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1
2 An act relating to immigration; providing a short
3 title; amending s. 14.23, F.S.; providing that the
4 Commissioner of Agriculture is the only person
5 responsible for serving as liaison between certain
6 entities regarding federal immigration laws;
7 authorizing the Commissioner of Agriculture to appoint
8 an employee to serve in a specific capacity; creating
9 s. 19.55, F.S.; providing that the Commissioner of
10 Agriculture is the chief immigration officer;
11 providing responsibilities for such position; creating
12 s. 19.56, F.S.; creating the Local Law Enforcement
13 Immigration Grant Program within the Office of State
14 Immigration Enforcement within the Division of Law
15 Enforcement under the Department of Agriculture and
16 Consumer Services for specified purposes; providing
17 the process for awarding grants; prohibiting grants
18 from being awarded for certain activities; requiring
19 the office to adopt rules; creating s. 19.57, F.S.;
20 creating the Local Law Enforcement Federal
21 Participation Incentive Program within the Office of
22 State Immigration Enforcement within the Division of
23 Law Enforcement under the Department of Agriculture
24 and Consumer Services for specified purposes;
25 requiring the office to prescribe the procedure and
26 application for the program and distribution of bonus
27 payments; prohibiting awards from being made for
28 certain activities; providing the process for awarding
29 bonus payments; requiring the office to adopt rules;

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30 amending s. 20.14, F.S.; revising the division
31 structure within the Department of Agriculture and
32 Consumer Services; authorizing the department to
33 establish certain offices; creating s. 104.155, F.S.;
34 providing criminal penalties for certain persons who
35 vote in an election; prohibiting certain defenses from
36 being raised; providing criminal penalties for a
37 person who takes certain actions with specified
38 knowledge; amending s. 252.36, F.S.; providing
39 construction; amending s. 288.061, F.S.; requiring the
40 Department of Commerce to take specified actions when
41 notified of noncompliance with specified economic
42 development incentive application requirements;
43 amending ss. 319.001 and 320.01, F.S.; defining the
44 term "valid passport"; amending s. 322.02, F.S.;
45 providing legislative intent; amending s. 322.033,
46 F.S.; providing legislative intent; specifying that
47 certain driver licenses issued by other states
48 exclusively to unauthorized aliens are invalid in this
49 state and do not authorize the holder to operate motor
50 vehicles in this state; amending s. 322.08, F.S.;
51 revising the types of documents that may be used as
52 proof of identity for application for certain
53 licenses; amending s. 322.121, F.S.; revising the
54 exceptions to the prohibitions on a person being
55 identified as a "Safe Driver"; revising the time
56 period for making certain notifications to the
57 department in order to be identified as a "Safe
58 Driver"; amending s. 322.19, F.S.; requiring a person

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59 who has become a citizen of the United States to
60 obtain specified replacement documents within a
61 certain time; amending s. 395.3027, F.S.; revising
62 reporting requirements related to patient immigration
63 status; amending s. 448.09, F.S.; conforming
64 provisions to changes made by the act; amending s.
65 448.095, F.S.; revising the entities responsible for
66 enforcing provisions relating to employment
67 eligibility; revising the trust fund into which
68 certain funds are deposited; amending s. 480.0535,
69 F.S.; expanding the parties required to receive a
70 certain notice related to massage establishments;
71 creating s. 775.0824, F.S.; providing legislative
72 intent; defining terms; providing sentencing
73 requirements for dangerous unauthorized alien
74 offenders; providing construction; amending s.
75 775.0848, F.S.; expanding the classification of crimes
76 that may be reclassified in certain circumstances;
77 amending s. 874.03, F.S.; revising the definition of
78 the term "criminal gang"; defining the term
79 "transnational crime organization"; amending s.
80 895.02, F.S.; revising the definition of the term
81 "racketeering activity"; amending s. 903.046, F.S.;
82 expanding the criteria the court must consider when
83 making bail determinations; amending s. 907.041, F.S.;
84 expanding circumstances a pretrial release service
85 must certify to the court; expanding the information
86 required to be reported to a state attorney after an
87 arrest; amending s. 908.101, F.S.; providing

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88 additional legislative findings; amending s. 908.102,
89 F.S.; defining the terms "chief immigration officer"
90 and "office"; creating s. 908.1031, F.S.; creating the
91 Office of State Immigration Enforcement within the
92 Division of Law Enforcement under the Department of
93 Agriculture and Consumer Services for specified
94 purposes; requiring the office to employ certain
95 personnel; providing powers, duties, and
96 qualifications for such personnel; providing certain
97 authority and powers of such personnel; providing
98 reporting requirements; providing that the office
99 serves a specified purpose; authorizing the office to
100 adopt rules; amending s. 908.104, F.S.; requiring
101 specified parties to provide certain information to a
102 federal immigration agency; expanding the criteria for
103 receiving a certain exemption; revising applicability;
104 creating s. 908.1041, F.S.; requiring cooperation and
105 coordination between specified entities in the
106 enforcement of immigration laws; requiring the
107 approval of the state immigration officer for certain
108 actions related to agreements or contracts; creating
109 s. 908.1042, F.S.; creating the State Immigration
110 Enforcement Council; providing the purpose,
111 membership, compensation, staff, meetings, and duties
112 of the council; authorizing the Office of State
113 Immigration Enforcement to adopt rules; amending s.
114 908.105, F.S.; requiring law enforcement agencies that
115 have custody of specified persons to notify the state
116 attorney; requiring the chief immigration officer to

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117 initiate judicial proceedings in the name of the state
118 under specified circumstances; requiring a court, upon
119 a certain finding, to declare invalid specified
120 ordinances, regulations, rules, or policies and issue
121 a permanent injunction; prohibiting a certain defense
122 from being raised; requiring the court to issue a fine
123 if it makes a certain determination; prohibiting the
124 use of public funds under certain circumstances;
125 providing an exception; conforming a cross-reference;
126 amending s. 908.107, F.S.; authorizing the chief
127 immigration officer to present certain evidence to the
128 Governor and make certain recommendations and to file
129 suit against certain entities and agencies for a
130 specified purpose; amending s. 908.11, F.S.; revising
131 the entities required to enter into certain agreements
132 with the United States Immigration and Customs
133 Enforcement; requiring that entities that do not enter
134 into such agreements by a specified date take certain
135 actions; creating s. 908.13, F.S.; providing
136 construction; authorizing the chief immigration
137 officer to issue a state of emergency in specified
138 circumstances; authorizing the issuance, amendment,
139 and renewal of certain orders, proclamations, and
140 rules that meet certain conditions; requiring
141 emergency orders to be disseminated in a specified
142 manner; requiring such orders be filed with specified
143 parties; providing an exception; authorizing the
144 Legislature to take certain actions relating to a
145 state of emergency declared by the chief immigration

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146 officer; requiring the chief immigration officer to
147 issue a certain order in specified circumstances;
148 requiring that certain declarations and orders be
149 filed in a specified manner with the Division of
150 Administrative Hearings; requiring the division to
151 make all such declarations and orders available in a
152 searchable format; requiring a certain link be placed
153 on the Department of Agriculture and Consumer Services
154 website; requiring the chief immigration officer to
155 take certain actions during a specified state of
156 emergency; requiring the chief immigration officer to
157 request certain assistance during specified states of
158 emergency; amending s. 921.0022, F.S.; ranking an
159 offense created by the act on the offense severity
160 ranking chart of the Criminal Punishment Code;
161 creating s. 921.1426, F.S.; requiring a court to
162 sentence unauthorized aliens convicted of specified
163 crimes to death; defining the term "unauthorized
164 alien"; amending s. 943.03, F.S.; requiring the
165 Department of Law Enforcement to coordinate with the
166 chief immigration officer for a certain purpose;
167 amending s. 943.03101, F.S.; conforming provisions to
168 changes made by the act; amending s. 943.0311, F.S.;
169 requiring the Chief of Domestic Security to coordinate
170 with the chief immigration officer for a certain
171 purpose; amending ss. 943.0312 and 943.0313, F.S.;
172 conforming provisions to changes made by the act;
173 amending s. 1009.26, F.S.; revising eligibility for
174 certain fee waivers; requiring that students receiving

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175 such a waiver be reevaluated for eligibility beginning
176 on a certain date; requiring that certain agreements
177 and contracts replace one party with a specified
178 entity; requiring the transfer of certain rules;
179 authorizing the Office of State Immigration
180 Enforcement to adopt emergency rules; providing
181 requirements for such rules; providing legislative
182 findings; requiring the Department of Military Affairs
183 and local law enforcement to work with the Office of
184 State Immigration Enforcement for a specified purpose;
185 amending chapter 2023-3, Laws of Florida; conforming
186 provisions to changes made by the act; requiring the
187 Division of Law Enforcement to evaluate a specified
188 program and make recommendations by a certain date;
189 prohibiting the renewal or issuance of certain
190 executive orders; providing appropriations;
191 authorizing the establishment of certain positions;
192 requiring the reversion of the unexpended balance of
193 certain funds; providing for immediate release of
194 specified funds; providing effective dates.

195
196 WHEREAS, the United States has long welcomed immigrants to
197 this country, and

198 WHEREAS, federal law provides many pathways for immigrants
199 to become permanent lawful residents and citizens of the United
200 States and to enter the country temporarily for work, education,
201 and tourism, and

202 WHEREAS, the state welcomes lawful immigrants who love
203 freedom, recognize the equality and intrinsic value and worth of

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204 all individuals, wish to follow the law, and who seek to
205 contribute to our state's peace, security, cultural vibrancy,
206 and prosperity, and

207 WHEREAS, the previous federal administration substantially
208 ignored its duties under federal law to deter and prevent
209 illegal immigration and remove illegal immigrants, and

210 WHEREAS, representatives of the previous federal
211 administration repeatedly claimed the "border is secure,"
212 despite the fact that millions of immigrants entered the United
213 States illegally, outside of designated border crossings, and

214 WHEREAS, illegal immigrants caught crossing the southwest
215 border illegally included dangerous criminals on the terrorist
216 watch list, some of whom were released into the United States by
217 the previous federal administration, and

218 WHEREAS, the open border policies of the previous federal
219 administration have allowed drug cartels to smuggle massive
220 amounts of illegal drugs, including fentanyl, across the border
221 and into American communities, causing loss of American lives
222 and dangerous, deadly situations for first responders, and

223 WHEREAS, SM 1020 (2024) urged the federal government to
224 designate drug cartels as foreign terrorist organizations, and

225 WHEREAS, President Trump, in his executive order
226 Designating Cartels and Other Organizations as Foreign Terrorist
227 Organizations and Specially Designated Global Terrorists,
228 implemented a policy to ensure the total elimination of these
229 organizations' presence in the United States and their ability
230 to threaten the territory, safety, and security of our country,
231 and

232 WHEREAS, instead of deterring and preventing illegal

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233 immigration, the previous federal administration and sanctuary
234 jurisdictions invited, administered, and oversaw an
235 unprecedented flood of illegal immigration into the United
236 States, encouraging people to illegally cross the border,
237 putting themselves in danger as well as allowing dangerous
238 individuals to enter and commit crimes across the country at a
239 high cost to the American people, and

240 WHEREAS, the previous federal administration and sanctuary
241 jurisdictions, through their actions incentivizing illegal entry
242 into our county, caused great financial harm to the nation and
243 communities, and

244 WHEREAS, in response to the border crisis caused by the
245 previous federal administration, the Florida Legislature passed
246 enhanced state laws to combat illegal immigration, making
247 Florida a national leader in fighting illegal immigration, and

248 WHEREAS, SB 168 (2019) prohibited a state entity, local
249 governmental entity, or law enforcement agency from having a
250 sanctuary policy, and

251 WHEREAS, SB 168 (2019) required a county correctional
252 facility to enter into an agreement with a federal immigration
253 agency for the payment of costs associated with housing and
254 detaining defendants, and

255 WHEREAS, SB 1718 (2023) helped to protect citizens from the
256 financial costs of illegal immigration, competition in the labor
257 force from illegal immigrants who drive down wages for citizens,
258 and security risks created by some illegal immigrants and gangs
259 of criminal illegal immigrants, and

260 WHEREAS, SB 1718 (2023) increased criminal penalties for
261 human-smuggling of children and persons the offender knew to

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262 have unlawfully entered the United States, and

263 WHEREAS, SB 1718 (2023) required widespread use of E-Verify
264 to deny employment to illegal immigrants who are not authorized
265 to work in this country, and

266 WHEREAS, SB 1718 (2023) increased penalties for using false
267 identification documents to obtain employment, and

268 WHEREAS, SB 1718 (2023) declared as invalid driver licenses
269 issued by other states that did not require proof of lawful
270 presence in the United States, and

271 WHEREAS, SB 1718 (2023) required persons in the custody of
272 a law enforcement agency and subject to an immigration detainer
273 to submit a DNA sample, and

274 WHEREAS, SB 1718 (2023) required the reporting of data to
275 aid in the estimation of the cost of health care provided to
276 illegal immigrants, and

277 WHEREAS, HB 1589 (2024) increased the criminal penalties
278 for repeated offenses of driving without a valid driver license,
279 and

280 WHEREAS, SB 1036 (2024) increased criminal penalties when
281 people convicted of illegal reentry commit a felony or commit a
282 crime that furthers the interests of a transnational crime
283 organization, and

