

By Senator Martin

33-00021-25A

202522A__

1 A bill to be entitled
2 An act relating to combatting illegal immigration;
3 amending s. 768.28, F.S.; providing that specified
4 persons and entities are immune from liability for
5 damages arising from certain causes of action;
6 requiring the state to indemnify certain elected or
7 appointed persons; specifying that persons entitled to
8 indemnification are entitled to representation by the
9 Attorney General; providing applicability; creating s.
10 775.101, F.S.; creating a civil cause of action for
11 victims of any crime committed by aliens under certain
12 circumstances against any person who knowingly and
13 willfully aided or assisted the alien in entering this
14 state; providing for venue; authorizing the recovery
15 of specified damages, attorney fees, and costs;
16 providing affirmative defenses; providing a statute of
17 limitations; providing a directive to the Division of
18 Law Revision; creating s. 811.101, F.S.; defining the
19 terms "alien" and "removal"; creating s. 811.102,
20 F.S.; providing criminal penalties for adult aliens
21 who knowingly enter or attempt to enter this state
22 after entering the United States by eluding or
23 avoiding examination or inspection by immigration
24 officers; authorizing the waiver of the term of
25 imprisonment if the alien agrees to a certain written
26 agreement; providing enhanced criminal penalties for
27 second or subsequent convictions; prohibiting the
28 arrest of aliens under specified circumstances;
29 providing affirmative defenses; requiring the

33-00021-25A

202522A__

30 detention of an alien arrested for such a violation
31 pending disposition of the case; specifying that such
32 aliens are not eligible for any civil citation or
33 other prearrest or postarrest diversion program;
34 requiring the arresting law enforcement agency to
35 notify certain entities; requiring the law enforcement
36 agency with custody of the alien to be responsible for
37 coordinating with the alien to arrange transportation
38 to the alien's country of destination and for ensuring
39 that the alien leaves the United States under certain
40 circumstances; authorizing the Department of Law
41 Enforcement to adopt rules; creating s. 811.103, F.S.;
42 providing criminal penalties for an adult alien who,
43 after having been denied admission, excluded,
44 deported, or removed or having departed the United
45 States while an order of exclusion, deportation, or
46 removal is outstanding, thereafter enters, attempts to
47 enter, or is at any time found in this state;
48 providing an exception; providing enhanced criminal
49 penalties for an alien whose arrest for such
50 violations was after the commission of specified
51 offenses; requiring concurrent sentences; requiring
52 the detention of an alien arrested for such a
53 violation pending disposition of the case; specifying
54 that such aliens are not eligible for any civil
55 citation or other prearrest or postarrest diversion
56 program; requiring the arresting law enforcement
57 agency to notify certain entities; requiring the law
58 enforcement agency with custody of the alien to be

33-00021-25A

202522A__

59 responsible for coordinating with the alien to arrange
60 transportation to the alien's country of destination
61 and for ensuring that the alien leaves the United
62 States under certain circumstances; authorizing the
63 Department of Law Enforcement to adopt rules; creating
64 s. 811.104, F.S.; providing criminal penalties for
65 persons who knowingly and willfully assist certain
66 aliens who illegally entered or reentered the United
67 States; providing affirmative defenses; amending s.
68 948.012, F.S.; authorizing a defendant who is an alien
69 to have any term of the defendant's probationary
70 sentence converted to administrative probation by the
71 Department of Corrections under specified
72 circumstances; requiring the department to be
73 responsible for coordinating with the defendant to
74 arrange transportation under certain circumstances;
75 authorizing public funds to be used to procure
76 transportation; requiring the court to verify certain
77 information in a hearing before the defendant's
78 departure from the United States; authorizing the
79 court to issue certain orders; authorizing the
80 department to adopt rules; providing for severability;
81 providing an effective date.

