

By Senator Smith

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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;
7 amending s. 322.08, F.S.; requiring proof of a
8 specified identification number for certain applicants
9 for a driver license; deleting a provision authorizing
10 the Department of Highway Safety and Motor Vehicles to
11 require applicants to produce certain documents from
12 the United States Department of Homeland Security for
13 certain purposes; authorizing additional specified
14 documents issued by foreign governments to satisfy
15 proof-of-identity requirements; providing that a
16 driver license or temporary permit issued based on
17 specified documents is valid for a specified period;
18 deleting a provision authorizing applications to
19 include fingerprints and other unique biometric means
20 of identity; amending s. 322.12, F.S.; prohibiting the
21 Department of Highway Safety and Motor Vehicles from
22 waiving certain tests for applicants who provide proof
23 of identity using specified foreign documents;
24 amending s. 322.142, F.S.; providing a short title;
25 defining the term "agency that primarily enforces
26 immigration law"; prohibiting the Department of
27 Highway Safety and Motor Vehicles from disclosing or
28 making accessible certain photographs and related
29 information to any agency that primarily enforces

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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 timeframe; 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.; deleting a requirement for certain
53 private employers to use the E-Verify system; deleting
54 a prohibition against employers 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; deleting provisions requiring

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59 subcontractors to provide a certain affidavit,
60 terminating certain contracts, and providing a cause
61 of action; amending s. 454.021, F.S.; deleting
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

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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 that such screening 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 deleting 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 a certain
111 report to the Department of Law Enforcement within a
112 specified timeframe; providing requirements for the
113 report; specifying sanctions imposed for violations;
114 amending s. 908.11, F.S.; prohibiting sheriffs or
115 chief correctional officers operating county detention
116 facilities from entering into or renewing an

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117 immigration enforcement assistance agreement beginning
118 on a date certain; requiring certain agencies to
119 update the department on the status of active or
120 pending agreements starting on a date certain;
121 requiring the department to establish certain training
122 on immigration enforcement; repealing s. 921.1426,
123 F.S., relating to sentence of death for capital
124 offense committed by unauthorized alien; amending s.
125 943.325, F.S.; authorizing, rather than requiring,
126 certain qualifying offenders to submit a DNA sample to
127 a law enforcement agency; prohibiting law enforcement
128 agencies from forcibly extracting DNA samples from
129 certain persons; amending s. 1002.31, F.S.; requiring
130 district school boards to provide preferential
131 treatment relating to open enrollment to specified
132 children, regardless of their immigration status;
133 amending s. 1003.21, F.S.; requiring that specified
134 children, regardless of their immigration status, be
135 admitted to their parent's or guardian's school of
136 choice; amending s. 1009.26, F.S.; requiring specified
137 entities to waive out-of-state fees for certain
138 postsecondary and graduate students if specified
139 conditions are met; revising the conditions under
140 which such entities must waive out-of-state fees;
141 providing that a student who receives a fee waiver is
142 still eligible for state financial aid; amending s.
143 1009.40, F.S.; prohibiting the denial of resident
144 status for purposes of financial aid to certain
145 students based solely on their immigration status;

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146 amending ss. 435.04, 456.074, 480.041, 480.043,
147 775.30, 794.056, 921.0022, and 938.085, F.S.;
148 conforming provisions to changes made by the act;
149 providing an effective date.

150

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

152

153 Section 1. (1) This act may be cited as the "Florida
154 Economic Prosperity and Immigration Act."

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

161 Section 2. Paragraph (a) of subsection (3) of section
162 20.60, Florida Statutes, is amended to read:

163 20.60 Department of Commerce; creation; powers and duties.—

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

166 1. The Division of Economic Development.

167 2. The Division of Community Development.

168 3. The Division of Workforce Services.

169 4. The Division of Finance and Administration.

170 5. The Division of Information Technology.

171 6. The Office of the Secretary.

172 7. The Office of Economic Accountability and Transparency,

173 which shall:

174 a. Oversee the department's critical objectives as

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175 determined by the secretary and make sure that the department's
176 key objectives are clearly communicated to the public.

177 b. Organize department resources, expertise, data, and
178 research to focus on and solve the complex economic challenges
179 facing the state.

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

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

189 e. Promote strategic planning for the department.

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

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

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

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

202 d. Act as a point of contact for state licensing boards and
203 other agencies dealing with professional regulations.

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

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

212 g. Coordinate and establish best practices for language
213 access initiatives for all state agencies.

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

216 322.08 Application for license; requirements for license
217 and identification card forms.—

218 (2) Each such application shall include the following
219 information regarding the applicant:

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

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

229 (c) Proof of identity satisfactory to the department. Such
230 proof must include one of the following documents issued to the
231 applicant:

232 1. A driver license record or identification card record

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233 from another jurisdiction which complies with the REAL ID Act of
 234 2005, Pub. L. No. 109-13, and which required the applicant to
 235 submit a document for identification which is substantially
 236 similar to a document required under subparagraph 2.,
 237 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
 238 6., subparagraph 7., or subparagraph 8.†

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

240 3. A valid, unexpired United States passport or passport
 241 card.†

242 4. A naturalization certificate issued by the United States
 243 Department of Homeland Security.†

244 5. A valid, unexpired alien registration receipt card
 245 (green card).†

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

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

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

259 a. A notice of hearing from an immigration court scheduling
 260 a hearing on any proceeding.

261 b. A notice from the Board of Immigration Appeals

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262 acknowledging pendency of an appeal.

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

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

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

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

275 g. Evidence that an application is pending for adjustment
276 of status to that of an alien lawfully admitted for permanent
277 residence in the United States or conditional permanent resident
278 status in the United States, if a visa number is available
279 having a current priority date for processing by the United
280 States Citizenship and Immigration Services.

281 h. An unexpired passport issued by the government of
282 another country with:

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

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

288 9. A passport issued by a foreign government.

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

290 11. A consular identification document.

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

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

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

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

306 16. An income tax return.