284 WHEREAS, HB 1451 (2024) and SB 1718 (2023) prohibited
285 counties and municipalities from funding and accepting
286 identification cards knowingly issued by organizations to
287 individuals not lawfully present in the United States, and

288 WHEREAS, uninsured drivers increase the cost of auto
289 insurance and a national survey indicated half of adult illegal
290 immigrants drive without auto insurance, and

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291 WHEREAS, the Department of Corrections estimated the cost
292 to house 4,653 illegal immigrant inmates in 2023 exceeded \$143
293 million, and

294 WHEREAS, according to the Department of Education, for the
295 2022-2023 school year, there were 152,437 immigrant children
296 enrolled in the public schools at a cost of approximately \$8,000
297 per student, and

298 WHEREAS, President Trump, within his first hours of office,
299 issued several executive orders to protect American citizens and
300 interests and secure the nation's borders, and

301 WHEREAS, the President of the United States has the
302 authority under the Immigration and Nationality Act, as well as
303 inherent authority under Article II of the Constitution, to
304 prevent the physical entry of illegal aliens into the United
305 States across the southern border, and

306 WHEREAS, President Trump declared the existence of a
307 national emergency at the southern border of the United States
308 and has declared his intent to take every lawful action at his
309 disposal to address the crisis and take back control from the
310 previous federal administration's abdication of its
311 responsibility to enforce the border, and

312 WHEREAS, President Trump stated the policy of the United
313 States is to secure the borders, and ordered the border be
314 secured through various means, including federal-state
315 partnerships with local law enforcement agencies to enforce
316 federal immigration priorities, detaining and removing aliens
317 apprehended for violations of immigration law, and ending the
318 "catch-and-release" practices of previous administrations, and

319 WHEREAS, President Trump declared the new national

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320 direction for federal agencies to take all appropriate action to
321 protect the public safety and national security interests of the
322 American people by ensuring the successful enforcement of
323 federal laws, including order of removal and stopping illegal
324 entry, and

325 WHEREAS, President Trump has indicated his guarantee the
326 federal government will take all appropriate steps to protect
327 the American public against the invasion of unknown persons
328 attempting to illegally enter the United States, and

329 WHEREAS, President Trump has ordered the federal laws
330 related to the process of entry of migrants to be enforced,
331 instead of ignored or side-stepped as in the previous
332 administration, and such vigilant security and stringent
333 verification will protect Americans and identify criminals or
334 those intending harm before they ever are admitted or enter the
335 United States, and

336 WHEREAS, on January 21, 2025, the new acting commandant of
337 the United States Coast Guard directed operational commanders to
338 immediately surge assets, including cutters, aircraft, boats,
339 and specialized forces, to areas around this state to prevent a
340 maritime mass migration from Haiti or Cuba and to detect and
341 deter drug smuggling, and

342 WHEREAS, President Trump has suspended the U.S. Refugee
343 Admissions Program to provide relief to small cities and towns
344 which have seen significant influxes of migrants, and because
345 American communities lack the ability to absorb large numbers of
346 migrants, and in particular, refugees, in a manner that does not
347 compromise the availability of resources for Americans, that
348 protects American safety and security, and that ensures the

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349 appropriate assimilation of refugees, and

350 WHEREAS, the numerous executive orders entered by President
351 Trump demonstrate the federal government will finally end
352 policies detrimental to lawful citizens and will enforce the
353 laws of this country to combat illegal immigration, protect
354 victims of crimes committed by illegal immigrants, reduce cost
355 burdens related to illegal aliens, including ending public
356 benefits, and protect our borders, and

357 WHEREAS, it is necessary to detail immigration enforcement
358 responsibilities in Florida law and to centralize those
359 responsibilities in an agency having authority in civil,
360 administrative, and criminal matters, and

361 WHEREAS, the Legislature finds it necessary to rigorously
362 implement both the letter and spirit of President Trump's plan
363 to secure our border, protect our state and national
364 sovereignty, support Florida law enforcement, and affirm the
365 federal government's responsibility over immigration, NOW,
366 THEREFORE,

367

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

369

370 Section 1. This act may be cited as the "Tackling and
371 Reforming Unlawful Migration Policy (TRUMP) Act."

372 Section 2. Paragraph (d) is added to subsection (2) of
373 section 14.23, Florida Statutes, and subsection (3) of that
374 section is amended, to read:

375 14.23 State-Federal relations.—

376 (2) CREATION OF THE OFFICE OF STATE-FEDERAL RELATIONS.—

377 (d) The office does not serve as a liaison between the

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378 state government and federal immigration agencies, as defined in
379 s. 908.102, regarding federal immigration laws and matters
380 directly related thereto. The Commissioner of Agriculture as the
381 chief immigration officer is the exclusive liaison between the
382 state government and federal immigration agencies regarding
383 federal immigration laws and matters directly related thereto.
384 The Commissioner of Agriculture, at his or her discretion, may
385 appoint an employee of the Department of Agriculture and
386 Consumer Services to work as an adjunct official to the office
387 for the purpose of facilitating coordination between the state
388 government and federal immigration agencies.

389 (3) COOPERATION.—For the purpose of centralizing the state-
390 federal relations efforts of the state, state agencies and their
391 representatives shall cooperate and coordinate their state-
392 federal efforts and activities with the office, except as
393 provided in paragraph (2) (d). State agencies which have
394 representatives headquartered in Washington, D.C., are
395 encouraged to station their representatives in the office.

396 Section 3. Section 19.55, Florida Statutes, is created to
397 read:

398 19.55 Commissioner of Agriculture as chief immigration
399 officer.—The Commissioner of Agriculture is the chief
400 immigration officer of the state and serves as the state's
401 official liaison between state entities, local governmental
402 entities, and law enforcement agencies and the Federal
403 Government regarding the enforcement of federal immigration
404 laws. It is the responsibility of the chief immigration officer
405 to:

406 (1) Coordinate with and provide assistance to the Federal

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407 Government in the enforcement of federal immigration laws and
408 other matters related to the enforcement of federal immigration
409 laws.

410 (2) Coordinate with and provide assistance to law
411 enforcement agencies, as defined in s. 908.102, in the
412 enforcement of federal immigration laws and other matters
413 related to the enforcement of such laws, and monitor local
414 government compliance with the requirements of chapter 908.

415 (3) Administer the Local Law Enforcement Immigration Grant
416 Program established in s. 19.56.

417 (4) Regularly coordinate random audits pursuant to s.
418 448.095 to ensure compliance and enforcement.

419 (5) Provide recommendations regarding measures that may be
420 implemented to improve cooperation and coordination with the
421 Federal Government in the enforcement of federal immigration
422 laws to the President of the Senate and the Speaker of the House
423 of Representatives.

424 (6) No later than March 15, 2025, report to the President
425 of the Senate and the Speaker of the House of Representatives
426 the number of vacant beds available in state correctional
427 institutions and facilities and county detention facilities
428 which can be sublet to the United States Immigration and Customs
429 Enforcement for use as detention beds. Operators of state
430 correctional institutions and facilities and county detention
431 facilities shall provide such information requested by the chief
432 immigration officer no later than March 1, 2025.

433 (7) Serve as an "authorized state officer" under the Laken
434 Riley Act, S. 5, 119th Cong. (2025), for purposes of having
435 standing to bring an action against specified federal officials

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436 to obtain injunctive relief on behalf of the state and its
437 residents.

438 (8) Actively seek Congressional action to amend the
439 National Crime Prevention and Privacy Compact to require states
440 that are a party to the compact to share information relating to
441 a person's immigration status for criminal justice purposes and
442 to require that such information be fully shared with all
443 federal agencies having authority over immigration enforcement.

444 Section 4. Section 19.56, Florida Statutes, is created to
445 read:

446 19.56 Local Law Enforcement Immigration Grant Program.—

447 (1) There is created in the Office of State Immigration
448 Enforcement within the Division of Law Enforcement under the
449 Department of Agriculture and Consumer Services the Local Law
450 Enforcement Immigration Grant Program to award grants to support
451 local law enforcement agencies, which include chief correctional
452 officers operating county detention facilities, in their
453 cooperation and coordination with federal immigration agencies,
454 as defined in s. 908.102, in the enforcement of federal
455 immigration laws.

456 (2) The office shall annually award any funds specifically
457 appropriated for the grant program to reimburse expenses for,
458 including, but not limited to, subletting detention beds to the
459 United States Immigration and Customs Enforcement, equipment,
460 travel, lodging, and training programs to include certified
461 apprenticeship programs, related to supporting the enforcement
462 of federal immigration laws. The total amount of grants awarded
463 may not exceed funding appropriated for the grant program.

464 (3) The office must prescribe the procedure and application

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465 for the program. Grants shall be awarded on a first-come, first-
466 served basis based on the date the office received each
467 completed application. In order to efficiently and effectively
468 disburse the funds, the office shall not duplicate benefits and
469 grants may not be awarded to pay for any activity for which the
470 agency has received or expects to receive federal or other
471 funding.

472 (4) The office shall adopt rules to implement this section.
473 Section 5. Section 19.57, Florida Statutes, is created to
474 read:

475 19.57 The Local Law Enforcement Federal Participation
476 Incentive Program.—

477 (1) The Local Law Enforcement Federal Participation
478 Incentive Program is created in the Office of State Immigration
479 Enforcement within the Division of Law Enforcement under the
480 Department of Agriculture and Consumer Services. The purpose of
481 the program is to administer one-time bonus payments of up to
482 \$1,000 to local law enforcement officers in this state who
483 participate in United States Department of Homeland Security at-
484 large task force operations.

485 (2) The office shall prescribe the procedure and
486 application for the program and distribution of bonus payments.
487 Eligible activity does not include operations occurring solely
488 at state correctional facilities or county correctional
489 facilities. Local law enforcement agencies shall assist the
490 office with the collection of any data necessary to determine
491 bonus payment amounts and to distribute the bonus payments and
492 shall otherwise provide the office with any information or
493 assistance needed to fulfill the requirements of this section.

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494 (3) Bonus payments shall be awarded on a first-come, first-
495 served basis based on the date the office received each
496 completed application. The total amount of bonuses awarded may
497 not exceed funding appropriated for the program. A local law
498 enforcement agency may submit a joint application for all law
499 enforcement officers within its agency who are eligible for the
500 bonus.

501 (4) The office shall adopt rules to implement this section.
502 Section 6. Subsections (2) and (3) of section 20.14,
503 Florida Statutes, are amended to read:

504 20.14 Department of Agriculture and Consumer Services.—
505 There is created a Department of Agriculture and Consumer
506 Services.

507 (2) The following units ~~divisions~~ of the Department of
508 Agriculture and Consumer Services are established:

- 509 (a) Division of Administration.
510 (b) Division of Agricultural Environmental Services.
511 (c) Division of Animal Industry.
512 (d) Division of Aquaculture.
513 (e) Division of Consumer Services.
514 (f) Division of Food Safety.
515 (g) Division of Florida Forest Service.
516 (h) Division of Fruit and Vegetables.
517 (i) Division of Law Enforcement.
518 1. Office of Agriculture Law Enforcement.
519 2. Office of State Immigration Enforcement.
520 (j) ~~(i)~~ Division of Licensing.
521 (k) ~~(j)~~ Division of Marketing and Development.
522 (l) ~~(k)~~ Division of Plant Industry.

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523 (m)~~(l)~~ Division of Food, Nutrition, and Wellness.

524 (3) Notwithstanding s. 20.04(7)(b) and (c), the department
525 may establish bureaus and offices ~~may be established~~ as deemed
526 necessary to promote efficient and effective operation of the
527 department, ~~pursuant to s. 20.04.~~

528 Section 7. Section 104.155, Florida Statutes, is created to
529 read:

530 104.155 Unauthorized alien willfully voting; prohibited
531 defenses; aiding or soliciting unauthorized alien in voting
532 prohibited.—

533 (1) Any person who is not a qualified elector because he or
534 she is an unauthorized alien as defined in s. 908.111 and who
535 willfully votes in any election commits a felony of the third
536 degree, punishable as provided in s. 775.082, s. 775.083, or s.
537 775.084. A person's ignorance of his or her status as an
538 unauthorized alien or a person's bona fide belief of his or her
539 status as an unauthorized alien cannot be raised as a defense in
540 a prosecution for a violation of this subsection.

541 (2) Any person who aids or solicits another to violate
542 subsection (1) with knowledge that such person is an
543 unauthorized alien as defined in s. 908.111 commits a felony of
544 the third degree, punishable as provided in s. 775.082, s.
545 775.083, or s. 775.084.

546 Section 8. Paragraph (a) of subsection (6) of section
547 252.36, Florida Statutes, is amended to read:

548 252.36 Emergency management powers of the Governor.—

549 (6) In addition to any other powers conferred upon the
550 Governor by law, she or he may:

551 (a) Suspend the provisions of any regulatory statute

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552 prescribing the procedures for conduct of state business or the
553 orders or rules of any state agency, if strict compliance with
554 the provisions of any such statute, order, or rule would in any
555 way prevent, hinder, or delay necessary action in coping with
556 the emergency. However, nothing in this paragraph may be used to
557 suspend any provision in s. 19.55 or s. 19.56 or in chapter 908.