82
83 Be It Enacted by the Legislature of the State of Florida:

84
85 Section 1. Paragraph (a) of subsection (5) of section
86 768.28, Florida Statutes, is amended, and subsection (21) is
87 added to that section, to read:

33-00021-25A

202522A__

88 768.28 Waiver of sovereign immunity in tort actions;
89 recovery limits; civil liability for damages caused during a
90 riot; limitation on attorney fees; statute of limitations;
91 exclusions; indemnification; risk management programs.—

92 (5) (a) Except as expressly provided in this section, the
93 state and its agencies and subdivisions shall be liable for tort
94 claims in the same manner and to the same extent as a private
95 individual under like circumstances, but liability may ~~shall~~ not
96 include punitive damages or interest for the period before
97 judgment. Neither the state nor its agencies or subdivisions
98 shall be liable to pay a claim or a judgment by any one person
99 which exceeds the sum of \$200,000 or any claim or judgment, or
100 portions thereof, which, when totaled with all other claims or
101 judgments paid by the state or its agencies or subdivisions
102 arising out of the same incident or occurrence, exceeds the sum
103 of \$300,000. However, a judgment or judgments may be claimed and
104 rendered in excess of these amounts and may be settled and paid
105 pursuant to this act up to \$200,000 or \$300,000, as the case may
106 be; and that portion of the judgment that exceeds these amounts
107 may be reported to the Legislature, but may be paid in part or
108 in whole only by further act of the Legislature. Notwithstanding
109 the limited waiver of sovereign immunity provided herein, the
110 state or an agency or subdivision thereof may agree, within the
111 limits of insurance coverage provided, to settle a claim made or
112 a judgment rendered against it without further action by the
113 Legislature, but the state or agency or subdivision thereof may
114 ~~shall~~ not be deemed to have waived any defense of sovereign
115 immunity or to have increased the limits of its liability as a
116 result of its obtaining insurance coverage for tortious acts in

33-00021-25A

202522A__

117 excess of the \$200,000 or \$300,000 waiver provided above. The
118 limitations of liability set forth in this subsection shall
119 apply to the state and its agencies and subdivisions whether or
120 not the state or its agencies or subdivisions possessed
121 sovereign immunity before July 1, 1974.

122 (21) (a) Except as provided by paragraph (d), the state, its
123 agencies and subdivisions, and their constitutional officers,
124 officials, employees, and contractors are immune from liability
125 for damages arising from a cause of action under state law
126 resulting from an action taken by any official, employee, or
127 contractor to enforce s. 811.102, s. 811.103, s. 811.104, s.
128 908.104, s. 908.11, or s. 908.13 during the course and scope of
129 the respective constitutional officer's, official's, employee's,
130 or contractor's office, employment, or contractual performance
131 for or service on behalf of the state, its agencies, or its
132 subdivisions.

133 (b) Except as provided by paragraph (d), the state shall
134 indemnify a constitutional officer, an elected or appointed
135 state official, or a state employee or contractor for damages
136 arising from a cause of action under federal law resulting from
137 an action taken by the official, employee, or contractor to
138 enforce s. 811.102, s. 811.103, s. 811.104, s. 908.104, s.
139 908.11, or s. 908.13 during the course and scope of the
140 respective constitutional officer's, official's, employee's, or
141 contractor's office, employment, or contractual performance for
142 or service on behalf of the state, its agencies, or its
143 subdivisions.

144 (c) Notwithstanding any other law, an indemnification
145 payment made under paragraph (b) is not subject to an

33-00021-25A

202522A__

146 indemnification limit under the laws of the state.

147 (d) Paragraphs (a) and (b) do not apply if the court or
148 jury determines that the constitutional officer, state official,
149 employee, or contractor acted in bad faith, with conscious
150 indifference, or with recklessness.

151 (e) The state shall indemnify a constitutional officer or a
152 state or local official, employee, or contractor for reasonable
153 attorney fees incurred in defense of a criminal prosecution
154 against the constitutional officer, official, employee, or
155 contractor for an action taken by the officer, official,
156 employee, or contractor to enforce s. 811.102, s. 811.103, s.
157 811.104, s. 908.104, s. 908.11, or s. 908.13 during the course
158 and scope of the constitutional officer's, official's,
159 employee's, or contractor's office, employment, or contractual
160 performance for or service on behalf of the state, its agencies,
161 or its subdivisions.

162 (f) A constitutional officer, state official, employee, or
163 contractor entitled to indemnification under paragraph (b) is
164 entitled to representation by the Attorney General in an action
165 in connection with which the officer, official, employee, or
166 contractor may be entitled to such indemnification.

167 Section 2. Section 775.101, Florida Statutes, is created to
168 read:

169 775.101 Civil actions for victims of crimes committed by
170 aliens.-

171 (1) A victim of any crime committed by an alien who
172 illegally entered or reentered the United States and then
173 entered this state has a civil cause of action against any
174 person who knowingly and willfully aided or assisted such alien

33-00021-25A

202522A__

175 in entering this state. Such victim may recover damages as
176 provided in this section.

