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LEGISLATIVE ACTION

Senate

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House

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Senator Smith moved the following:

1           **Senate Amendment to Amendment (843850) (with title**  
2 **amendment)**

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4           Delete lines 846 - 917

5 and insert:

6           Section 30. Subsection (1) of section 908.104, Florida  
7 Statutes, is amended to read:

8           908.104 Cooperation with federal immigration authorities.-

9           (1) Except as provided in s. 908.1041, a law enforcement  
10 agency shall use best efforts to support the enforcement of  
11 federal immigration law. This subsection applies to an official,



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12 representative, agent, or employee of the entity or agency only  
13 when he or she is acting within the scope of his or her official  
14 duties or within the scope of his or her employment.

15 Section 31. Section 908.1041, Florida Statutes, is created  
16 to read:

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

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

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

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

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

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



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41 harm or death. A local law enforcement agency may not:

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

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

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

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

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

64 Section 32. The Division of Law Revision is directed to  
65 replace the phrase "the effective date of this act" with the  
66 date this act becomes a law.

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

69 And the title is amended as follows:



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70 Delete lines 1966 - 1974  
71 and insert:  
72 adopt rules; amending s. 908.104, F.S.; conforming a  
73 provision to changes made by the act; creating s.  
74 908.1041, F.S.; defining terms; prohibiting local law  
75 enforcement agencies or officers from engaging in or  
76 cooperating with immigration enforcement activities or  
77 engaging in or cooperating with immigration  
78 enforcement activities pursuant to the Unauthorized  
79 Alien Transport Program within a specified distance of  
80 public schools or religious institutions; providing an  
81 exception; requiring law enforcement agencies to  
82 submit a report to the Department of Law Enforcement  
83 within a specified timeframe; providing requirements  
84 for the report; providing for disciplinary action;  
85 providing a directive to the Division of Law Revision;  
86 creating