558 Section 9. Subsection (6) of section 288.061, Florida
559 Statutes, is amended to read:

560 288.061 Economic development incentive application
561 process.—

562 (6) The Secretary of Commerce may not approve an economic
563 development incentive application unless the application
564 includes proof to the department that the applicant business is
565 registered with and uses the E-Verify system, as defined in s.
566 448.095, to verify the work authorization status of all newly
567 hired employees. If the department is notified by the Office of
568 State Immigration Enforcement within the Department of
569 Agriculture and Consumer Services ~~determines~~ that an awardee is
570 not complying with this subsection, the department must notify
571 the awardee by certified mail of the office's ~~department's~~
572 determination of noncompliance and the awardee's right to appeal
573 the determination. Upon a final determination of noncompliance,
574 the awardee must repay all moneys received as an economic
575 development incentive to the department within 30 days after the
576 final determination.

577 Section 10. Subsection (13) is added to section 319.001,
578 Florida Statutes, to read:

579 319.001 Definitions.—As used in this chapter, the term:

580 (13) "Valid passport" means:

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581 (a) An unexpired passport or passport card issued by the
582 United States government; or

583 (b) An unexpired passport issued by the government of
584 another country with:

585 1. A stamp or mark affixed by the Federal Government onto
586 the passport to evidence and authorize lawful presence in the
587 United States; or

588 2. An unexpired I-94, or current permanent resident card,
589 or unexpired immigrant visa, issued by the Federal Government.

590 Section 11. Subsection (46) is added to section 320.01,
591 Florida Statutes, to read:

592 320.01 Definitions, general.—As used in the Florida
593 Statutes, except as otherwise provided, the term:

594 (46) "Valid passport" means:

595 (a) An unexpired passport or passport card issued by the
596 United States government; or

597 (b) An unexpired passport issued by the government of
598 another country with:

599 1. A stamp or mark affixed by the Federal Government onto
600 the passport to evidence and authorize lawful presence in the
601 United States; or

602 2. An unexpired I-94, or current permanent resident card,
603 or unexpired immigrant visa, issued by the Federal Government.

604 Section 12. Subsection (2) of section 322.02, Florida
605 Statutes, is amended to read:

606 322.02 Legislative intent; administration.—

607 (2) The Department of Highway Safety and Motor Vehicles is
608 charged with the administration and function of enforcement of
609 this chapter and the administration and enforcement of 49 C.F.R.

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610 parts 382-386 and 390-397. The Legislature intends for the state
611 to meet all minimum security standards of the REAL ID Act of
612 2005, Public Law No. 109-13, for driver licenses and
613 identification cards issued by this state. Such action ensures
614 that all state-issued driver licenses and identification cards
615 are available to United States citizens and individuals who are
616 not citizens but who are lawfully present and meet the
617 requirements of the REAL ID Act.

618 Section 13. Section 322.033, Florida Statutes, is amended
619 to read:

620 322.033 Unauthorized aliens; invalid out-of-state driver
621 licenses.—

622 (1) The Legislature intends for only driver licenses or
623 identification cards to be issued which meet all minimum
624 security requirements of the REAL ID Act of 2005, Public Law No.
625 109-13. The department is prohibited from issuing a driver
626 license or identification card to any person who is an
627 unauthorized alien.

628 (2) If a driver license is of a class of licenses issued by
629 another state exclusively to unauthorized aliens ~~undocumented~~
630 ~~immigrants~~ who are unable to prove lawful presence in the United
631 States when the licenses are issued, the driver license, or
632 other permit purporting to authorize the holder to operate a
633 motor vehicle on public roadways, is invalid in this state and
634 does not authorize the holder to operate a motor vehicle in this
635 state. Such classes of licenses include licenses that are issued
636 exclusively to unauthorized aliens, ~~undocumented immigrants~~, or
637 licenses that are substantially the same as licenses issued to
638 citizens, residents, or those lawfully present in the United

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639 States but have markings establishing that the license holder
640 did not exercise the option of providing proof of lawful
641 presence.

642 (3)~~(2)~~ A law enforcement officer or other authorized
643 representative of the department who stops a person driving with
644 an invalid license as described in subsection (2) ~~(1)~~ and
645 driving without a valid license shall issue a citation to the
646 driver for driving without a license in violation of s. 322.03.

647 (4)~~(3)~~ The department, to facilitate the enforcement of
648 this section and to aid in providing notice to the public and
649 visitors of invalid licenses, shall maintain on its website a
650 list of out-of-state classes of driver licenses that are invalid
651 in this state.

652 Section 14. Paragraph (c) of subsection (2) of section
653 322.08, Florida Statutes, is amended to read:

654 322.08 Application for license; requirements for license
655 and identification card forms.—

656 (2) Each such application shall include the following
657 information regarding the applicant:

658 (c) Proof of identity satisfactory to the department. Such
659 proof must include one of the following documents issued to the
660 applicant:

661 1. A driver license record or identification card record
662 from another jurisdiction which complies with the federal REAL
663 ID Act of 2005, Public Law No. 109-13, and which ~~that~~ required
664 the applicant to submit a document for identification which is
665 substantially similar to a document required under subparagraph
666 2., subparagraph 3., subparagraph 4., subparagraph 5.,
667 subparagraph 6., subparagraph 7., or subparagraph 8.;

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- 668 2. A certified copy of a United States birth certificate;
669 3. A valid, unexpired United States passport or passport
670 card;
- 671 4. A naturalization certificate issued by the United States
672 Department of Homeland Security;
- 673 5. A valid, unexpired alien registration receipt card
674 (green card);
- 675 6. A Consular Report of Birth Abroad provided by the United
676 States Department of State;
- 677 7. An unexpired employment authorization card issued by the
678 United States Department of Homeland Security; or
- 679 8. Proof of nonimmigrant classification provided by the
680 United States Department of Homeland Security, for an original
681 driver license. In order to prove nonimmigrant classification,
682 an applicant must provide at least one of the following
683 documents. In addition, the department may require applicants to
684 produce United States Department of Homeland Security documents
685 for the sole purpose of establishing the maintenance of, or
686 efforts to maintain, continuous lawful presence:
- 687 a. A notice of hearing from an immigration court scheduling
688 a hearing on any proceeding.
- 689 b. A notice from the Board of Immigration Appeals
690 acknowledging pendency of an appeal.
- 691 c. A notice of the approval of an application for
692 adjustment of status issued by the United States Citizenship and
693 Immigration Services.
- 694 d. An official documentation confirming the filing of a
695 petition for asylum or refugee status or any other relief issued
696 by the United States Citizenship and Immigration Services.

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

700 f. An order of an immigration judge or immigration officer
701 granting relief that authorizes the alien to live and work in
702 the United States, including, but not limited to, asylum.

703 g. Evidence that an application is pending for adjustment
704 of status to that of an alien lawfully admitted for permanent
705 residence in the United States or conditional permanent resident
706 status in the United States, if a visa number is available
707 having a current priority date for processing by the United
708 States Citizenship and Immigration Services.

709 h. ~~On or after January 1, 2010,~~ An unexpired foreign
710 passport issued by the government of another country with:

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

714 (II) An unexpired United States Visa affixed, accompanied
715 by an approved I-94, or current permanent resident card, or
716 unexpired immigrant visa, issued by the Federal Government
717 documenting the most recent admittance into the United States.
718

719 A driver license or temporary permit issued based on documents
720 required in subparagraph 7. or subparagraph 8. is valid for a
721 period not to exceed the expiration date of the document
722 presented or 1 year.

723 Section 15. Paragraph (e) of subsection (2) of section
724 322.121, Florida Statutes, is amended to read:

725 322.121 Periodic reexamination of all drivers.—

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726 (2) For each licensee whose driving record does not show
727 any revocations, disqualifications, or suspensions for the
728 preceding 7 years or any convictions for the preceding 3 years
729 except for convictions of the following nonmoving violations:

730 (e) Failure to notify the department of a change of
731 address, ~~or~~ name, or United States citizenship status within 30
732 ~~10~~ days pursuant to s. 322.19,

733
734 the department shall cause such licensee's license to be
735 prominently marked with the notation "Safe Driver."

736 Section 16. Section 322.19, Florida Statutes, is amended to
737 read:

738 322.19 Change of address, ~~or~~ name, or citizenship status.-

739 (1) Except as provided in ss. 775.21, 775.261, 943.0435,
740 944.607, and 985.4815, whenever any person, after applying for
741 or receiving a driver license or identification card, changes
742 his or her legal name, that person must within 30 days
743 thereafter obtain a replacement license or card that reflects
744 the change.

745 (2) If a person, after applying for or receiving a driver
746 license or identification card, changes the legal residence or
747 mailing address in the application, license, or card, the person
748 must, within 30 calendar days after making the change, obtain a
749 replacement license or card that reflects the change. A written
750 request to the department must include the old and new addresses
751 and the driver license or identification card number. Any person
752 who has a valid, current student identification card issued by
753 an educational institution in this state is presumed not to have
754 changed his or her legal residence or mailing address. This

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755 subsection does not affect any person required to register a
756 permanent or temporary address change pursuant to s. 775.13, s.
757 775.21, s. 775.25, or s. 943.0435.

758 (3) If a person, after applying for or receiving a driver
759 license or identification card, becomes a citizen of the United
760 States, such person must, within 30 calendar days after making
761 the change, obtain a replacement license or card that reflects
762 such change.

763 (4)~~(3)~~ A violation of this section is a nonmoving violation
764 with a penalty as provided in s. 318.18(2).

765 (5)~~(4)~~ Notwithstanding any other provision of this chapter,
766 if a licensee established his or her identity for a driver
767 license using an identification document authorized under s.
768 322.08(2)(c)7. or 8., the licensee may not change his or her
769 name or address except in person and upon submission of an
770 identification document authorized under s. 322.08(2)(c)7. or 8.

771 Section 17. Subsection (3) of section 395.3027, Florida
772 Statutes, is amended to read:

773 395.3027 Patient immigration status data collection.—

774 (3) By March 1 of each year, the agency shall submit a
775 report to the Governor, the chief immigration officer within the
776 Department of Agriculture and Consumer Services, the President
777 of the Senate, and the Speaker of the House of Representatives.
778 The report shall consist of a consolidation of the quarterly
779 reports of the prior calendar year and an executive summary of
780 the data which includes the total number of hospital admissions
781 and emergency department visits for the previous calendar year
782 for which the patient or patient's representative reported that
783 the patient was a citizen of the United States or lawfully

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784 present in the United States, was not lawfully present in the
785 United States, or declined to answer. The report must also
786 describe information relating to the costs of uncompensated care
787 for aliens who are not lawfully present in the United States,
788 the impact of uncompensated care on the cost or ability of
789 hospitals to provide services to the public, hospital funding
790 needs, and other related information.

791 Section 18. Subsections (2), (3), and (4) of section
792 448.09, Florida Statutes, are amended to read:

793 448.09 Unauthorized aliens; employment prohibited.—

794 (2) If the Office of State Immigration Enforcement within
795 the Department of Agriculture and Consumer Services ~~Commerce~~
796 finds or is notified by an entity specified in s. 448.095(3)(a)
797 that an employer has knowingly employed an unauthorized alien
798 without verifying the employment eligibility of such person, the
799 office ~~department~~ must notify the Department of Commerce, which
800 must enter an order pursuant to chapter 120 making such
801 determination and require repayment of any economic development
802 incentive pursuant to s. 288.061(6).

803 (3) For a violation of this section, the Office of State
804 Immigration Enforcement ~~department~~ shall place the employer on
805 probation for a 1-year period and require that the employer
806 report quarterly to the office ~~department~~ to demonstrate
807 compliance with the requirements of subsection (1) and s.
808 448.095.

809 (4) Any violation of this section which takes place within
810 24 months after a previous violation constitutes grounds for the
811 suspension or revocation of all licenses issued by a licensing
812 agency subject to chapter 120. The Office of State Immigration

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813 Enforcement department shall take the following actions for a
814 violation involving:

815 (a) One to ten unauthorized aliens, suspension of all
816 applicable licenses held by a private employer for up to 30 days
817 by the respective agencies that issued them.

818 (b) Eleven to fifty unauthorized aliens, suspension of all
819 applicable licenses held by a private employer for up to 60 days
820 by the respective agencies that issued them.

821 (c) More than fifty unauthorized aliens, revocation of all
822 applicable licenses held by a private employer by the respective
823 agencies that issued them.

824 Section 19. Paragraph (a) of subsection (3) and subsection
825 (6) of section 448.095, Florida Statutes, are amended to read:

826 448.095 Employment eligibility.—

827 (3) ENFORCEMENT.—

828 (a) For the purpose of enforcement of this section, any of
829 the following persons or entities may request, and an employer
830 must provide, copies of any documentation relied upon by the
831 employer for the verification of a new employee's employment
832 eligibility:

833 1. The Office of State Immigration Enforcement within the
834 Department of Agriculture and Consumer Services ~~Law Enforcement~~;

835 2. The Attorney General;

836 3. The state attorney in the circuit in which the new
837 employee works; or

838 4. The statewide prosecutor; ~~or~~

839 ~~5. The Department of Commerce.~~

840 (6) COMPLIANCE.—

841 (a) ~~In addition to the requirements under s. 288.061(6),~~

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842 ~~beginning on July 1, 2024,~~ If the Office of State Immigration
843 Enforcement ~~Department of Commerce~~ determines that an employer
844 failed to use the E-Verify system to verify the employment
845 eligibility of employees as required under this section, the
846 office ~~department~~ must notify the employer of the office's
847 ~~department's~~ determination of noncompliance and provide the
848 employer with 30 days to cure the noncompliance. The office must
849 also provide notice to the Department of Commerce, which shall
850 take action pursuant to s. 288.061(6).