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

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

317
318 A driver license or temporary permit issued based on documents
319 required in subparagraph 7., ~~or~~ subparagraph 8., subparagraph

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

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

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

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

337 322.12 Examination of applicants.—

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

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

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

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

370 (1) The department shall, upon receipt of the required fee,
371 issue to each qualified applicant for a driver license a color
372 photographic or digital imaged driver license bearing a fullface
373 photograph or digital image of the licensee. Notwithstanding
374 chapter 761 or s. 761.05, the requirement for a fullface
375 photograph or digital image of the licensee may not be waived. A
376 space shall be provided upon which the licensee shall affix his
377 or her usual signature, as required in s. 322.14, in the

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378 presence of an authorized agent of the department so as to
379 ensure that such signature becomes a part of the license.

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

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

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

401 (a) For departmental administrative purposes.†

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

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

405 (d) To the Department of Business and Professional
406 Regulation and the Department of Health pursuant to an

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407 interagency agreement for the purpose of accessing digital
408 images for reproduction of licenses issued by the Department of
409 Business and Professional Regulation or the Department of
410 Health.†

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

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

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

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

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

432 (j) To the Department of Financial Services pursuant to an
433 interagency agreement to facilitate the location of owners of
434 unclaimed property, the validation of unclaimed property claims,
435 the identification of fraudulent or false claims, and the

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436 investigation of allegations of violations of the insurance code
437 by licensees and unlicensed persons.†

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

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

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

449 1. A justice or judge of this state;

450 2. An employee of the state courts system who works in a
451 position that is designated in writing for access by the Chief
452 Justice of the Supreme Court or a chief judge of a district or
453 circuit court, or by his or her designee; or

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

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

464 1. Provisions requiring internal controls and audit

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465 processes to identify access, use, and unauthorized access of
466 information.

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

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

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

474 (b) For purposes of this subsection, the term "agency that
475 primarily enforces immigration law" includes, but is not limited
476 to, United States Immigration and Customs Enforcement, United
477 States Customs and Border Protection, or any successor agencies
478 that have similar duties.

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

493 (d) Before any person or entity receives or has access to

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494 information from the department under this subsection, the
495 department must require such person or entity to certify to the
496 department that the person or entity will not:

- 497 1. Use such information for civil immigration purposes; or
498 2. Disclose such information to any agency that primarily
499 enforces immigration law or to any employee or agent of any such
500 agency unless such disclosure is pursuant to a cooperative
501 arrangement between municipal, state, and federal agencies, if
502 the arrangement does not enforce immigration law and if the
503 disclosure is limited to the specific information being sought
504 pursuant to the arrangement.

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

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

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

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

519 322.17 Replacement licenses and permits.—

520 (3) Notwithstanding any other provision ~~provisions~~ of this
521 chapter, if a licensee establishes his or her identity for a
522 driver license using an identification document authorized under

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523 s. 322.08(2)(c)7.-18. ~~s. 322.08(2)(c)7. or 8.~~, the licensee may
524 not obtain a duplicate or replacement instruction permit or
525 driver license except in person and upon submission of an
526 identification document authorized under s. 322.08(2)(c)7.-18.
527 ~~s. 322.08(2)(c)7. or 8.~~

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

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

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

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

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

548 (4)

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

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

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

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

570 322.19 Change of address, name, or citizenship status.-

571 (5) Notwithstanding any other provision of this chapter, if
572 a licensee established his or her identity for a driver license
573 using an identification document authorized under s.

574 322.08(2)(c)7.-18. s. 322.08(2)(c)7. or 8., the licensee may not
575 change his or her name or address except in person and upon
576 submission of an identification document authorized under s.
577 322.08(2)(c)7.-18. s. 322.08(2)(c)7. or 8.

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

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

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581 402.308 Issuance of license.—

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

586 Section 11. Present paragraph (f) of subsection (2) of
587 section 448.095, Florida Statutes, is redesignated as paragraph
588 (e), and paragraphs (b) and (e) of subsection (2), paragraph (a)
589 of subsection (4), subsection (5), and paragraphs (a) and (b) of
590 subsection (6) of that section 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 or~~
597 ~~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~~

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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 has~~
636 ~~a good faith belief that a person or an entity with which it is~~
637 ~~contracting has knowingly violated s. 448.09(1) shall terminate~~
638 ~~the contract with the person or entity.~~

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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

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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 Court
677 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 of
695 1992 are to secure for all individuals within the state freedom
696 from discrimination because of race, color, religion, sex,

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697 pregnancy, national origin, age, handicap, immigration status,
698 or marital status and thereby to protect their interest in
699 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 to
705 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 to
716 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

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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 to
734 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 (b)
743 of subsection (3), subsections (4), (5), and (6), and paragraph
744 (a) of subsection (9) of section 760.10, Florida Statutes, are
745 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

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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 employment
762 agency to fail or refuse to refer for employment, or otherwise
763 to discriminate against, any individual because of race, color,
764 religion, sex, pregnancy, national origin, age, handicap,
765 immigration status, or marital status or to classify or refer
766 for employment any individual on the basis of race, color,
767 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 employer,

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

791 (5) Whenever, in order to engage in a profession,
792 occupation, or trade, it is required that a person receive a
793 license, certification, or other credential, become a member or
794 an associate of any club, association, or other organization, or
795 pass any examination, it is an unlawful employment practice for
796 any person to discriminate against any other person seeking such
797 license, certification, or other credential, seeking to become a
798 member or associate of such club, association, or other
799 organization, or seeking to take or pass such examination,
800 because of such other person's race, color, religion, sex,
801 pregnancy, national origin, age, handicap, immigration status,
802 or marital status.

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

812 (9) Notwithstanding any other provision of this section, it

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813 is not an unlawful employment practice under ss. 760.01-760.10
814 for an employer, employment agency, labor organization, or joint
815 labor-management committee to:

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

824 Section 18. Subsections (1) through (5) of section 760.23,
825 Florida Statutes, are amended to read:

826 760.23 Discrimination in the sale or rental of housing and
827 other prohibited practices.—

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

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

840 (3) It is unlawful to make, print, or publish, or cause to
841 be made, printed, or published, any notice, statement, or

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842 advertisement with respect to the sale or rental of a dwelling
843 that indicates any preference, limitation, or discrimination
844 based on race, color, national origin, sex, disability, familial
845 status, immigration status, or religion or an intention to make
846 any such preference, limitation, or discrimination.

847 (4) It is unlawful to represent to any person because of
848 race, color, national origin, sex, disability, familial status,
849 immigration status, or religion that any dwelling is not
850 available for inspection, sale, or rental when such dwelling is
851 in fact so available.