177 (a) The action may be brought in any circuit court of
178 competent jurisdiction in this state.

179 (b) A victim who prevails in any such action may recover
180 economic and noneconomic damages; punitive damages, as provided
181 in ss. 768.72, 768.725, and 768.73; reasonable attorney fees;
182 and costs.

183 1. Economic damages include, but are not limited to, past
184 and future medical and mental health expenses and all other
185 reasonable costs and expenses incurred by the victim or
186 estimated to be incurred by the victim in the future as a result
187 of the victim's injuries.

188 2. Noneconomic damages are nonfinancial losses that would
189 not have occurred but for the victimization, and include pain
190 and suffering, inconvenience, physical impairment, mental
191 anguish, disfigurement, loss of capacity for enjoyment of life,
192 and other nonfinancial losses.

193 (c) The civil remedies provided for in this section do not
194 preempt any other remedy or cause of action provided by law.

195 (d) The court has specific authority to consolidate civil
196 actions for the same defendant for the purpose of case
197 resolution and aggregate jurisdiction.

198 (2) It is an affirmative defense to a claim brought under
199 this section if:

200 (a) The person is a federal, state, or local government
201 employee working within the course and scope of his or her
202 employment and the aid or assistance provided to an alien is
203 limited to the aid or assistance authorized by the governmental

33-00021-25A

202522A__

204 entity for which the person works; or

205 (b) The person is an agent or works for an entity under
206 contract with a federal, state, or local government to provide
207 services to persons, including aliens, and the aid or assistance
208 provided to an alien is limited to the aid or assistance
209 authorized by the government explicitly in that contract,
210 memorandum of understanding, appendix, or other written document
211 or direction.

212 (3) The statute of limitations as specified in s. 95.11(7)
213 or (9), as applicable, governs an action brought under this
214 section.

215 Section 3. The Division of Law Revision is directed to
216 create chapter 811, to be entitled "ALIENS, NATIONALITY, AND
217 IMMIGRATION," consisting of ss. 811.101, 811.102, 811.103, and
218 811.104, Florida Statutes.

219 Section 4. Section 811.101, Florida Statutes, is created to
220 read:

221 811.101 Definitions.—As used in this chapter, the term:

222 (1) "Alien" has the same meaning as in 8 U.S.C. s. 1101, as
223 that provision existed on January 1, 2023.

224 (2) "Removal" means the departure from the United States of
225 an alien after any proceeding under 8 U.S.C. ss. 1225, 1228,
226 1229, or 1229a or any agreement in which an alien stipulates to
227 departure from the United States as part of a criminal
228 proceeding under either federal or state law.

229 Section 5. Section 811.102, Florida Statutes, is created to
230 read:

231 811.102 Illegal entry by adult alien into this state.—

232 (1) (a) An alien who is more than 18 years of age and who

33-00021-25A

202522A__

233 knowingly enters or attempts to enter this state after entering
234 the United States by eluding or avoiding examination or
235 inspection by immigration officers commits a misdemeanor of the
236 first degree, punishable as provided in s. 775.082 or s.
237 775.083. Such person must be sentenced to a minimum term of
238 imprisonment of 9 months.

239 (b) The term of imprisonment may be waived at any time
240 before or after conviction if the alien agrees in writing to
241 return voluntarily to the alien's country of origin or otherwise
242 leave the United States and the alien leaves the United States.

243 (2) An alien commits a felony of the third degree,
244 punishable as provided in s. 775.082, s. 775.083, or s. 775.084
245 if he or she:

246 (a) Is older than 18 years of age;

247 (b) Knowingly enters or attempts to enter this state after
248 entering the United States by eluding or avoiding examination or
249 inspection by immigration officer; and

250 (c) Has one conviction for violating this section.

251
252 Such person must be sentenced to a minimum term of imprisonment
253 of 1 year and 1 day. Any term of probation imposed in addition
254 to the term of imprisonment may be converted by the trial court
255 into administrative probation if the alien agrees at the time of
256 sentencing to return voluntarily to the alien's country of
257 origin or otherwise leave the United States and the alien leaves
258 the United States.