851 (b) If the Office of State Immigration Enforcement
852 ~~Department of Commerce~~ determines that an employer failed to use
853 the E-Verify system as required under this section three times
854 in any 24-month period, the office ~~department~~ must impose a fine
855 of \$1,000 per day until the employer provides sufficient proof
856 to the office ~~department~~ that the noncompliance is cured.
857 Noncompliance constitutes grounds for the suspension of all
858 licenses issued by a licensing agency subject to chapter 120
859 until the noncompliance is cured.

860 (c) Fines collected under this subsection must be deposited
861 into the General Inspection ~~State Economic Enhancement and~~
862 ~~Development~~ Trust Fund for use by the Office of State
863 Immigration Enforcement ~~department~~ for employer outreach and
864 public notice of the state's employment verification laws.

865 Section 20. Subsection (4) of section 480.0535, Florida
866 Statutes, is amended to read:

867 480.0535 Documents required while working in a massage
868 establishment; penalties; reporting.—

869 (4) The department shall notify a federal immigration
870 office and the chief immigration officer within the Department

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871 of Agriculture and Consumer Services if a person operating a
872 massage establishment, an employee, or any person performing
873 massage therapy in a massage establishment fails to provide
874 valid government identification as required under this section.

875 Section 21. Section 775.0824, Florida Statutes, is created
876 to read:

877 775.0824 Dangerous Unauthorized Alien Offender; legislative
878 intent; definitions; mandatory minimum prison terms.-

879 (1) It is the intent of the Legislature that dangerous
880 unauthorized alien offenders be punished to the fullest extent
881 of the law and as provided in this section.

882 (2) As used in this section, the terms:

883 (a) "Dangerous unauthorized alien offender" means any
884 unauthorized alien who is a member of a criminal gang as defined
885 in s. 874.03, including any member of a transnational crime
886 organization, and who commits or attempts to commit a felony
887 offense in this state.

888 (b) "Unauthorized alien" means a person who is unlawfully
889 present in the United States according to the terms of the
890 federal Immigration and Nationality Act, 8 U.S.C. ss. 1101 et
891 seq. The term shall be interpreted consistently with any
892 applicable federal statutes, rules, or regulations.

893 (3) For an offense committed on or after the effective date
894 of this act, if the state attorney determines that a person is a
895 dangerous unauthorized alien offender as defined in subsection
896 (2), the state attorney shall seek to have the court sentence
897 the person as a dangerous unauthorized alien offender. In a
898 separate proceeding conducted pursuant to this section, upon
899 proof from the state attorney that establishes by a

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900 preponderance of the evidence that the person is a dangerous
901 unauthorized alien offender, such person is not eligible for
902 sentencing under the sentencing guidelines and must be sentenced
903 as follows:

904 (a) For a felony punishable by life, by a term of life
905 imprisonment;

906 (b) For a felony of the first degree, by a term of
907 imprisonment of 30 years;

908 (c) For a felony of the second degree, by a term of
909 imprisonment for 15 years;

910 (d) For a felony of the third degree, by a term of
911 imprisonment for 5 years.

912 (4) A person sentenced under subsection (3) shall be
913 released only by expiration of sentence and shall not be
914 eligible for parole, control release, or any form of early
915 release. Any person sentenced under subsection (3) must serve
916 100 percent of the court-imposed sentence.

917 (5) Nothing in this section shall prevent a court from
918 imposing a greater sentence of incarceration as authorized by
919 law, pursuant to s. 775.084 or any other provision of law.

920 Section 22. Section 775.0848, Florida Statutes, is amended
921 to read:

922 775.0848 Offenses committed by an unauthorized alien;
923 reclassification; unauthorized alien ~~Commission of a felony~~
924 ~~after unlawful reentry into the United States;~~
925 reclassification. ~~The penalty for any misdemeanor or felony~~
926 shall be reclassified as provided in this section if the
927 commission of such misdemeanor or felony was committed by an
928 unauthorized alien as defined in s. 908.111. ~~A person who has~~

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929 ~~been previously convicted of a crime relating to the reentry of~~
930 ~~removed aliens under 8 U.S.C. s. 1326 shall have the penalty for~~
931 ~~committing a felony committed after such conviction reclassified~~
932 ~~in the following manner:~~

933 (1) A misdemeanor of the second degree is reclassified to a
934 misdemeanor of the first degree.

935 (2) A misdemeanor of the first degree is reclassified to a
936 felony of the third degree.

937 (3) A felony of the third degree is reclassified to a
938 felony of the second degree.

939 ~~(4)~~(2) A felony of the second degree is reclassified to a
940 felony of the first degree.

941 ~~(5)~~(3) A felony of the first degree is reclassified to a
942 life felony.

943 Section 23. Subsection (1) of section 874.03, Florida
944 Statutes, is amended, and subsection (8) is added to that
945 section, to read:

946 874.03 Definitions.—As used in this chapter:

947 (1) “Criminal gang” means a formal or informal ongoing
948 organization, association, or group that has as one of its
949 primary activities the commission of criminal or delinquent
950 acts, and that consists of three or more persons who have a
951 common name or common identifying signs, colors, or symbols,
952 including, but not limited to, terrorist organizations,
953 transnational crime organizations, and hate groups.

954 (a) As used in this subsection, “ongoing” means that the
955 organization was in existence during the time period charged in
956 a petition, information, indictment, or action for civil
957 injunctive relief.

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958 (b) As used in this subsection, "primary activities" means
959 that a criminal gang spends a substantial amount of time engaged
960 in such activity, although such activity need not be the only,
961 or even the most important, activity in which the criminal gang
962 engages.

963 (8) "Transnational crime organization" means any group,
964 network, or association of persons, at least one of which is an
965 unauthorized alien as defined in 8 U.S.C. ss. 1101, that
966 routinely facilitates the international trafficking of drugs,
967 humans, or weapons or the international smuggling of humans.

968 Section 24. Paragraph (a) of subsection (8) of section
969 895.02, Florida Statutes, is amended to read:

970 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

971 (8) "Racketeering activity" means to commit, to attempt to
972 commit, to conspire to commit, or to solicit, coerce, or
973 intimidate another person to commit:

974 (a) Any crime that is chargeable by petition, indictment,
975 or information under the following provisions of the Florida
976 Statutes:

977 1. Section 104.155(2), relating to aiding or soliciting an
978 unauthorized alien in voting.

979 2. Section 210.18, relating to evasion of payment of
980 cigarette taxes.

981 3.2. Section 316.1935, relating to fleeing or attempting to
982 elude a law enforcement officer and aggravated fleeing or
983 eluding.

984 4.3. Chapter 379, relating to the illegal sale, purchase,
985 collection, harvest, capture, or possession of wild animal life,
986 freshwater aquatic life, or marine life, and related crimes.

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987 5.4. Section 403.727(3)(b), relating to environmental
988 control.

989 6.5. Section 409.920 or s. 409.9201, relating to Medicaid
990 fraud.

991 7.6. Section 414.39, relating to public assistance fraud.

992 8.7. Section 440.105 or s. 440.106, relating to workers'
993 compensation.

994 9.8. Section 443.071(4), relating to creation of a
995 fictitious employer scheme to commit reemployment assistance
996 fraud.

997 10.9. Section 465.0161, relating to distribution of
998 medicinal drugs without a permit as an Internet pharmacy.

999 11.10. Section 499.0051, relating to crimes involving
1000 contraband, adulterated, or misbranded drugs.

1001 12.11. Part IV of chapter 501, relating to telemarketing.

1002 13.12. Chapter 517, relating to sale of securities and
1003 investor protection.

1004 14.13. Section 550.235 or s. 550.3551, relating to
1005 dogracing and horseracing.

1006 15.14. Chapter 550, relating to jai alai frontons.

1007 16.15. Section 551.109, relating to slot machine gaming.

1008 17.16. Chapter 552, relating to the manufacture,
1009 distribution, and use of explosives.

1010 18.17. Chapter 560, relating to money transmitters, if the
1011 violation is punishable as a felony.

1012 19.18. Chapter 562, relating to beverage law enforcement.

1013 20.19. Section 624.401, relating to transacting insurance
1014 without a certificate of authority, s. 624.437(4)(c)1., relating
1015 to operating an unauthorized multiple-employer welfare

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1016 arrangement, or s. 626.902(1)(b), relating to representing or
1017 aiding an unauthorized insurer.

1018 ~~21.20.~~ Section 655.50, relating to reports of currency
1019 transactions, when such violation is punishable as a felony.

1020 ~~22.21.~~ Chapter 687, relating to interest and usurious
1021 practices.

1022 ~~23.22.~~ Section 721.08, s. 721.09, or s. 721.13, relating to
1023 real estate timeshare plans.

1024 ~~24.23.~~ Section 775.13(5)(b), relating to registration of
1025 persons found to have committed any offense for the purpose of
1026 benefiting, promoting, or furthering the interests of a criminal
1027 gang.

1028 ~~25.24.~~ Section 777.03, relating to commission of crimes by
1029 accessories after the fact.

1030 ~~26.25.~~ Chapter 782, relating to homicide.

1031 ~~27.26.~~ Chapter 784, relating to assault and battery.

1032 ~~28.27.~~ Chapter 787, relating to kidnapping, human
1033 smuggling, or human trafficking.

1034 ~~29.28.~~ Chapter 790, relating to weapons and firearms.

1035 ~~30.29.~~ Chapter 794, relating to sexual battery, but only if
1036 such crime was committed with the intent to benefit, promote, or
1037 further the interests of a criminal gang, or for the purpose of
1038 increasing a criminal gang member's own standing or position
1039 within a criminal gang.

1040 ~~31.30.~~ Former s. 796.03, former s. 796.035, s. 796.04, s.
1041 796.05, or s. 796.07, relating to prostitution.

1042 ~~32.31.~~ Chapter 806, relating to arson and criminal
1043 mischief.

1044 ~~33.32.~~ Chapter 810, relating to burglary and trespass.

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1045 ~~34.33.~~ Chapter 812, relating to theft, robbery, and related
1046 crimes.

1047 ~~35.34.~~ Chapter 815, relating to computer-related crimes.

1048 ~~36.35.~~ Chapter 817, relating to fraudulent practices, false
1049 pretenses, fraud generally, credit card crimes, and patient
1050 brokering.

1051 ~~37.36.~~ Chapter 825, relating to abuse, neglect, or
1052 exploitation of an elderly person or disabled adult.

1053 ~~38.37.~~ Section 827.071, relating to commercial sexual
1054 exploitation of children.

1055 ~~39.38.~~ Section 828.122, relating to fighting or baiting
1056 animals.

1057 ~~40.39.~~ Chapter 831, relating to forgery and counterfeiting.

1058 ~~41.40.~~ Chapter 832, relating to issuance of worthless
1059 checks and drafts.

1060 ~~42.41.~~ Section 836.05, relating to extortion.

1061 ~~43.42.~~ Chapter 837, relating to perjury.

1062 ~~44.43.~~ Chapter 838, relating to bribery and misuse of
1063 public office.

1064 ~~45.44.~~ Chapter 843, relating to obstruction of justice.

1065 ~~46.45.~~ Section 847.011, s. 847.012, s. 847.013, s. 847.06,
1066 or s. 847.07, relating to obscene literature and profanity.

1067 ~~47.46.~~ Chapter 849, relating to gambling, lottery, gambling
1068 or gaming devices, slot machines, or any of the provisions
1069 within that chapter.

1070 ~~48.47.~~ Chapter 874, relating to criminal gangs.

1071 ~~49.48.~~ Chapter 893, relating to drug abuse prevention and
1072 control.

1073 ~~50.49.~~ Chapter 896, relating to offenses related to

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1074 financial transactions.

1075 ~~51.50.~~ Sections 914.22 and 914.23, relating to tampering
1076 with or harassing a witness, victim, or informant, and
1077 retaliation against a witness, victim, or informant.

1078 ~~52.51.~~ Sections 918.12 and 918.13, relating to tampering
1079 with jurors and evidence.

1080 Section 25. Paragraph (c) of subsection (2) of section
1081 903.046, Florida Statutes, is amended to read:

1082 903.046 Purpose of and criteria for bail determination.—

1083 (2) When determining whether to release a defendant on bail
1084 or other conditions, and what that bail or those conditions may
1085 be, the court shall consider:

1086 (c) The defendant's family ties, length of residence in the
1087 community, employment history, financial resources, ~~and~~ mental
1088 condition, and immigration status.

1089 Section 26. Paragraph (b) of subsection (3) and paragraph
1090 (e) of subsection (5) of section 907.041, Florida Statutes, are
1091 amended to read:

1092 907.041 Pretrial detention and release.—

1093 (3) RELEASE ON NONMONETARY CONDITIONS.—

1094 (b) No person shall be released on nonmonetary conditions
1095 under the supervision of a pretrial release service, unless the
1096 service certifies to the court that it has investigated or
1097 otherwise verified:

1098 1. The circumstances of the accused's family, employment,
1099 financial resources, character, mental condition, immigration
1100 status, and length of residence in the community;

1101 2. The accused's record of convictions, of appearances at
1102 court proceedings, of flight to avoid prosecution, or of failure

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1103 to appear at court proceedings; and

1104 3. Other facts necessary to assist the court in its
1105 determination of the indigency of the accused and whether she or
1106 he should be released under the supervision of the service.