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

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

860 760.24 Discrimination in the provision of brokerage
861 services.—It is unlawful to deny any person access to, or
862 membership or participation in, any multiple-listing service,
863 real estate brokers' organization, or other service,
864 organization, or facility relating to the business of selling or
865 renting dwellings, or to discriminate against him or her in the
866 terms or conditions of such access, membership, or
867 participation, on account of race, color, national origin, sex,
868 disability, familial status, immigration status, or religion.

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

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871 760.25 Discrimination in the financing of housing or in
872 residential real estate transactions.—

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

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

899 Section 21. Section 760.26, Florida Statutes, is amended to

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900 read:

901 760.26 Prohibited discrimination in land use decisions and
902 in permitting of development.—It is unlawful to discriminate in
903 land use decisions or in the permitting of development based on
904 race, color, national origin, sex, disability, familial status,
905 immigration status, religion, or, except as otherwise provided
906 by law, the source of financing of a development or proposed
907 development.

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

910 760.29 Exemptions.—

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

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

927 (a) Prohibits a person engaged in the business of
928 furnishing appraisals of real property from taking into

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929 consideration factors other than race, color, national origin,
930 sex, disability, familial status, immigration status, or
931 religion.

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

934 760.45 Discrimination on the basis of certain driver
935 licenses prohibited.—

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

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

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

948 (a) Alter an employer's rights or obligations under the
949 Immigration and Nationality Act, 8 U.S.C. s. 1324(a), regarding
950 obtaining documentation that evidences identity and
951 authorization for employment.

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

954 (4) The state or a local government; an agent or person
955 acting on behalf of the state or a local government; or a
956 program or activity that is funded directly by, or receives
957 financial assistance from, the state may not discriminate

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958 against an individual because the individual holds or presents a
959 driver license that does not comply with the REAL ID Act of
960 2005, Pub. L. No. 109-13. This prohibition includes, but is not
961 limited to, notifying a law enforcement agency of the
962 individual's identity or that the individual holds a driver
963 license that does not comply with the REAL ID Act of 2005, Pub.
964 L. No. 109-13, if a notification is not required by law or would
965 not have been provided if the individual's driver license had
966 been compliant with such act.

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

969 760.60 Discriminatory practices of certain clubs
970 prohibited; remedies.—

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

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987 organizations, ethnic clubs, or religious organizations where
988 business activity is not prevalent.

989 Section 25. Section 775.0848, Florida Statutes, as amended
990 by chapter 2025-1, Laws of Florida, is amended to read:

991 775.0848 Commission of a felony after unlawful reentry into
992 the United States ~~Offenses committed by an unauthorized alien;~~
993 ~~reclassification.-A person who has been previously convicted of~~
994 ~~a crime relating to the reentry of removed aliens under 8 U.S.C.~~
995 ~~s. 1326 shall have the penalty for committing a any misdemeanor~~
996 ~~or felony committed after such conviction by an unauthorized~~
997 ~~alien as defined in s. 908.111 shall be reclassified in the~~
998 following manner:

999 ~~(1) A misdemeanor of the second degree is reclassified to a~~
1000 ~~misdemeanor of the first degree.~~

1001 ~~(2) A misdemeanor of the first degree is reclassified to a~~
1002 ~~felony of the third degree.~~

1003 ~~(1)(3)~~ A felony of the third degree is reclassified to a
1004 felony of the second degree.

1005 ~~(2)(4)~~ A felony of the second degree is reclassified to a
1006 felony of the first degree.

1007 ~~(3)(5)~~ A felony of the first degree is reclassified to a
1008 life felony.

1009 Section 26. Section 787.07, Florida Statutes, is repealed.

1010 Section 27. Sections 908.103, 908.105, and 908.106, Florida
1011 Statutes, are repealed.

1012 Section 28. Subsection (6) of section 908.102, Florida
1013 Statutes, is amended to read:

1014 908.102 Definitions.-As used in this chapter, the term:

1015 ~~(6) "Sanctuary policy" means a law, policy, practice,~~

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1016 ~~procedure, or custom adopted or allowed by a state entity or~~
 1017 ~~local governmental entity which prohibits or impedes a law~~
 1018 ~~enforcement agency from complying with 8 U.S.C. s. 1373 or which~~
 1019 ~~prohibits or impedes a law enforcement agency from communicating~~
 1020 ~~or cooperating with a federal immigration agency so as to limit~~
 1021 ~~such law enforcement agency in, or prohibit the agency from:~~

1022 ~~(a) Complying with an immigration detainer;~~

1023 ~~(b) Complying with a request from a federal immigration~~
 1024 ~~agency to notify the agency before the release of an inmate or~~
 1025 ~~detainee in the custody of the law enforcement agency;~~

1026 ~~(c) Providing a federal immigration agency access to an~~
 1027 ~~inmate for interview;~~

1028 ~~(d) Participating in any program or agreement authorized~~
 1029 ~~under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s.~~
 1030 ~~1357 as required by s. 908.11;~~

1031 ~~(e) Providing a federal immigration agency with an inmate's~~
 1032 ~~incarceration status or release date;~~

1033 ~~(f) Providing information to a state entity on the~~
 1034 ~~immigration status of an inmate or detainee in the custody of~~
 1035 ~~the law enforcement agency;~~

1036 ~~(g) Executing a lawful judicial warrant; or~~

1037 ~~(h) Participating in a federal immigration operation with a~~
 1038 ~~federal immigration agency as permitted by federal and state~~
 1039 ~~law.~~

1040 Section 29. Section 908.104, Florida Statutes, is amended
 1041 to read:

1042 908.104 Cooperation with federal immigration authorities.—
 1043 To ensure compliance with Title VI of the 1964 Civil Rights Act,

1044 ~~(1) Consistent with all duties created in state and federal~~

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1045 ~~law, state and local law enforcement agencies and any official~~
1046 ~~responsible for directing or supervising such agency shall use~~
1047 ~~best efforts to support the enforcement of federal immigration~~
1048 ~~law. This subsection applies to an official, representative,~~
1049 ~~agent, or employee of the entity or agency only when he or she~~
1050 ~~is acting within the scope of his or her official duties or~~
1051 ~~within the scope of his or her employment.~~