259 (3) An alien commits a felony of the third degree,
260 punishable as provided in s. 775.082, s. 775.083, or s. 775.084
261 if he or she:

33-00021-25A

202522A__

262 (a) Is older than 18 years of age;

263 (b) Knowingly enters or attempts to enter this state after
264 entering the United States by eluding or avoiding examination or
265 inspection by immigration officers; and

266 (c) Has two or more convictions for violating this section.

267
268 Such person must be sentenced to a minimum term of imprisonment
269 of 2 years. Any term of probation imposed in addition to the
270 term of imprisonment may be converted by the trial court into
271 administrative probation if the alien agrees at the time of
272 sentencing to return voluntarily to the alien's country of
273 origin or otherwise leave the United States and the alien leaves
274 the United States.

275 (4) An alien may not be subject to arrest for a violation
276 of this section if the alien was encountered by law enforcement
277 in this state during the investigation of another crime that
278 occurred in this state and the alien witnessed or reported that
279 crime or was a victim of that crime.

280 (5) It is an affirmative defense to prosecution under this
281 section if:

282 (a) The Federal Government has granted the alien lawful
283 presence in the United States or discretionary relief that
284 allows the alien to remain in the United States temporarily or
285 permanently;

286 (b) The alien is subject to relief under the Cuban
287 Adjustment Act of 1966; or

288 (c) The alien's entry into the United States did not
289 constitute a violation of 8 U.S.C. s. 1325(a).

290 (6) Notwithstanding any other law, and unless release is

33-00021-25A

202522A__

291 otherwise required by the State Constitution or the United
292 States Constitution, an alien arrested for a violation of this
293 section must be detained pending disposition of the case because
294 no conditions of release can reasonably assure the presence of
295 the alien at trial.

296 (7) An alien charged with violating this section is not
297 eligible for any civil citation or other prearrest or postarrest
298 diversion program, including, but not limited to, a program
299 pursuant to s. 901.41, s. 921.00241, or other similar program.

300 (8) At the time of arrest for a violation of this section,
301 the law enforcement agency making the arrest shall notify:

302 (a) Immigration and Customs Enforcement of the United
303 States Department of Homeland Security and provide that agency
304 information relating to the alien; and

305 (b) The Department of Law Enforcement and provide that
306 agency information relating to the alien, which must include
307 fingerprints, photographs, and any other biometric information
308 necessary to identify the alien in the future, and the costs
309 associated with the arrest, detention, supervision, and
310 transportation of the alien for a violation of this section.

311 (9) If an alien agrees to return voluntarily to the alien's
312 country of origin or otherwise leave the United States in
313 accordance with this section, the law enforcement agency with
314 custody of the alien shall be responsible, consistent with state
315 and federal law, for coordinating with the alien to arrange
316 transportation to the alien's country of destination and for
317 ensuring that the alien leaves the United States. Public funds
318 may be used to procure transportation as necessary. If the alien
319 fails to depart the United States for any reason, any term of

33-00021-25A

202522A__

320 imprisonment or probation for which the alien has been sentenced
321 and which has not been served must be reinstated. Before the
322 alien's departure from the United States, the court exercising
323 jurisdiction in the case shall verify in a hearing that the
324 alien consents to depart the United States, that such consent is
325 knowing and voluntary, and that failure to depart for any reason
326 will result in reinstatement of any term of imprisonment or
327 probation for which the alien has been sentenced and which has
328 not been served. The court may issue any orders, consistent with
329 state and federal law, necessary to effectuate the alien's
330 voluntary departure from the United States.

331 (10) The Department of Law Enforcement may adopt rules to
332 implement this section.

333 Section 6. Section 811.103, Florida Statutes, is created to
334 read:

335 811.103 Illegal reentry of an adult alien.—

336 (1) An alien commits a felony of the third degree,
337 punishable as provided in s. 775.082, s. 775.083, or s. 775.084
338 if he or she:

339 (a) Is 18 years of age or older;

340 (b) After having been denied admission, excluded, deported,
341 or removed or having departed the United States while an order
342 of exclusion, deportation, or removal is outstanding; and

343 (c) Thereafter enters, attempts to enter, or is at any time
344 found in this state, unless before the alien's reembarkation at
345 a place outside the United States or his or her application for
346 admission from a foreign contiguous territory:

347 1. The Attorney General of the United States expressly
348 consented to such alien's reapplying for admission; or

33-00021-25A

202522A__

349 2. With respect to an alien previously denied admission and
350 removed, unless such alien establishes that the alien was not
351 required to obtain such advance consent under the Immigration
352 and Nationality Act, as amended.