1107 (5) PRETRIAL DETENTION.—

1108 (e) When a person charged with a crime for which pretrial
1109 detention could be ordered is arrested, the arresting agency
1110 shall promptly notify the state attorney of the arrest and shall
1111 provide the state attorney with such information as the
1112 arresting agency has obtained relative to:

1113 1. The nature and circumstances of the offense charged;

1114 2. The nature of any physical evidence seized and the
1115 contents of any statements obtained from the defendant or any
1116 witness;

1117 3. The defendant's family ties, residence, employment,
1118 financial condition, ~~and~~ mental condition, and immigration
1119 status; and

1120 4. The defendant's past conduct and present conduct,
1121 including any record of convictions, previous flight to avoid
1122 prosecution, or failure to appear at court proceedings.

1123 Section 27. Section 908.101, Florida Statutes, is amended
1124 to read:

1125 908.101 Legislative findings and intent.—

1126 (1) The Legislature finds that it is an important state
1127 interest to cooperate and assist the Federal Government in the
1128 enforcement of federal immigration laws within this state.

1129 (2) The Legislature further finds that designating a single
1130 state officer, the Commissioner of Agriculture, as the chief
1131 immigration officer, is essential to facilitating coordination,

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1132 assistance, and communication between the Federal Government,
1133 state entities, local governmental entities, and law enforcement
1134 agencies regarding the enforcement of federal immigration laws.

1135 Section 28. Subsections (1) through (5) and subsections (6)
1136 and (7) of section 908.102, Florida Statutes, are renumbered as
1137 subsections (2) through (6) and subsections (8) and (9),
1138 respectively, and new subsections (1) and (7) are added to that
1139 section to read:

1140 908.102 Definitions.—As used in this chapter, the term:

1141 (1) "Chief immigration officer" means the chief immigration
1142 officer as described in s. 19.55.

1143 (7) "Office" means the Office of State Immigration
1144 Enforcement established within the Division of Law Enforcement
1145 under the Department of Agriculture and Consumer Services.

1146 Section 29. Section 908.1031, Florida Statutes, is created
1147 to read:

1148 908.1031 Office of State Immigration Enforcement; creation;
1149 purpose and duties.—

1150 (1) The Office of State Immigration Enforcement is
1151 established within the Division of Law Enforcement under the
1152 Department of Agriculture and Consumer Services. The purpose of
1153 the office is to aid the Commissioner of Agriculture in the
1154 commissioner's role as the chief immigration officer of the
1155 state by:

1156 (a) Encouraging cooperation by state entities, local
1157 governmental entities, and law enforcement agencies with the
1158 Federal Government to support the enforcement of federal
1159 immigration laws to the maximum extent permissible under federal
1160 law across the State of Florida.

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1161 (b) Serving as the central point of coordination between
1162 federal immigration agencies, state entities, local governmental
1163 entities, and law enforcement agencies regarding the enforcement
1164 of federal immigration laws.

1165 (2) The office shall facilitate the collection and
1166 dissemination of investigative and intelligence information to
1167 the Federal Government.

1168 (3) The office shall employ sworn law enforcement officers,
1169 nonsworn investigators, and administrative personnel. Such
1170 employees, when authorized by federal law, must aid local
1171 governmental entities and law enforcement agencies in the
1172 investigation and enforcement of federal immigration laws. The
1173 positions and resources necessary for the office to accomplish
1174 its duties shall be established through and subject to the
1175 legislative appropriations process.

1176 (4) (a) Each law enforcement officer shall meet the
1177 qualifications of law enforcement officers under s. 943.13 and
1178 shall be certified as a law enforcement officer by the
1179 Department of Law Enforcement under the provisions of chapter
1180 943. Upon certification, each law enforcement officer is subject
1181 to and shall have the same arrest and other authority provided
1182 for law enforcement officers generally in chapter 901 and shall
1183 have statewide jurisdiction. Each officer shall also have arrest
1184 authority as provided for state law enforcement officers in s.
1185 901.15. Such officers have full law enforcement powers granted
1186 to other peace officers of this state, including the authority
1187 to make arrests, carry firearms, serve court process, and seize
1188 contraband and the proceeds of illegal activities.

1189 (b) All law enforcement officers of the office, upon

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1190 certification under s. 943.1395, shall have the same right and
1191 authority to carry arms as do the sheriffs of this state.

1192 (5) By December 15 of each year, the office shall submit a
1193 report to the Governor, the President of the Senate, and the
1194 Speaker of the House of Representatives. The report may contain
1195 recommendations to the Legislature to improve the state's
1196 cooperation and coordination with the Federal Government in the
1197 enforcement of federal immigration laws within this state. The
1198 report must detail the number of trained law enforcement
1199 officers under the required agreements in s. 908.11 and the
1200 level of cooperation and coordination between the following
1201 entities and federal immigration agencies:

1202 (a) State entities.

1203 (b) Local governmental entities.

1204 (c) Law enforcement agencies.

1205 (6) The office serves as a relevant state law enforcement
1206 agency for any applicable Federal Homeland Security Task Force
1207 established under President Trump's Executive Order, Protecting
1208 the American People Against Invasion, issued on January 20,
1209 2025.

1210 (7) The office may adopt rules to implement this section.

1211 Section 30. Subsections (5) through (8) of section 908.104,
1212 Florida Statutes, are renumbered as subsections (6) through (9),
1213 respectively, present subsections (5), (6), and (8) are amended,
1214 and a new subsection (5) is added to that section, to read:

1215 908.104 Cooperation with federal immigration authorities.—

1216 (5) Upon request from a federal immigration agency, a
1217 sheriff or chief correctional officer operating a county
1218 detention facility must provide the requesting federal

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1219 immigration agency a list of all inmates booked into a county
1220 detention facility and any information regarding each inmate's
1221 immigration status.

1222 (6)~~(5)~~ This section does not require a state entity, local
1223 governmental entity, or law enforcement agency to provide a
1224 federal immigration agency with information related to a victim
1225 of or a witness to a criminal offense if:

1226 (a) The victim or witness is necessary to the investigation
1227 or prosecution of a crime, and such crime occurred in the United
1228 States; and

1229 (b) The victim or witness timely and in good faith responds
1230 to the entity's or agency's request for information and
1231 cooperates ~~cooperation~~ in the investigation or prosecution of
1232 such ~~the~~ offense.

1233 (7)~~(6)~~ A state entity, local governmental entity, or law
1234 enforcement agency that, pursuant to subsection (6) ~~(5)~~,
1235 withholds information regarding the immigration information of a
1236 victim of or witness to a criminal offense shall document the
1237 victim's or witness's cooperation in the entity's or agency's
1238 investigative records related to the offense and shall retain
1239 the records for at least 10 years for the purpose of audit,
1240 verification, or inspection by the Auditor General.

1241 (9)~~(8)~~ This section does not apply to any alien unlawfully
1242 present in the United States if he or she is or has been a
1243 necessary witness or victim of a crime of domestic violence,
1244 rape, sexual exploitation, sexual assault, murder, manslaughter,
1245 assault, battery, human trafficking, kidnapping, false
1246 imprisonment, involuntary servitude, fraud in foreign labor
1247 contracting, blackmail, extortion, or witness tampering,

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1248 provided that such crime was committed in the United States.
1249 Documentation, including, but not limited to, police reports,
1250 testimony, sworn statements, or a victim impact statement, must
1251 be relied upon to verify that the person was a necessary witness
1252 or victim to the crime.

1253 Section 31. Section 908.1041, Florida Statutes, is created
1254 to read:

1255 908.1041 Cooperation between public entities to enforce
1256 federal immigration laws.—

1257 (1) Every state, county, district, authority, or municipal
1258 officer, department, division, board, bureau, commission, or
1259 other separate unit of government and any other public or
1260 private agency, person, partnership, corporation, or business
1261 entity contracted with or otherwise acting on behalf of any
1262 public agency has a duty and an obligation to cooperate to the
1263 fullest extent possible with the Federal Government in the
1264 enforcement of federal immigration laws and the protection of
1265 the borders of the United States.

1266 (2) State entities and state law enforcement agencies must
1267 cooperate and coordinate with the office at its request
1268 concerning federal immigration laws or matters directly related
1269 thereto. Any communication with or coordination between a state
1270 entity and a federal immigration agency concerning such laws or
1271 matters must occur through the office. Any interagency
1272 agreement, memorandum of understanding, or contract, or any
1273 modification or amendment to such agreement, memorandum, or
1274 contract, concerning federal immigration laws or matters
1275 directly related thereto between a federal immigration agency
1276 and a state entity or state law enforcement agency must be

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1277 approved by the chief immigration officer before execution.

1278 (3) If a local governmental entity or local law enforcement
1279 agency requests assistance regarding federal immigration laws
1280 from a state entity or state law enforcement agency, that local
1281 governmental entity or local law enforcement agency must
1282 coordinate the request through the office.

1283 Section 32. Section 908.1042, Florida Statutes, is created
1284 to read:

1285 908.1042 State Immigration Enforcement Council.—The State
1286 Immigration Enforcement Council is created within the office for
1287 the purpose of advising the chief immigration officer.

1288 (1) MEMBERSHIP.—The council at a minimum must be composed
1289 of seven sheriffs and four police chiefs appointed by the chief
1290 immigration officer, as well as the executive director of the
1291 Department of Law Enforcement. The chief immigration officer
1292 must appoint a sheriff to serve as chair of the council.

1293 (2) TERMS OF MEMBERSHIP; COMPENSATION; STAFF.—

1294 (a) Appointments to the council must be made by March 1,
1295 2025. Any vacancy shall be filled within 2 weeks after such a
1296 vacancy.

1297 (b) Membership of the council shall not disqualify a member
1298 from holding any other public office or being employed by a
1299 public entity except that no member of the Legislature shall
1300 serve on the council. The Legislature finds that the council
1301 serves a state, county, and municipal purpose and that service
1302 on the council is consistent with a member's principal service
1303 in a public office or employment.

1304 (c) Members of the council shall serve without compensation
1305 but are entitled to reimbursement for per diem and travel

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1306 expenses pursuant to s. 112.061.

1307 (d) The office shall provide the council with staff
1308 necessary to assist the council in the performance of its
1309 duties.

1310 (3) MEETINGS.—The council must meet quarterly. Additional
1311 meetings may be held at the discretion of the chair. A majority
1312 of members of the council constitute a quorum. Council meetings
1313 may be conducted by teleconference or other electronic means.

1314 (4) DUTIES OF COUNCIL.—The council shall:

1315 (a) Advise the chief immigration officer on the efforts of
1316 local law enforcement agencies related to the enforcement of
1317 federal immigration laws within the state.

1318 (b) Provide recommendations on the financial resources
1319 necessary to aid local law enforcement agencies in the
1320 cooperation and coordination with the Federal Government.

1321 (c) Provide recommendations to enhance information sharing
1322 between state entities, local governmental entities, law
1323 enforcement agencies, and the Federal Government in the
1324 enforcement of federal immigration laws within the state. The
1325 recommendations must provide for enhanced use and coordination
1326 of the following Federal Government centers, including, but not
1327 limited to:

1328 1. The Federal Bureau of Investigation's Terrorist
1329 Screening Center;

1330 2. The United States Customs and Border Protection's
1331 National Targeting Center;

1332 3. The United States Department of Homeland Security Fusion
1333 Centers; and

1334 4. The United States Drug Enforcement Administration's

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1335 Special Operations Unit.

1336 (d) Provide recommendations of any resources necessary to
1337 facilitate the training of local law enforcement agencies in the
1338 cooperation and coordination with the Federal Government and the
1339 enforcement of federal immigration laws.

1340 (e) Provide recommendations on strategies to increase the
1341 number of available detention beds for use by the United States
1342 Immigration and Customs Enforcement.

1343 (f) Analyze the information collected in s. 908.1031(5),
1344 including the number of trained law enforcement officers under
1345 the required agreements in s. 908.11, and make recommendations
1346 to the chief immigration officer.

1347 (5) RULEMAKING.—The office may adopt rules to implement
1348 this section.

1349 Section 33. Paragraph (c) of subsection (1) of section
1350 908.105, Florida Statutes, is amended, paragraph (d) is added to
1351 that subsection, and subsection (4) is added to that section, to
1352 read:

1353 908.105 Duties related to immigration detainers.—

1354 (1) A law enforcement agency that has custody of a person
1355 subject to an immigration detainer issued by a federal
1356 immigration agency shall:

1357 (c) Upon determining that the immigration detainer is in
1358 accordance with s. 908.102(3) ~~s. 908.102(2)~~, comply with the
1359 requests made in the immigration detainer.

1360 (d) Notify the state attorney that the person is subject to
1361 an immigration detainer.