1052 ~~(2) Except as otherwise expressly prohibited by federal~~
1053 ~~law, a state entity, local governmental entity, or law~~
1054 ~~enforcement agency, or an employee, an agent, or a~~
1055 ~~representative of the entity or agency, may not prohibit or in~~
1056 ~~any way restrict a law enforcement agency from taking any of the~~
1057 ~~following actions with respect to information regarding a~~
1058 ~~person's immigration status:~~

1059 ~~(a) Sending the information to or requesting, receiving, or~~
1060 ~~reviewing the information from a federal immigration agency for~~
1061 ~~purposes of this chapter.~~

1062 ~~(b) Recording and maintaining the information for purposes~~
1063 ~~of this chapter.~~

1064 ~~(c) Exchanging the information with a federal immigration~~
1065 ~~agency or another state entity, local governmental entity, or~~
1066 ~~law enforcement agency for purposes of this chapter.~~

1067 ~~(d) Using the information to comply with an immigration~~
1068 ~~detainer.~~

1069 ~~(e) Using the information to confirm the identity of a~~
1070 ~~person who is detained by a law enforcement agency.~~

1071 ~~(f) Sending the applicable information obtained pursuant to~~
1072 ~~enforcement of s. 448.095 to a federal immigration agency.~~

1073 ~~(3) A state entity, local governmental entity, or law~~

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1074 ~~enforcement agency may not prohibit or in any way restrict a law~~
1075 ~~enforcement officer from executing or assisting in the execution~~
1076 ~~of a lawful judicial warrant.~~

1077 ~~(4) (a) For purposes of this subsection, the term~~
1078 ~~"applicable criminal case" means a criminal case in which:~~

1079 ~~1. The judgment requires the defendant to be confined in a~~
1080 ~~secure correctional facility; and~~

1081 ~~2. The judge:~~

1082 ~~a. Indicates in the record under s. 908.105 that the~~
1083 ~~defendant is subject to an immigration detainer; or~~

1084 ~~b. Otherwise indicates in the record that the defendant is~~
1085 ~~subject to a transfer into federal custody.~~

1086 ~~(b) In an applicable criminal case, when the judge~~
1087 ~~sentences a defendant who is the subject of an immigration~~
1088 ~~detainer to confinement, the judge shall issue an order~~
1089 ~~requiring the secure correctional facility in which the~~
1090 ~~defendant is to be confined to reduce the defendant's sentence~~
1091 ~~by a period of not more than 12 days on the facility's~~
1092 ~~determination that the reduction in sentence will facilitate the~~
1093 ~~seamless transfer of the defendant into federal custody. For~~
1094 ~~purposes of this paragraph, the term "secure correctional~~
1095 ~~facility" means a state correctional institution as defined in~~
1096 ~~s. 944.02 or a county detention facility or a municipal~~
1097 ~~detention facility as defined in s. 951.23.~~

1098 ~~(c) If the information specified in sub-subparagraph~~
1099 ~~(a)2.a. or sub-subparagraph (a)2.b. is not available at the time~~
1100 ~~the sentence is pronounced in the case, but is received by a law~~
1101 ~~enforcement agency afterwards, the law enforcement agency shall~~
1102 ~~notify the judge who shall issue the order described by~~

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1103 ~~paragraph (b) as soon as the information becomes available.~~

1104 ~~(5)~~ when a county correctional facility or the Department
1105 of Corrections receives verification from a federal immigration
1106 agency that a person subject to an immigration detainer is in
1107 the law enforcement agency's custody, the agency must facilitate
1108 a screening of the person by a public defender to determine if
1109 the person is or has been a necessary witness or victim of a
1110 crime of domestic violence, rape, sexual exploitation, sexual
1111 assault, murder, manslaughter, assault, battery, human
1112 trafficking, kidnapping, false imprisonment, involuntary
1113 servitude, fraud in foreign labor contracting, blackmail,
1114 extortion, or witness tampering. The screening must be in the
1115 preferred language of the person being detained. If the public
1116 defender determines that the person is a necessary witness or
1117 victim of the aforementioned acts, the county correctional
1118 facility or the Department of Corrections may decline to comply
1119 with the federal immigration detainer. Otherwise, the county
1120 correctional facility or the Department of Corrections may
1121 securely transport the person to a federal facility in this
1122 state or to another point of transfer to federal custody outside
1123 the jurisdiction of the law enforcement agency. The law
1124 enforcement agency may transfer a person who is subject to an
1125 immigration detainer and is confined in a secure correctional
1126 facility to the custody of a federal immigration agency not
1127 earlier than 12 days before his or her release date. A law
1128 enforcement agency shall obtain judicial authorization before
1129 securely transporting an alien to a point of transfer outside of
1130 this state.

1131 ~~(6) Upon request from a federal immigration agency, a~~

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1132 ~~sheriff or chief correctional officer operating a county~~
1133 ~~detention facility must provide the requesting federal~~
1134 ~~immigration agency a list of all inmates booked into a county~~
1135 ~~detention facility and any information regarding each inmate's~~
1136 ~~immigration status.~~

1137 ~~(7) This section does not require a state entity, local~~
1138 ~~governmental entity, or law enforcement agency to provide a~~
1139 ~~federal immigration agency with information related to a victim~~
1140 ~~of or a witness to a criminal offense if:~~

1141 ~~(a) The victim or witness is necessary to the investigation~~
1142 ~~or prosecution of a crime, and such crime occurred in the United~~
1143 ~~States; and~~

1144 ~~(b) The victim or witness timely and in good faith responds~~
1145 ~~to the entity's or agency's request for information and~~
1146 ~~cooperates in the investigation or prosecution of such offense.~~

1147 ~~(8) A state entity, local governmental entity, or law~~
1148 ~~enforcement agency that, pursuant to subsection (7), withholds~~
1149 ~~information regarding the immigration information of a victim of~~
1150 ~~or witness to a criminal offense shall document the victim's or~~
1151 ~~witness's cooperation in the entity's or agency's investigative~~
1152 ~~records related to the offense and shall retain the records for~~
1153 ~~at least 10 years for the purpose of audit, verification, or~~
1154 ~~inspection by the Auditor General.~~