353
354 Such alien must be sentenced to a minimum term of imprisonment
355 of 1 year and 1 day. Any term of probation imposed in addition
356 to the terms of imprisonment may be converted by the trial court
357 into administrative probation if the alien agrees at the time of
358 sentencing to return voluntarily to the alien's country of
359 origin or otherwise leave the United States and the alien leaves
360 the United States.

361 (2) Notwithstanding subsection (1), in the case of any
362 alien described in subsection (1):

363 (a) Whose arrest under subsection (1) was subsequent to a
364 conviction for the commission of three or more misdemeanors or a
365 felony other than an aggravated felony as defined by federal law
366 or a violent felony under state law commits a felony of the
367 third degree, punishable as provided in s. 775.082, s. 775.083,
368 or s. 775.084. Such person must be sentenced to a minimum term
369 of imprisonment of 2 years. Any term of probation imposed in
370 addition to the term of imprisonment may be converted by the
371 trial court into administrative probation if the alien agrees at
372 the time of sentencing to return voluntarily to the alien's
373 country of origin or otherwise leave the United States and the
374 alien leaves the United States.

375 (b) Whose arrest under subsection (1) was subsequent to a
376 conviction for the commission of an aggravated felony as defined
377 by federal law or a violent felony under state law commits a

33-00021-25A

202522A__

378 felony of the second degree, punishable as provided in s.
379 775.082, s. 775.083, or s. 775.084. Such person must be
380 sentenced to a minimum term of imprisonment of 5 years. Any term
381 of probation imposed in addition to the term of imprisonment may
382 be converted by the trial court into administrative probation if
383 the alien agrees at the time of sentencing to return voluntarily
384 to the alien's country of origin or otherwise leave the United
385 States and the alien leaves the United States.

386 (3) Any sentence imposed under this section must run
387 concurrently with the sentence imposed for any other criminal
388 conviction.

389 (4) Notwithstanding any other law, and unless release is
390 otherwise required by the State Constitution or the United
391 States Constitution, an alien arrested for a violation of this
392 section must be detained pending disposition of the case because
393 no conditions of release can reasonably assure the presence of
394 the alien at trial.

395 (5) An alien charged with violating this section is not
396 eligible for any civil citation or other prearrest or postarrest
397 diversion program, including, but not limited to, a program
398 pursuant to s. 901.41, s. 921.00241, or other similar program.

399 (6) At the time of arrest, the law enforcement agency
400 making the arrest must notify:

401 (a) Immigration and Customs Enforcement of the United
402 States Department of Homeland Security and provide that agency
403 information relating to the alien; and

404 (b) The Department of Law Enforcement and provide that
405 agency information relating to the alien, which must include
406 fingerprints, photographs, and any other biometric information

33-00021-25A

202522A__

407 necessary to identify the alien in the future, and the costs
408 associated with the arrest, detention, supervision, and
409 transportation of the alien for a violation of this section.

410 (7) If an alien agrees to return voluntarily to the alien's
411 country of origin or otherwise leave the United States in
412 accordance with this section, the law enforcement agency with
413 custody of the alien shall be responsible, consistent with state
414 and federal law, for coordinating with the alien to arrange
415 transportation to the alien's country of destination and for
416 ensuring that the alien leaves the United States. Public funds
417 may be used to procure transportation as necessary. If the alien
418 fails to depart the United States for any reason, any term of
419 imprisonment or probation for which the alien has been sentenced
420 and which has not been served must be reinstated. Before the
421 alien's departure from the United States, the court exercising
422 jurisdiction in the case shall verify in a hearing that the
423 alien consents to depart the United States, that such consent is
424 knowing and voluntary, and that failure to depart for any reason
425 will result in reinstatement of any term of imprisonment or
426 probation for which the alien has been sentenced and which has
427 not been served. The court may issue any orders, consistent with
428 state and federal law, necessary to effectuate the alien's
429 voluntary departure from the United States.

430 (8) The Department of Law Enforcement may adopt rules to
431 implement this section.

432 Section 7. Section 811.104, Florida Statutes, is created to
433 read:

434 811.104 Illegal aid or support to an alien.—

435 (1) A person who knowingly and willfully aids or assists

33-00021-25A

202522A__

436 any alien who illegally entered or reentered the United States
437 and then entered this state in violation of s. 811.102 or s.
438 811.103, or who connives or conspires with any person or persons
439 to allow, procure, or allow any such alien to enter this state
440 after illegally entering or reentering the United States in
441 violation of s. 811.102 or s. 811.103 commits a felony of the
442 third degree, punishable as provided in s. 775.082, s. 775.083,
443 or s. 775.084.