1362 (4) (a) If any county, district, authority, municipality, or
1363 other local government adopts an ordinance, a regulation, a

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1364 rule, or a policy refusing to comply with or otherwise directing
1365 local officials, employees, or others to refuse to comply with
1366 an immigration detainer issued by a federal immigration agency,
1367 the chief immigration officer must initiate judicial proceedings
1368 in the name of the state in order to enforce compliance. The
1369 court upon finding noncompliance with this subsection shall
1370 declare invalid the improper ordinance, regulation, rule, or
1371 policy and issue a permanent injunction against the local
1372 government prohibiting it from enforcing such ordinance,
1373 regulation, rule, or policy. It is not a defense that in
1374 enacting the ordinance, regulation, rule, or policy the local
1375 government was acting in good faith or upon advice of counsel.

1376 (b) If the court determines that a violation was knowing
1377 and willful, the court must assess a civil fine of up to \$5,000
1378 against the elected or appointed local government official or
1379 officials or administrative agency head under whose jurisdiction
1380 the violation occurred.

1381 (c) Except as required by applicable law, public funds may
1382 not be used to defend or reimburse the unlawful conduct of any
1383 person found to have knowingly and willfully violated this
1384 subsection.

1385 Section 34. Subsections (1) and (2) of section 908.107,
1386 Florida Statutes, are amended to read:

1387 908.107 Enforcement.—

1388 (1)(a) Any executive or administrative state, county, or
1389 municipal officer who violates his or her duties under this
1390 chapter may be subject to action by the Governor in the exercise
1391 of his or her authority under the State Constitution and state
1392 law. Pursuant to s. 1(b), Art. IV of the State Constitution, the

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1393 Governor may initiate judicial proceedings in the name of the
1394 state against such officers to enforce compliance with any duty
1395 under this chapter or restrain any unauthorized act contrary to
1396 this chapter.

1397 (b) The chief immigration officer may present evidence to
1398 the Governor that an executive or administrative state, county,
1399 or municipal officer has violated his or her duties under this
1400 chapter and recommend that the Governor take action using his or
1401 her authority under the State Constitution and state law.

1402 (2) In addition, the Attorney General or the chief
1403 immigration officer may file suit against a local governmental
1404 entity or local law enforcement agency in a court of competent
1405 jurisdiction for declaratory or injunctive relief for a
1406 violation of this chapter.

1407 Section 35. Section 908.11, Florida Statutes, is amended to
1408 read:

1409 908.11 Immigration enforcement assistance agreements;
1410 reporting requirement.-

1411 (1) The sheriff or the chief correctional officer ~~By~~
1412 ~~January 1, 2023, each law enforcement agency~~ operating a county
1413 detention facility must enter into a written agreement with the
1414 United States Immigration and Customs Enforcement to participate
1415 in the immigration program established under s. 287(g) of the
1416 Immigration and Nationality Act, 8 U.S.C. s. 1357. The chief
1417 immigration officer must approve the termination of any such
1418 agreement. This subsection does not require a sheriff or chief
1419 correctional officer operating a county detention facility ~~law~~
1420 ~~enforcement agency~~ to participate in a particular program model.

1421 (2) Beginning no later than April 1, 2025 ~~October 1, 2022,~~

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1422 and until the sheriff or chief correctional officer operating a
1423 county detention facility ~~law enforcement agency~~ enters into the
1424 written agreement required under subsection (1), each sheriff or
1425 chief correctional officer ~~law enforcement agency~~ operating a
1426 county detention facility must notify the office ~~Department of~~
1427 ~~Law Enforcement~~ quarterly of the status of such written
1428 agreement and any reason for noncompliance with this section, if
1429 applicable.

1430 Section 36. Section 908.13, Florida Statutes, is created to
1431 read:

1432 908.13 Emergency powers of the chief immigration officer.-
1433 Notwithstanding the provisions of ss. 252.31-252.90, this
1434 section provides the sole authority to declare a state of
1435 emergency related to illegal immigration, illegal migration, or
1436 immigration enforcement to the chief immigration officer.

1437 (1) Within the powers conferred upon the chief immigration
1438 officer by law, the chief immigration officer may issue
1439 emergency orders, proclamations, and rules and may amend or
1440 rescind them. Such orders, proclamations, and rules have the
1441 force and effect of law. An emergency order, proclamation, or
1442 rule must be limited to a duration of not more than 60 days and
1443 may be renewed as necessary during the duration of the
1444 emergency. If renewed, such order, proclamation, or rule must
1445 specifically state the provisions being renewed.

1446 (2) An emergency order or proclamation must be promptly
1447 disseminated by means calculated to bring its contents to the
1448 attention of the general public, and unless the circumstances
1449 attendant upon the emergency prevent or impede such filing, the
1450 order or proclamation must be filed promptly with the Governor,

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1451 the Department of State, the President of the Senate, the
1452 Speaker of the House of Representatives, and the offices of the
1453 county commissioners in the counties to which the order or
1454 proclamation applies.

1455 (3) (a) At any time, the Legislature, by concurrent
1456 resolution, may terminate a state of emergency or any specific
1457 order, proclamation, or rule thereunder. Upon such concurrent
1458 resolution, the chief immigration officer shall issue an
1459 emergency order or proclamation consistent with the concurrent
1460 resolution.

1461 (b) Notwithstanding s. 252.46(2), all emergency
1462 declarations and orders, regardless of how titled, issued under
1463 the authority of this section by the chief immigration officer
1464 before, during, or after a declared emergency must be
1465 immediately filed with the Division of Administrative Hearings.
1466 Failure to file any such declaration or order with the division
1467 within 5 days after issuance voids the declaration or order. The
1468 division shall index all such declarations and orders and make
1469 them available in a searchable format on its website within 3
1470 days after filing. The searchable format must include, but is
1471 not limited to, searches by term, referenced statutes, and rules
1472 and must include a search category that specifically identifies
1473 emergency orders in effect at any given time. A link to the
1474 division's index must be placed in a conspicuous location on the
1475 Department of Agriculture and Consumer Services' website.

1476 (4) During a declared state of emergency for illegal
1477 immigration, illegal migration, or immigration enforcement, the
1478 chief immigration officer shall coordinate with and advise state
1479 and local law enforcement agencies for the purpose of securing

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1480 compliance with this chapter.

1481 (5) The chief immigration officer, when deemed necessary to
1482 respond to immigration-related emergencies, shall request
1483 assistance from the Governor for the activation and deployment
1484 of Florida National Guard personnel and equipment.

1485 Section 37. Paragraph (d) of subsection (3) of section
1486 921.0022, Florida Statutes, is amended to read:

1487 921.0022 Criminal Punishment Code; offense severity ranking
1488 chart.—

1489 (3) OFFENSE SEVERITY RANKING CHART

1490 (d) LEVEL 4

1491

Florida Statute	Felony Degree	Description
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1492

<u>104.155</u>	<u>3rd</u>	<u>Unauthorized alien willfully voting; aiding or soliciting unauthorized alien in voting.</u>
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1493

316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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1494

499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or
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			transaction statements.
1495	499.0051 (5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
1496	517.07 (1)	3rd	Failure to register securities.
1497	517.12 (1)	3rd	Failure of dealer or associated person of a dealer of securities to register.
1498	784.031	3rd	Battery by strangulation.
1499	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
1500	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
1501	784.075	3rd	Battery on detention or commitment facility staff.
1502	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
1503	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.

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1504	784.081 (3)	3rd	Battery on specified official or employee.
1505	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
1506	784.083 (3)	3rd	Battery on code inspector.
1507	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
1508	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
1509	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
1510	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
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1512	787.07	3rd	Human smuggling.
1513	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
1514	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
1515	790.115 (2) (c)	3rd	Possessing firearm on school property.
1516	794.051 (1)	3rd	Indecent, lewd, or lascivious touching of certain minors.
1517	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
1518	806.135	2nd	Destroying or demolishing a memorial or historic property.
1519	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied

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			conveyance; unarmed; no assault or battery.
1520	810.06	3rd	Burglary; possession of tools.
1521	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
1522	810.145 (3) (b)	3rd	Digital voyeurism dissemination.
1523	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
1524	812.014 (2) (c) 4. & 6.-10.	3rd	Grand theft, 3rd degree; specified items.
1525	812.014 (2) (d) 2.	3rd	Grand theft, 3rd degree; \$750 or more taken from dwelling or its unenclosed curtilage.
1526	812.014 (2) (e) 3.	3rd	Petit theft, 1st degree; less than \$40 taken from dwelling or its unenclosed curtilage with two or more prior theft convictions.
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1528	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
1529	817.505 (4) (a)	3rd	Patient brokering.
1530	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
1531	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
1532	817.5695 (3) (c)	3rd	Exploitation of person 65 years of age or older, value less than \$10,000.
1533	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
1534	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

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1535	836.14 (2)	3rd	Person who commits theft of a sexually explicit image with intent to promote it.
1536	836.14 (3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.
1537	837.02 (1)	3rd	Perjury in official proceedings.
1538	837.021 (1)	3rd	Make contradictory statements in official proceedings.
1539	838.022	3rd	Official misconduct.
1540	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
1541	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
1542	843.021	3rd	Possession of a concealed handcuff key by a person in custody.

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1543	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
1544	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
1545	843.19(2)	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
1546	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
1547	870.01(3)	2nd	Aggravated rioting.
1548	870.01(5)	2nd	Aggravated inciting a riot.
1549	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.
1550	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)5.

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			drugs).
1551	914.14 (2)	3rd	Witnesses accepting bribes.
1552	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
1553	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
1554	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF facilities.
1555	918.12	3rd	Tampering with jurors.
1556	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
1557	944.47 (1) (a) 6.	3rd	Introduction of contraband (cellular telephone or other portable communication device) into correctional institution.
1558	951.22 (1) (h), (j) & (k)	3rd	Intoxicating drug, instrumentality or other device to aid escape, or cellular

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telephone or other portable
communication device introduced
into county detention facility.

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Section 38. Section 921.1426, Florida Statutes, is created
to read:

921.1426 Sentence of death for capital offense committed by
an unauthorized alien.—Notwithstanding any provision of law to
the contrary, the court shall sentence a defendant who is an
unauthorized alien and who is convicted or adjudicated guilty of
a capital felony to a sentence of death. For the purposes of
this section, an “unauthorized alien” means a person who is
unlawfully present in the United States according to the terms
of the federal Immigration and Nationality Act, 8 U.S.C. ss.
1101 et seq. The term shall be interpreted consistently with any
applicable federal statutes, rules, or regulations.

Section 39. Subsections (15) and (16) of section 943.03,
Florida Statutes, are renumbered as subsections (16) and (17),
respectively, subsection (14) is amended, and a new subsection
(15) is added to that section, to read:

943.03 Department of Law Enforcement.—

(14) The department, with respect to counter-terrorism
efforts, responses to acts of terrorism within or affecting this
state, ~~coordinating with and providing assistance to the Federal
Government in the enforcement of federal immigration laws,
responses to immigration enforcement incidents within or
affecting this state,~~ and other matters related to the domestic
security of Florida as it relates to terrorism ~~and immigration~~

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1585 ~~enforcement incidents~~, shall coordinate and direct the law
1586 enforcement, initial emergency, and other initial responses. The
1587 department shall work closely with the Division of Emergency
1588 Management, other federal, state, and local law enforcement
1589 agencies, fire and rescue agencies, first-responder agencies,
1590 and others involved in preparation against acts of terrorism in
1591 or affecting this state, ~~immigration enforcement incidents~~
1592 ~~within or affecting this state~~, and in the response to such acts
1593 ~~or incidents~~. The executive director of the department, or
1594 another member of the department designated by the director,
1595 shall serve as Chief of Domestic Security for the purpose of
1596 directing and coordinating such efforts. The department and
1597 Chief of Domestic Security shall use the regional domestic
1598 security task forces as established in this chapter to assist in
1599 such efforts.

1600 (15) The department shall coordinate with the Office of
1601 State Immigration Enforcement within the Department of
1602 Agriculture and Consumer Services when providing assistance to
1603 the Federal Government in the enforcement of federal immigration
1604 laws.

1605 Section 40. Section 943.03101, Florida Statutes, is amended
1606 to read:

1607 943.03101 Counter-terrorism ~~and immigration enforcement~~
1608 coordination.—The Legislature finds that with respect to
1609 counter-terrorism efforts and, initial responses to acts of
1610 terrorism within or affecting this state, ~~coordinating with and~~
1611 ~~providing assistance to the Federal Government in the~~
1612 ~~enforcement of federal immigration laws, and responses to~~
1613 ~~immigration enforcement incidents within or affecting this~~

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1614 ~~state,~~ specialized efforts of emergency management which are
1615 unique to such situations are required and that these efforts
1616 intrinsically involve very close coordination of federal, state,
1617 and local law enforcement agencies with the efforts of all
1618 others involved in emergency-response efforts. In order to best
1619 provide this specialized effort, the Legislature has determined
1620 that such efforts should be coordinated by and through the
1621 Department of Law Enforcement, working closely with the Division
1622 of Emergency Management and others involved in preparation
1623 against acts of terrorism in or affecting this state,
1624 ~~immigration enforcement incidents within or affecting this~~
1625 ~~state,~~ and in the initial response to such acts, in accordance
1626 with the state comprehensive emergency management plan prepared
1627 pursuant to s. 252.35(2) (a).