1155 ~~(9) This section does not authorize a law enforcement~~
1156 ~~agency to detain an alien unlawfully present in the United~~
1157 ~~States pursuant to an immigration detainer solely because the~~
1158 ~~alien witnessed or reported a crime or was a victim of a~~
1159 ~~criminal offense.~~

1160 ~~(10) This section does not apply to any alien unlawfully~~

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1161 ~~present in the United States if he or she is or has been a~~
1162 ~~necessary witness or victim of a crime of domestic violence,~~
1163 ~~rape, sexual exploitation, sexual assault, murder, manslaughter,~~
1164 ~~assault, battery, human trafficking, kidnapping, false~~
1165 ~~imprisonment, involuntary servitude, fraud in foreign labor~~
1166 ~~contracting, blackmail, extortion, or witness tampering,~~
1167 ~~provided that such crime was committed in the United States.~~
1168 ~~Documentation, including, but not limited to, police reports,~~
1169 ~~testimony, sworn statements, or a victim impact statement, must~~
1170 ~~be relied upon to verify that the person was a necessary witness~~
1171 ~~or victim to the crime.~~

1172 Section 30. Section 908.1041, Florida Statutes, is created
1173 to read:

1174 908.1041 Prohibition against engaging in immigration
1175 enforcement activities near public and private schools, child
1176 care facilities, or religious institutions.-

1177 (1) As used in this section, the term:

1178 (a) "Child care facility" has the same meaning as in s.
1179 402.302.

1180 (b) "Immigration enforcement activities" means any action
1181 by a law enforcement officer or agency, including, but not
1182 limited to, the identification, detention, questioning,
1183 investigation, or arrest of individuals based on their
1184 immigration status.

1185 (c) "Private school" has the same meaning as in s. 1002.01.

1186 (d) "Public school" means any facility or location
1187 providing primary or secondary education, including, but not
1188 limited to, public K-12 schools, charter schools, and school
1189 grounds.

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1190 (e) "Religious institution" means any building or space
1191 primarily used for religious worship or practices, including,
1192 but not limited to, a church, synagogue, mosque, temple, and
1193 other place of religious gathering.

1194 (2) A law enforcement agency, officer, sheriff's deputy, or
1195 federal immigration agency may not engage in or cooperate with
1196 immigration enforcement activities or engage in or cooperate
1197 with immigration enforcement activities pursuant to the
1198 Unauthorized Alien Transport Program under s. 908.13 within 500
1199 feet of any public or private school, child care facility, or
1200 religious institution, except in cases of exigent circumstances
1201 when immediate action is necessary to prevent harm or death. A
1202 local law enforcement agency may not:

1203 (a) Use agency resources, personnel, or authority to
1204 question, detain, or arrest individuals solely based on their
1205 immigration status on the grounds of, or within 500 feet of, a
1206 public or private school, child care facility, or religious
1207 institution.

1208 (b) Collaborate with federal immigration agency authorities
1209 for immigration enforcement purposes within or around the areas
1210 described in this subsection unless authorized to do so by a
1211 court with jurisdiction over the matter.

1212 (3) This section does not prohibit a local law enforcement
1213 agency from engaging in activities related to criminal
1214 investigations, emergency responses, or school safety as
1215 authorized by law, provided such activities do not involve
1216 immigration enforcement activities.

1217 (4) Within 30 days after the effective date of this act,
1218 each local law enforcement agency shall submit to the Department

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1219 of Law Enforcement a report detailing policies and protocols for
 1220 compliance with this section, including training protocols for
 1221 officers.

1222 (5) A local law enforcement agency or officer who violates
 1223 this section may be subject to disciplinary action by the local
 1224 governmental entity, including suspension, dismissal, or loss of
 1225 funding for local enforcement efforts.

1226 Section 31. Subsections (3) and (4) of section 908.107,
 1227 Florida Statutes, are amended to read:

1228 908.107 Enforcement.—

1229 ~~(3) If a local governmental entity or local law enforcement~~
 1230 ~~agency violates this chapter, the court must enjoin the unlawful~~
 1231 ~~sanctuary policy. The court has continuing jurisdiction over the~~
 1232 ~~parties and subject matter and may enforce its orders with the~~
 1233 ~~initiation of contempt proceedings as provided by law.~~

1234 ~~(4) An order approving a consent decree or granting an~~
 1235 ~~injunction must include written findings of fact that describe~~
 1236 ~~with specificity the existence and nature of the sanctuary~~
 1237 ~~policy that violates this chapter.~~

1238 Section 32. Section 908.11, Florida Statutes, is amended to
 1239 read:

1240 908.11 Immigration enforcement assistance agreements;
 1241 reporting requirement.—

1242 (1) Beginning January 1, 2026, the sheriff or the chief
 1243 correctional officer operating a county detention facility may
 1244 not ~~must~~ enter into or renew a written agreement with the United
 1245 States Immigration and Customs Enforcement to participate in the
 1246 immigration program established under s. 287(g) of the
 1247 Immigration and Nationality Act, 8 U.S.C. s. 1357. ~~The State~~

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1248 ~~Board of Immigration Enforcement must approve the termination of~~
1249 ~~any such agreement. This subsection does not require a sheriff~~
1250 ~~or chief correctional officer operating a county detention~~
1251 ~~facility to participate in a particular program model.~~

1252 (2) Beginning no later than April 1, 2025, ~~and until~~ the
1253 sheriff or chief correctional officer operating a county
1254 detention facility that has such a ~~enters into the~~ written
1255 agreement ~~required under subsection (1), each sheriff or chief~~
1256 ~~correctional officer operating a county detention facility~~ must
1257 notify the State Board of Immigration Enforcement ~~quarterly~~ of
1258 the status of any active or pending agreement.

1259 (3) The Department of Law Enforcement must establish a
1260 regular training schedule to educate relevant employees and
1261 other state entities that collaborate with federal agencies
1262 about current immigration enforcement policies and priorities
1263 ~~such written agreement and any reason for noncompliance with~~
1264 ~~this section, if applicable.~~

1265 Section 33. Section 921.1426, Florida Statutes, as created
1266 by 2025-2, Laws of Florida, is repealed.

1267 Section 34. Present paragraphs (b) and (c) of subsection
1268 (3) of section 943.325, Florida Statutes, are redesignated as
1269 paragraphs (c) and (d), respectively, and paragraph (a) of
1270 subsection (3) and paragraphs (b) and (f) of subsection (7) of
1271 that section are amended, to read:

1272 943.325 DNA database.—

1273 (3) COLLECTION OF SAMPLES.—

1274 (a) Each qualifying offender must ~~shall~~ submit a DNA sample
1275 at the time he or she is booked into a jail, correctional
1276 facility, or juvenile facility.

