



482654

LEGISLATIVE ACTION

Senate

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House

Senator Smith moved the following:

Senate Amendment (with title amendment)

Delete lines 1016 - 1087

and insert:

Section 25. Subsection (1) of section 908.104, Florida Statutes, is amended to read:

908.104 Cooperation with federal immigration authorities.-

(1) Except as provided in s. 908.1041, a law enforcement agency shall use best efforts to support the enforcement of federal immigration law. This subsection applies to an official, representative, agent, or employee of the entity or agency only



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12 when he or she is acting within the scope of his or her official
13 duties or within the scope of his or her employment.

14 Section 26. Section 908.1041, Florida Statutes, is created
15 to read:

16 908.1041 Prohibition against engaging in immigration
17 enforcement activities near public schools or religious
18 institutions.-

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

20 (a) "Immigration enforcement activities" means any action
21 by a law enforcement officer or agency, including, but not
22 limited to, the identification, detention, questioning,
23 investigation, or arrest of individuals based on their
24 immigration status.

25 (b) "Public school" means any facility or location
26 providing primary or secondary education, including, but not
27 limited to, public K-12 schools, charter schools, and school
28 grounds.

29 (c) "Religious institution" means any building or space
30 primarily used for religious worship or practices, including,
31 but not limited to, churches, synagogues, mosques, temples, and
32 other places of religious gatherings.

33 (2) A law enforcement agency, officer, or sheriff's deputy
34 may not engage in or cooperate with immigration enforcement
35 activities or engage in or cooperate with immigration
36 enforcement activities pursuant to the Unauthorized Alien
37 Transport Program under s. 908.13 within 500 feet of any public
38 school or religious institution, except in cases of exigent
39 circumstances where immediate action is necessary to prevent
40 harm or death. A local law enforcement agency may not:



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41 (a) Use agency resources, personnel, or authority to
42 question, detain, or arrest individuals solely based on their
43 immigration status on the grounds of, or within 500 feet of, a
44 public school or religious institution.

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

49 (3) This section does not prohibit a local law enforcement
50 agency from engaging in activities related to criminal
51 investigations, emergency responses, or school safety as
52 authorized by law, provided such activities do not involve
53 immigration enforcement activities.

54 (4) Within 30 days after the effective date of this act,
55 each local law enforcement agency shall submit a report to the
56 Department of Law Enforcement detailing policies and protocols
57 for compliance with this section, including training protocols
58 for officers.

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

63 Section 27. The Division of Law Revision is directed to
64 replace the phrase "the effective date of this act" with the
65 date this act becomes a law.

66
67 ===== T I T L E A M E N D M E N T =====

68 And the title is amended as follows:

69 Delete lines 77 - 85



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70 and insert:
71 908.104, F.S.; conforming a provision to changes made
72 by the act; creating s. 908.1041, F.S.; defining
73 terms; prohibiting local law enforcement agencies or
74 officers from engaging in or cooperating with
75 immigration enforcement activities or engaging in or
76 cooperating with immigration enforcement activities
77 pursuant to the Unauthorized Alien Transport Program
78 within a specified distance of public schools or
79 religious institutions; providing an exception;
80 requiring law enforcement agencies to submit a report
81 to the Department of Law Enforcement within a
82 specified timeframe; providing requirements for the
83 report; providing for disciplinary action; providing a
84 directive to the Division of Law Revision; creating s.
85 908.1042, F.S.;