1628 Section 41. Subsections (3) through (8) of section
1629 943.0311, Florida Statutes, are renumbered as subsections (2)
1630 through (7), respectively, and subsection (1) and present
1631 subsections (2) and (4) of that section are amended to read:

1632 943.0311 Chief of Domestic Security; duties of the
1633 department with respect to domestic security.—

1634 (1) The executive director of the department, or a member
1635 of the department designated by the executive director, shall
1636 serve as the Chief of Domestic Security. The Chief of Domestic
1637 Security shall:

1638 (a) Coordinate the efforts of the department in the ongoing
1639 assessment of this state's vulnerability to, and ability to
1640 detect, prevent, prepare for, respond to, and recover from, acts
1641 of terrorism within or affecting this state ~~and immigration~~
1642 ~~enforcement incidents within or affecting this state.~~

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1643 (b) Prepare recommendations for the Governor, the President
1644 of the Senate, and the Speaker of the House of Representatives,
1645 which are based upon ongoing assessments to limit the
1646 vulnerability of the state to terrorism ~~and immigration~~
1647 ~~enforcement incidents.~~

1648 (c) Coordinate the collection of proposals to limit the
1649 vulnerability of the state to terrorism ~~and immigration~~
1650 ~~enforcement incidents.~~

1651 (d) Coordinate with the chief immigration officer within
1652 the Department of Agriculture and Consumer Services when
1653 providing assistance to the Federal Government in the
1654 enforcement of federal immigration laws.

1655 (e) ~~(d)~~ Use regional task forces to support the duties of
1656 the department set forth in this section.

1657 (f) ~~(e)~~ Use public or private resources to perform the
1658 duties assigned to the department under this section.

1659 ~~(2) The chief shall regularly coordinate random audits~~
1660 ~~pursuant to s. 448.095 to ensure compliance and enforcement and~~
1661 ~~shall notify the Department of Commerce of any violations.~~

1662 (3) ~~(4)~~ The chief shall report to the Governor, the
1663 President of the Senate, and the Speaker of the House of
1664 Representatives by November 1 of each year suggestions for
1665 specific and significant security enhancements of any building,
1666 facility, or structure owned or leased by a state agency, state
1667 university, or community college or any entity that has
1668 conducted an assessment under subsection (5) ~~(6)~~. The chief may
1669 utilize the assessments provided under subsection (5) ~~(6)~~ in
1670 making his or her suggestions. The report shall suggest
1671 strategies to maximize federal funds in support of building or

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1672 facility security if such funds are available.

1673 Section 42. Section 943.0312, Florida Statutes, is amended
1674 to read:

1675 943.0312 Regional domestic security task forces.—The
1676 Legislature finds that there is a need to develop and implement
1677 a statewide strategy to address prevention, preparation,
1678 protection, response, and recovery efforts by federal, state,
1679 and local law enforcement agencies, emergency management
1680 agencies, fire and rescue departments, first-responder
1681 personnel, and others in dealing with potential or actual
1682 terrorist acts within or affecting this state ~~and potential or~~
1683 ~~actual immigration enforcement incidents within or affecting~~
1684 ~~this state.~~

1685 (1) To assist the department and the Chief of Domestic
1686 Security in performing their roles and duties in this regard,
1687 the department shall establish a regional domestic security task
1688 force in each of the department's operational regions. The task
1689 forces shall serve in an advisory capacity to the department and
1690 the Chief of Domestic Security and shall provide support to the
1691 department in its performance of functions pertaining to
1692 domestic security.

1693 (a) Subject to annual appropriation, the department shall
1694 provide dedicated employees to support the function of each
1695 regional domestic security task force.

1696 (b) Each task force shall be co-chaired by the department's
1697 special agent in charge of the operational region in which the
1698 task force is located and by a local sheriff or chief of police
1699 from within the operational region.

1700 (c) Each task force membership may also include

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1701 representatives of state and local law enforcement agencies,
1702 fire and rescue departments, or first-responder personnel;
1703 representatives of emergency management agencies and health,
1704 medical, and hospital agencies; representatives of local
1705 emergency planning committees; and other persons as deemed
1706 appropriate and necessary by the task force co-chairs.

1707 (d) The co-chairs of each task force may appoint
1708 subcommittees and subcommittee chairs as necessary in order to
1709 address issues related to the various disciplines represented on
1710 the task force, except that subcommittee chairs for emergency
1711 management shall be appointed with the approval of the director
1712 of the Division of Emergency Management. A subcommittee chair
1713 shall serve at the pleasure of the co-chairs.

1714 (2) In accordance with the state's domestic security
1715 strategic goals and objectives, each task force shall coordinate
1716 efforts to counter terrorism as defined by s. 775.30 and
1717 ~~cooperate with and provide assistance to the Federal Government~~
1718 ~~in the enforcement of federal immigration laws within or~~
1719 ~~affecting this state in compliance with chapter 908,~~ among
1720 local, state, and federal resources to ensure that such efforts
1721 are not fragmented or unnecessarily duplicated; coordinate
1722 training for local and state personnel to counter terrorism as
1723 defined in s. 775.30; ~~and cooperate with and provide assistance~~
1724 ~~to the Federal Government in the enforcement of federal~~
1725 ~~immigration laws within or affecting this state in compliance~~
1726 ~~with chapter 908;~~ coordinate the collection and dissemination of
1727 investigative and intelligence information; and facilitate
1728 responses to terrorist incidents within or affecting each region
1729 ~~and immigration enforcement incidents within or affecting each~~

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1730 ~~region~~. With the approval of the Chief of Domestic Security, the
1731 task forces may incorporate other objectives reasonably related
1732 to the goals of enhancing the state's domestic security and
1733 ability to detect, prevent, and respond to acts of terrorism
1734 within or affecting this state ~~or immigration enforcement~~
1735 ~~incidents within or affecting this state~~. Each task force shall
1736 take into account the variety of conditions and resources
1737 present within its region.

1738 (3) The Chief of Domestic Security, in conjunction with the
1739 Division of Emergency Management, the regional domestic security
1740 task forces, and the various state entities responsible for
1741 establishing training standards applicable to state law
1742 enforcement officers and fire, emergency, and first-responder
1743 personnel shall identify appropriate equipment and training
1744 needs, curricula, and materials related to the effective
1745 response to suspected or actual acts of terrorism, ~~immigration~~
1746 ~~enforcement incidents~~, or incidents involving real or hoax
1747 weapons of mass destruction as defined in s. 790.166.

1748 Recommendations for funding for purchases of equipment, delivery
1749 of training, implementation of, or revision to basic or
1750 continued training required for state licensure or
1751 certification, or other related responses shall be made by the
1752 Chief of Domestic Security to the Domestic Security Oversight
1753 Council, the Executive Office of the Governor, the President of
1754 the Senate, and the Speaker of the House of Representatives as
1755 necessary to ensure that the needs of this state with regard to
1756 the preparing, equipping, training, and exercising of response
1757 personnel are identified and addressed. In making such
1758 recommendations, the Chief of Domestic Security and the Division

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1759 of Emergency Management shall identify all funding sources that
1760 may be available to fund such efforts.

1761 (4) Each regional domestic security task force, working in
1762 conjunction with the department, the Office of the Attorney
1763 General, and other public or private entities, shall work to
1764 ensure that hate-driven acts against ethnic groups that may have
1765 been targeted as a result of acts of terrorism in or affecting
1766 this state, ~~or as a result of immigration enforcement incidents~~
1767 ~~within or affecting this state,~~ are appropriately investigated
1768 and responded to.

1769 (5) Members of each regional domestic security task force
1770 may not receive any pay other than their salaries normally
1771 received from their employers, but are entitled to reimbursement
1772 for per diem and travel expenses in accordance with s. 112.061.

1773 (6) Subject to annual appropriation, the department shall
1774 provide staff and administrative support for the regional
1775 domestic security task forces.

1776 Section 43. Section 943.0313, Florida Statutes, is amended
1777 to read:

1778 943.0313 Domestic Security Oversight Council.—The
1779 Legislature finds that there exists a need to provide executive
1780 direction and leadership with respect to terrorism ~~and~~
1781 ~~immigration enforcement incident~~ prevention, preparation,
1782 protection, response, and recovery efforts by state and local
1783 agencies in this state. In recognition of this need, the
1784 Domestic Security Oversight Council is hereby created. The
1785 council shall serve as an advisory council pursuant to s.
1786 20.03(7) to provide guidance to the state's regional domestic
1787 security task forces and other domestic security working groups

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1788 and to make recommendations to the Governor and the Legislature
1789 regarding the expenditure of funds and allocation of resources
1790 related to counter-terrorism ~~and cooperating with and providing~~
1791 ~~assistance to the Federal Government in the enforcement of~~
1792 ~~federal immigration laws~~ and domestic security efforts.

1793 (1) MEMBERSHIP.—

1794 (a) The Domestic Security Oversight Council shall consist
1795 of the following voting members:

1796 1. The executive director of the Department of Law
1797 Enforcement.

1798 2. The director of the Division of Emergency Management.

1799 3. The Attorney General.

1800 4. The Commissioner of Agriculture.

1801 5. The State Surgeon General.

1802 6. The Commissioner of Education.

1803 7. The State Fire Marshal.

1804 8. The adjutant general of the Florida National Guard.

1805 9. The state chief information officer.

1806 10. Each sheriff or chief of police who serves as a co-
1807 chair of a regional domestic security task force pursuant to s.
1808 943.0312(1)(b).

1809 11. Each of the department's special agents in charge who
1810 serve as a co-chair of a regional domestic security task force.

1811 12. Two representatives of the Florida Fire Chiefs
1812 Association.

1813 13. One representative of the Florida Police Chiefs
1814 Association.

1815 14. One representative of the Florida Prosecuting Attorneys
1816 Association.

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1817 15. The chair of the Statewide Domestic Security
1818 Intelligence Committee.

1819 16. One representative of the Florida Hospital Association.

1820 17. One representative of the Emergency Medical Services
1821 Advisory Council.

1822 18. One representative of the Florida Emergency
1823 Preparedness Association.

1824 19. One representative of the Florida Seaport
1825 Transportation and Economic Development Council.

1826 (b) In addition to the members designated in paragraph (a),
1827 the council may invite other ex officio, nonvoting members to
1828 attend and participate in council meetings. Those nonvoting
1829 members may include, but need not be limited to:

1830 1. The executive director of the Department of Highway
1831 Safety and Motor Vehicles.

1832 2. The Secretary of Health Care Administration.

1833 3. The Secretary of Environmental Protection.

1834 4. The director of the Division of Law Enforcement within
1835 the Fish and Wildlife Conservation Commission.

1836 5. A representative of the Commission on Human Relations.

1837 6. A representative of the United States Coast Guard.

1838 7. A United States Attorney from a federal judicial circuit
1839 within this state.

1840 8. A special agent in charge from an office of the Federal
1841 Bureau of Investigation within this state.

1842 9. A representative of the United States Department of
1843 Homeland Security.

1844 10. A representative of United States Immigration and
1845 Customs Enforcement.

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1846 11. A representative of United States Customs and Border
1847 Protection.

1848 (2) ORGANIZATION.—

1849 (a) The Legislature finds that the council serves a
1850 legitimate state, county, and municipal purpose and that service
1851 on the council is consistent with a member's principal service
1852 in public office or employment. Membership on the council does
1853 not disqualify a member from holding any other public office or
1854 being employed by a public entity, except that a member of the
1855 Legislature may not serve on the council.

1856 (b) The executive director of the Department of Law
1857 Enforcement shall serve as chair of the council, and the
1858 director of the Division of Emergency Management shall serve as
1859 vice chair of the council. In the absence of the chair, the vice
1860 chair shall serve as chair. In the absence of the vice chair,
1861 the chair may name any member of the council to perform the
1862 duties of the chair if such substitution does not extend beyond
1863 a defined meeting, duty, or period of time.

1864 (c) Any absent voting member of the council may be
1865 represented by a designee empowered to act on any issue before
1866 the council to the same extent that the designating member is
1867 empowered. If a co-chair of a regional domestic security task
1868 force is absent from a council meeting, the co-chair shall
1869 appoint a subcommittee chair of that task force as the designee.

1870 (d) The council shall establish bylaws for its general
1871 governance.

1872 (e) Any member of the council serving by reason of the
1873 office or employment held by the member shall cease to serve on
1874 the council at such time as he or she ceases to hold the office

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1875 or employment which was the basis for appointment to the
1876 council.

1877 (f) Representatives from agencies or organizations other
1878 than those designated by title shall be chosen by the entity.
1879 Except for those individuals designated by title, council
1880 members shall be certified annually to the chair by the
1881 organization they represent.

1882 (g) Members of the council or their designees shall serve
1883 without compensation but are entitled to reimbursement for per
1884 diem and travel expenses pursuant to s. 112.061.

1885 (h) The department shall provide the council with the staff
1886 support necessary to assist in the performance of its duties.

1887 (3) MEETINGS.—The council must meet at least semiannually.
1888 Additional meetings may be held as necessary. A majority of the
1889 members of the council constitutes a quorum.

1890 (4) EXECUTIVE COMMITTEE.—

1891 (a) The council shall establish an executive committee
1892 consisting of the following members:

1893 1. The executive director of the Department of Law
1894 Enforcement.

1895 2. The director of the Division of Emergency Management.

1896 3. The Attorney General.

1897 4. The Commissioner of Agriculture.