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1277 **(b)** A person who becomes a qualifying offender solely
1278 because of the issuance of an immigration detainer by a federal
1279 immigration agency may ~~must~~ submit a DNA sample when the law
1280 enforcement agency having custody of the offender receives the
1281 detainer. A law enforcement agency may not forcibly extract a
1282 DNA sample from such person and the person may not be charged
1283 with a criminal offense solely for refusing to submit a DNA
1284 sample.

1285 (7) COLLECTION OF DNA SAMPLES FROM OFFENDERS.—

1286 (b) Arrested qualifying offenders must submit a DNA sample
1287 at the time they are booked into a jail, correctional facility,
1288 or juvenile facility, except as provided in paragraph (3)(b).

1289 ~~(f) A law enforcement agency having custody of a person who~~
1290 ~~becomes a qualifying offender solely because of the issuance of~~
1291 ~~an immigration detainer by a federal immigration agency shall~~
1292 ~~ensure that a DNA sample is taken from the offender immediately~~
1293 ~~after the agency receives the detainer and shall secure and~~
1294 ~~transmit the sample to the department in a timely manner.~~

1295 Section 35. Paragraph (c) of subsection (2) of section
1296 1002.31, Florida Statutes, is amended to read:

1297 1002.31 Controlled open enrollment; public school parental
1298 choice.—

1299 (2)

1300 (c) Each district school board must provide preferential
1301 treatment in its controlled open enrollment process to all of
1302 the following:

1303 1. Dependent children of active duty military personnel
1304 whose move resulted from military orders.

1305 2. Children who have been relocated due to a foster care

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1306 placement in a different school zone.

1307 3. Children who move due to a court-ordered change in
1308 custody due to separation or divorce, or the serious illness or
1309 death of a custodial parent.

1310 4. Students residing in the school district.

1311 5. Children who are experiencing homelessness and children
1312 known to the department, as defined in s. 39.0016(1), regardless
1313 of their immigration status.

1314 Section 36. Paragraph (f) of subsection (1) of section
1315 1003.21, Florida Statutes, is amended to read:

1316 1003.21 School attendance.—

1317 (1)

1318 (f) Children and youths who are experiencing homelessness
1319 and children who are known to the department, as defined in s.
1320 39.0016, regardless of their immigration status, must have
1321 access to a free public education and in accordance with s.
1322 1002.31 must be admitted to the school of their parent's or
1323 guardian's choice, contingent on the school's capacity, in the
1324 school district in which they or their families or guardian
1325 live. School districts shall assist such children in meeting the
1326 requirements of subsection (4) and s. 1003.22, as well as local
1327 requirements for documentation.

1328 Section 37. Paragraphs (a), (b), and (c) of subsection (12)
1329 of section 1009.26, Florida Statutes, are amended to read:

1330 1009.26 Fee waivers.—

1331 (12) (a) A state university, a Florida College System
1332 institution, a career center operated by a school district under
1333 s. 1001.44, or a charter technical career center shall waive
1334 out-of-state fees for undergraduate and graduate students,

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1335 including, but not limited to, students who are undocumented for
1336 federal immigration purposes, ~~who are citizens of the United~~
1337 States or lawfully present in the United States who meet the
1338 following conditions:

1339 1. Attended a secondary school in this state for 2 ~~3~~
1340 ~~consecutive~~ years ~~immediately~~ before graduating from a high
1341 school in this state or received a high school equivalency
1342 diploma under s. 1003.435;

1343 2. Apply for enrollment in an institution of higher
1344 education within 24 months after high school or postsecondary
1345 graduation; and

1346 3. Submit an official Florida high school or postsecondary
1347 school transcript as evidence of attendance and graduation. In
1348 lieu of an official high school transcript, a student may submit
1349 a high school equivalency diploma under s. 1003.435.

1350 (b) Tuition and fees charged to a student who qualifies for
1351 the out-of-state fee waiver under this subsection may not exceed
1352 the tuition and fees charged to a resident student. The waiver
1353 is applicable for 110 percent of the required credit hours of
1354 the undergraduate or graduate degree or certificate program for
1355 which the student is enrolled. Each state university, Florida
1356 College System institution, career center operated by a school
1357 district under s. 1001.44, and charter technical career center
1358 shall report to the Board of Governors and the State Board of
1359 Education, respectively, the number and value of all fee waivers
1360 granted annually under this subsection. By October 1 of each
1361 year, the Board of Governors for the state universities and the
1362 State Board of Education for Florida College System
1363 institutions, career centers operated by a school district under

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1364 s. 1001.44, and charter technical career centers shall annually
1365 report for the previous academic year the percentage of resident
1366 and nonresident students enrolled systemwide.

1367 (c) A state university student granted an out-of-state fee
1368 waiver under this subsection must be considered a nonresident
1369 student for purposes of calculating the systemwide total
1370 enrollment of nonresident students as limited by regulation of
1371 the Board of Governors. ~~In addition,~~ A student who is granted an
1372 out-of-state fee waiver under this subsection is ~~not~~ eligible
1373 for state financial aid under part III of this chapter and may
1374 ~~must~~ not be reported as a resident for tuition purposes.

1375 Section 38. Paragraph (a) of subsection (1) of section
1376 1009.40, Florida Statutes, is amended to read:

1377 1009.40 General requirements for student eligibility for
1378 state financial aid awards and tuition assistance grants.-

1379 (1)(a) The general requirements for eligibility of students
1380 for state financial aid awards and tuition assistance grants
1381 consist of the following:

1382 1. Achievement of the academic requirements of and
1383 acceptance at a state university or Florida College System
1384 institution; a nursing diploma school approved by the Florida
1385 Board of Nursing; a Florida college or university which is
1386 accredited by an accrediting agency recognized by the State
1387 Board of Education; a Florida institution the credits of which
1388 are acceptable for transfer to state universities; a career
1389 center; or a private career institution accredited by an
1390 accrediting agency recognized by the State Board of Education.