444 (2) It is an affirmative defense to prosecution under this
445 section if:

446 (a) The person is a federal, state, or local government
447 employee working within the course and scope of his or her
448 employment and the aid or assistance provided to an alien is
449 limited to the aid or assistance authorized by the governmental
450 entity for which the person works; or

451 (b) The person is an agent or works for an entity under
452 contract with a federal, state, or local government office or
453 agency to provide services to persons, including aliens, and the
454 aid or assistance provided to an alien is limited to the aid or
455 assistance authorized by the government explicitly in that
456 contract, memorandum of understanding, appendix, or other
457 written document or direction.

458 Section 8. Present subsection (6) of section 948.012,
459 Florida Statutes, is redesignated as subsection (7), a new
460 subsection (6) is added to that section, and subsection (1) of
461 that section is amended, to read:

462 948.012 Split sentence of probation or community control
463 and imprisonment.—

464 (1) If punishment by imprisonment for a misdemeanor or a

33-00021-25A

202522A__

465 felony, except for a capital felony, is prescribed, the court
466 may, at the time of sentencing, impose a split sentence whereby
467 the defendant is to be placed on probation or, with respect to
468 any such felony, into community control upon completion of any
469 specified period of such sentence which may include a term of
470 years or less. In such case, the court shall stay and withhold
471 the imposition of the remainder of sentence imposed upon the
472 defendant and direct that the defendant be placed upon probation
473 or into community control after serving such period as may be
474 imposed by the court. Except as provided in s. 944.4731(2)(b)
475 and subsection (7) ~~(6)~~, the period of probation or community
476 control shall commence immediately upon the release of the
477 defendant from incarceration, whether by parole or gain-time
478 allowances.

479 (6) (a) Effective for offenses committed on or after March
480 31, 2025, a defendant who is an alien as defined in s. 811.101
481 may have any term of the defendant's probationary sentence
482 converted to administrative probation by the Department of
483 Corrections if:

484 1. The United States Department of Homeland Security
485 detains the defendant upon the termination of his or her
486 sentence of imprisonment and deports the defendant; or
487 2. The defendant agrees to return voluntarily to the
488 defendant's country of origin or otherwise leave the United
489 States and not return to this state unless and until the term of
490 his or her probation expires and he or she is lawfully admitted
491 to the United States.

492 (b) If the defendant agrees to return voluntarily to the
493 defendant's country of origin or otherwise leave the United

33-00021-25A

202522A__

494 States in accordance with this section, the Department of
495 Corrections shall be responsible, consistent with state and
496 federal law, for coordinating with the defendant to arrange
497 transportation to the defendant's country of destination and for
498 ensuring that the defendant leaves the United States. Public
499 funds may be used to procure transportation, as necessary.
500 Before the defendant's departure from the United States, the
501 court exercising jurisdiction in the case shall verify in a
502 hearing that the defendant consents to depart the United States,
503 that such consent is knowing and voluntary, and that failure to
504 depart for any reason will result in imprisonment for any
505 remaining term of imprisonment to the maximum term of
506 imprisonment that could have been imposed for the offense of
507 conviction. The court may issue any orders, consistent with
508 state and federal law, necessary to effectuate the defendant's
509 voluntary departure from the United States. If a defendant
510 returns to the United States after being deported, or after
511 returning voluntarily to his or her country of destination under
512 this section during the term of his or her probation, without
513 being lawfully admitted to the United States, the defendant must
514 be sentenced to the maximum term of imprisonment for any
515 remaining term of imprisonment that could have been imposed for
516 the offense of conviction. Any term of imprisonment for any
517 subsequently committed criminal offense must run consecutively
518 to the term of imprisonment required by this subsection.

519 (c) The Department of Corrections may adopt rules to
520 implement this section.

521 Section 9. If any provision of this act or its application
522 to any person or circumstance is held invalid, the invalidity

33-00021-25A

202522A__

523 does not affect other provisions or applications of this act
524 which can be given effect without the invalid provisions or
525 application, and to this end the provisions of this act are
526 severable.

527 Section 10. This act shall take effect upon becoming a law.