 2.	3rd	Grand theft, 3rd degree; \$750
			or more taken from dwelling or
			its unenclosed curtilage.
1568			
	812.014 (2) (e) 3.	3rd	Petit theft, 1st degree; less
			than \$40 taken from dwelling or
			its unenclosed curtilage with
			two or more prior theft
			convictions.
1569			
	812.0195 (2)	3rd	Dealing in stolen property by
			use of the Internet; property
			stolen \$300 or more.
1570			
	817.505 (4) (a)	3rd	Patient brokering.
1571			
	817.563 (1)	3rd	Sell or deliver substance other
			than controlled substance
			agreed upon, excluding s.

1572			893.03(5) drugs.
	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
1573			
	817.5695(3)(c)	3rd	Exploitation of person 65 years of age or older, value less than \$10,000.
1574			
	817.625(2)(a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
1575			
	817.625(2)(c)	3rd	Possess, sell, or deliver skimming device.
1576			
	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
1577			
	836.14(2)	3rd	Person who commits theft of a sexually explicit image with intent to promote it.
1578			

1579	836.14 (3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.
1580	837.02 (1)	3rd	Perjury in official proceedings.
1581	837.021 (1)	3rd	Make contradictory statements in official proceedings.
1582	838.022	3rd	Official misconduct.
1583	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
1584	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
1585	843.021	3rd	Possession of a concealed handcuff key by a person in custody.

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1586	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
1587	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
1588	843.19(2)	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
1589	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
1590	870.01(3)	2nd	Aggravated rioting.
1591	870.01(5)	2nd	Aggravated inciting a riot.
1592	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.

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1593	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).
1594	914.14 (2)	3rd	Witnesses accepting bribes.
1595	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
1596	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
1597	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF facilities.
1598	918.12	3rd	Tampering with jurors.
1599	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
	944.47 (1) (a) 6.	3rd	Introduction of contraband

(cellular telephone or other portable communication device) into correctional institution.

1600

951.22(1)(h), 3rd Intoxicating drug,
 (j) & (k) instrumentality or other device to aid escape, or cellular telephone or other portable communication device introduced into county detention facility.

1601

1602 **Section 46. Section 938.085, Florida Statutes, is amended**
 1603 **to read:**

1604 938.085 Additional cost to fund rape crisis centers.—In
 1605 addition to any sanction imposed when a person pleads guilty or
 1606 nolo contendere to, or is found guilty of, regardless of
 1607 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and
 1608 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
 1609 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
 1610 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
 1611 787.06; ~~s. 787.07~~; s. 794.011; s. 794.05; s. 794.08; former s.
 1612 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
 1613 796.07(2)(a)–(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
 1614 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
 1615 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.

1616 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and
1617 (14)(c); or s. 985.701(1), the court shall impose a surcharge of
1618 \$151. Payment of the surcharge shall be a condition of
1619 probation, community control, or any other court-ordered
1620 supervision. The sum of \$150 of the surcharge shall be deposited
1621 into the Rape Crisis Program Trust Fund established within the
1622 Department of Health by chapter 2003-140, Laws of Florida. The
1623 clerk of the court shall retain \$1 of each surcharge that the
1624 clerk of the court collects as a service charge of the clerk's
1625 office.

1626 **Section 47.** This act shall take effect July 1, 2025.