1391 2. Residency in this state for no less than 1 year
1392 preceding the award of aid or a tuition assistance grant for a

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1393 program established pursuant to s. 1009.50, s. 1009.505, s.
1394 1009.51, s. 1009.52, s. 1009.521, s. 1009.53, s. 1009.60, s.
1395 1009.62, s. 1009.72, s. 1009.73, s. 1009.75, s. 1009.77, s.
1396 1009.89, or s. 1009.894. Residency in this state must be for
1397 purposes other than to obtain an education. Resident status for
1398 purposes of receiving state financial aid awards shall be
1399 determined in the same manner as resident status for tuition
1400 purposes pursuant to s. 1009.21. However, a student may not be
1401 denied classification as a resident for purposes of receiving
1402 state financial aid based solely on the student's immigration
1403 status if he or she has met the conditions for an out-of-state
1404 fee waiver under s. 1009.26(12)(a).

1405 3. Submission of certification attesting to the accuracy,
1406 completeness, and correctness of information provided to
1407 demonstrate a student's eligibility to receive state financial
1408 aid awards or tuition assistance grants. Falsification of such
1409 information shall result in the denial of a pending application
1410 and revocation of an award or grant currently held to the extent
1411 that no further payments shall be made. Additionally, students
1412 who knowingly make false statements in order to receive state
1413 financial aid awards or tuition assistance grants commit a
1414 misdemeanor of the second degree subject to the provisions of s.
1415 837.06 and shall be required to return all state financial aid
1416 awards or tuition assistance grants wrongfully obtained.

1417 Section 39. Paragraph (w) of subsection (2) of section
1418 435.04, Florida Statutes, is amended to read:

1419 435.04 Level 2 screening standards.—

1420 (2) The security background investigations under this
1421 section must ensure that persons subject to this section have

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1422 not been arrested for and are awaiting final disposition of;
1423 have not been found guilty of, regardless of adjudication, or
1424 entered a plea of nolo contendere or guilty to; or have not been
1425 adjudicated delinquent and the record has not been sealed or
1426 expunged for, any offense prohibited under any of the following
1427 provisions of state law or similar law of another jurisdiction:

1428 ~~(w) Section 787.07, relating to human smuggling.~~

1429 Section 40. Paragraph (e) of subsection (4) and paragraph
1430 (i) of subsection (5) of section 456.074, Florida Statutes, are
1431 amended to read:

1432 456.074 Certain health care practitioners; immediate
1433 suspension of license.—

1434 (4) The department shall issue an emergency order
1435 suspending the license of a massage therapist and establishment
1436 as those terms are defined in chapter 480 upon receipt of
1437 information that the massage therapist; the designated
1438 establishment manager as defined in chapter 480; an employee of
1439 the establishment; a person with an ownership interest in the
1440 establishment; or, for a corporation that has more than \$250,000
1441 of business assets in this state, the owner, officer, or
1442 individual directly involved in the management of the
1443 establishment has been arrested for committing or attempting,
1444 soliciting, or conspiring to commit, or convicted or found
1445 guilty of, or has entered a plea of guilty or nolo contendere
1446 to, regardless of adjudication, a violation of s. 796.07 or a
1447 felony offense under any of the following provisions of state
1448 law or a similar provision in another jurisdiction:

1449 ~~(e) Section 787.07, relating to human smuggling.~~

1450 (5) The department shall issue an emergency order

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1451 suspending the license of any health care practitioner who is
1452 arrested for committing or attempting, soliciting, or conspiring
1453 to commit any act that would constitute a violation of any of
1454 the following criminal offenses in this state or similar
1455 offenses in another jurisdiction:

1456 ~~(i) Section 787.07, relating to human smuggling.~~

1457 Section 41. Paragraph (e) of subsection (6) of section
1458 480.041, Florida Statutes, is amended to read:

1459 480.041 Massage therapists; qualifications; licensure;
1460 endorsement.—

1461 (6) The board shall deny an application for a new or
1462 renewal license if an applicant has been convicted or found
1463 guilty of, or enters a plea of guilty or nolo contendere to,
1464 regardless of adjudication, a violation of s. 796.07(2) (a) which
1465 is reclassified under s. 796.07(7) or a felony offense under any
1466 of the following provisions of state law or a similar provision
1467 in another jurisdiction:

1468 ~~(e) Section 787.07, relating to human smuggling.~~

1469 Section 42. Paragraph (e) of subsection (8) of section
1470 480.043, Florida Statutes, is amended to read:

1471 480.043 Massage establishments; requisites; licensure;
1472 inspection; human trafficking awareness training and policies.—

1473 (8) The department shall deny an application for a new or
1474 renewal license if an establishment owner or a designated
1475 establishment manager or, for a corporation that has more than
1476 \$250,000 of business assets in this state, an establishment
1477 owner, a designated establishment manager, or any individual
1478 directly involved in the management of the establishment has
1479 been convicted of or entered a plea of guilty or nolo contendere

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1480 to any misdemeanor or felony crime, regardless of adjudication,
1481 related to prostitution or related acts as described in s.
1482 796.07 or a felony offense under any of the following provisions
1483 of state law or a similar provision in another jurisdiction:

1484 ~~(c) Section 787.07, relating to human smuggling.~~

1485 Section 43. Subsection (2) of section 775.30, Florida
1486 Statutes, is amended to read:

1487 775.30 Terrorism; defined; penalties.—

1488 (2) A person who violates s. 782.04(1)(a)1. or (2), s.
1489 782.065, s. 782.07(1), s. 782.09, s. 784.045, s. 784.07, s.
1490 787.01, s. 787.02, ~~s. 787.07~~, s. 790.115, s. 790.15, s. 790.16,
1491 s. 790.161, s. 790.1615, s. 790.162, s. 790.166, s. 790.19, s.
1492 806.01, s. 806.031, s. 806.111, s. 815.06, s. 815.061, s.
1493 859.01, or s. 876.34, in furtherance of intimidating or coercing
1494 the policy of a government, or in furtherance of affecting the
1495 conduct of a government by mass destruction, assassination, or
1496 kidnapping, commits the crime of terrorism, a felony of the
1497 first degree, punishable as provided in s. 775.082, s. 775.083,
1498 or s. 775.084.

1499 Section 44. Subsection (1) of section 794.056, Florida
1500 Statutes, is amended to read:

1501 794.056 Rape Crisis Program Trust Fund.—

1502 (1) The Rape Crisis Program Trust Fund is created within
1503 the Department of Health for the purpose of providing funds for
1504 rape crisis centers in this state. Trust fund moneys shall be
1505 used exclusively for the purpose of providing services for
1506 victims of sexual assault. Funds credited to the trust fund
1507 consist of those funds collected as an additional court
1508 assessment in each case in which a defendant pleads guilty or

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1509 nolo contendere to, or is found guilty of, regardless of
 1510 adjudication, an offense provided in s. 775.21(6) and (10) (a),
 1511 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
 1512 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
 1513 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
 1514 787.025; s. 787.06; ~~s. 787.07~~; s. 794.011; s. 794.05; s. 794.08;
 1515 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
 1516 796.06; s. 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s.
 1517 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
 1518 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
 1519 847.0137; s. 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a),
 1520 (13), and (14) (c); or s. 985.701(1). Funds credited to the trust
 1521 fund also shall include revenues provided by law, moneys
 1522 appropriated by the Legislature, and grants from public or
 1523 private entities.

1524 Section 45. Paragraph (d) of subsection (3) of section
 1525 921.0022, Florida Statutes, is amended to read:

1526 921.0022 Criminal Punishment Code; offense severity ranking
 1527 chart.—

1528 (3) OFFENSE SEVERITY RANKING CHART

1529 (d) LEVEL 4

1530

Florida	Felony	
Statute	Degree	Description
104.155	3rd	Unqualified noncitizen electors voting; aiding or soliciting noncitizen electors in voting.

1531

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1532

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.

1533

499.0051 (1)

3rd

Failure to maintain or deliver transaction history, transaction information, or transaction statements.

1534

499.0051 (5)

2nd

Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.

1535

517.07 (1)

3rd

Failure to register securities.

1536

517.12 (1)

3rd

Failure of dealer or associated person of a dealer of securities to register.

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1537

784.031

3rd

Battery by
strangulation.

1538

784.07 (2) (b)

3rd

Battery of law
enforcement officer,
firefighter, etc.

1539

784.074 (1) (c)

3rd

Battery of sexually
violent predators
facility staff.

1540

784.075

3rd

Battery on detention or
commitment facility
staff.

1541

784.078

3rd

Battery of facility
employee by throwing,
tossing, or expelling
certain fluids or
materials.

1542

784.08 (2) (c)

3rd

Battery on a person 65
years of age or older.

1543

784.081 (3)

3rd

Battery on specified
official or employee.

1544

784.082 (3)

3rd

Battery by detained

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1545	784.083 (3)	3rd	person on visitor or other detainee.
1546	784.085	3rd	Battery on code inspector.
1547	787.03 (1)	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
1548	787.04 (2)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
1549	787.04 (3)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
			Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated

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			person.
	787.07	3rd	Human smuggling.
	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
	790.115 (2) (c)	3rd	Possessing firearm on school property.
	794.051 (1)	3rd	Indecent, lewd, or lascivious touching of certain minors.
	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
	806.135	2nd	Destroying or demolishing a memorial or historic property.

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1558	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
1559	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
1560	810.06	3rd	Burglary; possession of tools.
1561	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
1562	810.145 (3) (b)	3rd	Digital voyeurism dissemination.
1563	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
	812.014 (2) (c) 4. & 6.-10.	3rd	Grand theft, 3rd degree; specified items.

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817.5695 (3) (c) 3rd Exploitation of person
65 years of age or
older, value less than
\$10,000.

1571

817.625 (2) (a) 3rd Fraudulent use of
scanning device,
skimming device, or
reencoder.

1572

817.625 (2) (c) 3rd Possess, sell, or
deliver skimming device.

1573

828.125 (1) 2nd Kill, maim, or cause
great bodily harm or
permanent breeding
disability to any
registered horse or
cattle.

1574

836.14 (2) 3rd Person who commits theft
of a sexually explicit
image with intent to
promote it.

1575

836.14 (3) 3rd Person who willfully
possesses a sexually
explicit image with

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			certain knowledge, intent, and purpose.
1576	837.02 (1)	3rd	Perjury in official proceedings.
1577	837.021 (1)	3rd	Make contradictory statements in official proceedings.
1578	838.022	3rd	Official misconduct.
1579	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
1580	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
1581	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
1582	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of

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1583	843.15(1)(a)	3rd	protection or communication.
1584	843.19(2)	2nd	Failure to appear while on bail for felony (bond estreature or bond jumping).
1585	847.0135(5)(c)	3rd	Injure, disable, or kill police, fire, or SAR canine or police horse.
1586	870.01(3)	2nd	Lewd or lascivious exhibition using computer; offender less than 18 years.
1587	870.01(5)	2nd	Aggravated rioting.
1588	874.05(1)(a)	3rd	Aggravated inciting a riot.
1589	893.13(2)(a)1.	2nd	Encouraging or recruiting another to join a criminal gang.
			Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a),

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			(2) (b), or (2) (c) 5. drugs).
1590	914.14 (2)	3rd	Witnesses accepting bribes.
1591	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
1592	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
1593	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF facilities.
1594	918.12	3rd	Tampering with jurors.
1595	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
1596	944.47 (1) (a) 6.	3rd	Introduction of contraband (cellular

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telephone or other
portable communication
device) into
correctional
institution.

951.22 (1) (h) ,
(j) & (k)

3rd

Intoxicating drug,
instrumentality or other
device to aid escape, or
cellular telephone or
other portable
communication device
introduced into county
detention facility.

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1599

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

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1601

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

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1613 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and
1614 (14)(c); or s. 985.701(1), the court shall impose a surcharge of
1615 \$151. Payment of the surcharge shall be a condition of
1616 probation, community control, or any other court-ordered
1617 supervision. The sum of \$150 of the surcharge shall be deposited
1618 into the Rape Crisis Program Trust Fund established within the
1619 Department of Health by chapter 2003-140, Laws of Florida. The
1620 clerk of the court shall retain \$1 of each surcharge that the
1621 clerk of the court collects as a service charge of the clerk's
1622 office.

1623 Section 47. This act shall take effect July 1, 2025.