1898 5. The State Surgeon General.

1899 6. The Commissioner of Education.

1900 7. The State Fire Marshal.

1901 (b) The executive director of the Department of Law
1902 Enforcement shall serve as the chair of the executive committee,
1903 and the director of the Division of Emergency Management shall

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1904 serve as the vice chair of the executive committee.

1905 (c) The executive committee shall approve all matters
1906 brought before the council prior to consideration. When
1907 expedited action of the council is deemed necessary by the chair
1908 or vice chair, the executive committee may act on behalf of the
1909 council.

1910 (5) DUTIES OF THE COUNCIL.—

1911 (a) The Domestic Security Oversight Council shall serve as
1912 an advisory council to the Governor, the Legislature, and the
1913 Chief of Domestic Security. The council shall:

1914 1. Review the development, maintenance, and operation of a
1915 comprehensive multidisciplinary domestic security strategy that
1916 will guide the state's prevention, preparedness, protection,
1917 response, and recovery efforts against terrorist attacks ~~and~~
1918 ~~immigration enforcement incidents~~ and make appropriate
1919 recommendations to ensure the implementation of that strategy.

1920 2. Review the development of integrated funding plans to
1921 support specific projects, goals, and objectives necessary to
1922 the state's domestic security strategy and make appropriate
1923 recommendations to implement those plans.

1924 3. Review and recommend approval of prioritized
1925 recommendations from regional domestic security task forces and
1926 state working groups on the use of available funding to ensure
1927 the use of such funds in a manner that best promotes the goals
1928 of statewide, regional, and local domestic security through
1929 coordinated planning and implementation strategies.

1930 4. Review and recommend approval of statewide policies and
1931 operational protocols that support the domestic security efforts
1932 of the regional domestic security task forces and state

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1933 agencies.

1934 5. Review the overall statewide effectiveness of domestic
1935 security efforts and, counter-terrorism efforts, ~~and efforts of~~
1936 ~~coordinating with and providing assistance to the Federal~~
1937 ~~Government in the enforcement of federal immigration laws~~ in
1938 order to provide suggestions to improve or enhance those
1939 efforts.

1940 6. Review the efforts of any agency or entity involved in
1941 state or local domestic security efforts and, counter-terrorism
1942 efforts, ~~and efforts of coordination with and providing~~
1943 ~~assistance to the Federal Government in the enforcement of~~
1944 ~~federal immigration laws~~ that requests assistance or that
1945 appears to need such review in order to provide suggestions to
1946 improve or enhance those efforts.

1947 7. Review efforts within the state to better secure state
1948 and local infrastructure against terrorist attack ~~or immigration~~
1949 ~~enforcement incidents~~ and make recommendations to enhance the
1950 effectiveness of such efforts.

1951 8. Review and recommend legislative initiatives related to
1952 the state's domestic security and provide endorsement or
1953 recommendations to enhance the effectiveness of such efforts.

1954 9. Review statewide or multiagency mobilizations and
1955 responses to major domestic security incidents and recommend
1956 suggestions for training, improvement of response efforts, or
1957 improvement of coordination or for other strategies that may be
1958 derived as necessary from such reviews.

1959 10. Conduct any additional review or inquiry or make
1960 recommendations to the Governor and Legislature in support of
1961 other initiatives, as may be necessary, to fulfill the function

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1962 of general oversight of the state's domestic security efforts
1963 and, counter-terrorism efforts, ~~and efforts of coordinating with~~
1964 ~~and providing assistance to the Federal Government in the~~
1965 ~~enforcement of federal immigration laws~~ and to promote increased
1966 security.

1967 11. Promote and preserve intergovernmental cooperation and
1968 consensus among state and local agencies, the Federal
1969 Government, private entities, other states, and other nations,
1970 as appropriate, under the guidance of the Governor.

1971 (b) The Domestic Security Oversight Council shall make an
1972 annual funding recommendation to the Governor and Legislature
1973 which shall prioritize funding requests based on allocations
1974 from all available sources for implementing the state's domestic
1975 security strategy. This recommendation must include the
1976 prioritized recommendations of each of the regional domestic
1977 security task forces and the various working groups that
1978 participate in the prioritization process for funding
1979 allocations. The recommendation must reflect the consideration
1980 of strategic priorities and allocations that best serve the
1981 state's overall domestic security needs. The recommendation
1982 shall be transmitted to the Governor and the Legislature by
1983 December 31 of each year. If additional funds become available,
1984 or reallocation of funding is required beyond current spending
1985 authorizations, the council may make recommendations to the
1986 Governor for consideration by the Legislative Budget Commission.

1987 (6) REPORTS.—The council shall report annually on its
1988 activities, on or before December 31 of each calendar year, to
1989 the Governor, the President of the Senate, the Speaker of the
1990 House of Representatives, and the chairs of the committees

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1991 having principal jurisdiction over domestic security in the
1992 Senate and the House of Representatives.

1993 (7) AGENCY DESIGNATION.—For purposes of this section, the
1994 Domestic Security Oversight Council shall be considered a
1995 criminal justice agency within the definition of s. 119.011(4).

1996 Section 44. Effective July 1, 2025, paragraph (a) of
1997 subsection (12) of section 1009.26, Florida Statutes, is amended
1998 to read:

1999 1009.26 Fee waivers.—

2000 (12) (a) A state university, a Florida College System
2001 institution, a career center operated by a school district under
2002 s. 1001.44, or a charter technical career center shall waive
2003 out-of-state fees for students who are citizens of the United
2004 States or lawfully present in the United States, ~~including, but~~
2005 ~~not limited to, students who are undocumented for federal~~
2006 ~~immigration purposes,~~ who meet the following conditions:

2007 1. Attended a secondary school in this state for 3
2008 consecutive years immediately before graduating from a high
2009 school in this state;

2010 2. Apply for enrollment in an institution of higher
2011 education within 24 months after high school graduation; and

2012 3. Submit an official Florida high school transcript as
2013 evidence of attendance and graduation.

2014 Section 45. Students receiving a fee waiver pursuant to s.
2015 1009.26(12), Florida Statutes, must be reevaluated for
2016 eligibility beginning July 1, 2025.

2017 Section 46. (1) Any interagency agreement, memorandum of
2018 understanding, or contract existing before the effective date of
2019 this act between the Department of Law Enforcement and any other

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2020 agency related to the coordination or enforcement of federal
2021 immigration laws shall continue as an agreement, memorandum, or
2022 contract for the remainder of its term with the Department of
2023 Agriculture and Consumer Services replacing the Department of
2024 Law Enforcement as a party.

2025 (2) Any administrative rules promulgated by the Department
2026 of Law Enforcement related to coordination with the Federal
2027 Government regarding federal immigration laws or the enforcement
2028 of federal immigration laws are transferred to the Department of
2029 Agriculture and Consumer Services.

2030 Section 47. (1) The Office of State Immigration Enforcement
2031 within the Division of Law Enforcement under the Department of
2032 Agriculture and Consumer Services is authorized, and all
2033 conditions are deemed met, to adopt emergency rules pursuant to
2034 s. 120.54(4), Florida Statutes, to implement the creation by
2035 this act of ss. 19.56, 908.1031, and 908.1042, Florida Statutes.
2036 Notwithstanding any other law, emergency rules adopted pursuant
2037 to this subsection are effective for 6 months after adoption and
2038 may be renewed during the pendency of procedures to adopt
2039 permanent rules addressing the subject of the emergency rules.

2040 (2) This section expires July 1, 2026.

2041 Section 48. The Legislature finds that the state's criminal
2042 justice training centers as well as facilities of the Department
2043 of Military Affairs, such as the Camp Blanding Joint Training
2044 Center, are highly qualified and critical strategic, year-round
2045 assets for training. The Legislature has made significant
2046 investments to make the Camp Blanding Joint Training Center the
2047 premier facility in the Southeast. In order to support the
2048 anticipated training and operations involving multiple federal,

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2049 state, and local agencies, and given the scale and value of this
2050 state's assets, the Department of Military Affairs and local law
2051 enforcement shall work with the Office of State Immigration
2052 Enforcement within the Department of Agriculture and Consumer
2053 Services to ensure that the state's federal partners can access
2054 and use the state's physical assets in order to further the
2055 nation's mission to address illegal immigration. Such activities
2056 include outreach to federal partners as well as entering into
2057 agreements for the use of such facilities.

2058 Section 49. Section 1 of chapter 2023-3, Laws of Florida,
2059 is amended to read:

2060 Section 1. (1) As used in this section, the term
2061 "inspected unauthorized alien" means an individual who has
2062 documentation from the United States Government indicating that
2063 the United States Government processed and released him or her
2064 into the United States without admitting the individual in
2065 accordance with the federal Immigration and Nationality Act, 8
2066 U.S.C. ss. 1101 et seq. The term must be interpreted
2067 consistently with any applicable federal statutes, rules, or
2068 regulations.

2069 (2) The Legislature finds that the Federal Government has
2070 failed to secure the nation's borders and has allowed a surge of
2071 inspected unauthorized aliens to enter the United States. In
2072 January 2023, the Governor issued Executive Order 23-03,
2073 directing state law enforcement agencies and other state
2074 agencies to take necessary actions to protect Floridians from
2075 the impacts of the border crisis. Without such action,
2076 detrimental effects may be experienced in Florida, including
2077 increased crime, diminished economic opportunities and wages for

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2078 American workers, and burdens on the education and health care
2079 systems. The Legislature finds that the Federal Government has
2080 proven itself unwilling to address this crisis.

2081 (3) To mitigate the effects of this crisis on the State of
2082 Florida, the Unauthorized Alien Transport Program is created
2083 within the Division of Law Enforcement under the Department of
2084 Agriculture and Consumer Services ~~Emergency Management within~~
2085 ~~the Executive Office of the Governor~~ for the purpose of
2086 facilitating the transport of inspected unauthorized aliens
2087 within the United States, consistent with federal law.
2088 Notwithstanding s. 287.057, Florida Statutes, the division is
2089 authorized to contract for services to implement the program.

2090 (4) The division shall evaluate the effectiveness and value
2091 of the program in assisting coordination with the Federal
2092 Government and recommend to the Legislature by March 15, 2025,
2093 to make no changes or to continue or modify the program.

2094 (5)~~(4)~~ The division may adopt rules to implement the
2095 program.

2096 (6)~~(5)~~ This section expires June 30, 2025.

2097 Section 50. Notwithstanding s. 252.36, Florida Statutes,
2098 Executive Order 23-03, renewed by executive orders 23-49, 23-88,
2099 23-134, 23-213, 23-245, 24-35, 24-74, 24-118, 24-173, 24-220,
2100 and 24-269, may not be renewed. Once the state of emergency
2101 expires, or but for early termination would have expired, the
2102 Governor may not issue a subsequent state of emergency with
2103 respect to the same or substantially similar issue or
2104 circumstances.

2105 Section 51. (1) For the 2024-2025 fiscal year, the sums of
2106 \$20,562,630 in recurring funds and \$484,467,609 in nonrecurring

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2107 funds are appropriated from the General Revenue Fund to the
2108 Department of Agriculture and Consumer Services to implement
2109 this act.

2110 (2) From the recurring general revenue funds, \$898,592
2111 shall be allocated to the Executive Direction and Support
2112 Services budget entity in specific appropriations categories:
2113 \$852,500 in Salaries and Benefits, \$43,631 in Expenses, and
2114 \$2,461 in Transfer to the Department of Management
2115 Services/Statewide Human Resources Contract, and \$19,664,038
2116 shall be allocated to the Division of Law Enforcement/Office of
2117 State Immigration Enforcement in specific appropriations
2118 categories: \$13,827,050 in Salaries and Benefits, \$3,694,073 in
2119 Expenses, \$15,000 in Operating Capital Outlay, \$2 million in
2120 Contracted Services, \$49,915 in Transfer to the Department of
2121 Management Services/Statewide Human Resources Contract, and
2122 \$78,000 in Salary Incentive Payments. These funds shall be
2123 released immediately upon this act becoming a law.

2124 (3) From the nonrecurring general revenue funds, \$38,017
2125 shall be allocated to the Executive Direction and Support
2126 Services budget entity in the expense category, and \$9,429,592
2127 shall be allocated to the Division of Law Enforcement/Office of
2128 State Immigration Enforcement in specific appropriations
2129 categories: \$1,515,114 in Expenses, \$478,850 in Operating
2130 Capital Outlay, \$6,402,468 in Acquisition of Motor Vehicles,
2131 \$533,160 in Acquisition of Boats, Motors, and Trailers, and
2132 \$500,000 in Contracted Services. These funds shall be released
2133 immediately upon this act becoming a law. The unexpended balance
2134 of nonrecurring general revenue funds appropriated to the
2135 Division of Law Enforcement/Office of State Immigration

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2136 Enforcement remaining on June 30, 2025, shall revert and is
2137 appropriated to the Division of Law Enforcement/Office of State
2138 Immigration Enforcement for Fiscal Year 2025-2026 for the same
2139 purpose.

2140 (4) The Department of Agriculture and Consumer Services is
2141 authorized to establish 142.00 full-time equivalent positions
2142 with associated salary rate of 8,584,000 in the Division of Law
2143 Enforcement/Office of State Immigration Enforcement for the
2144 purpose of implementing this act. The following specific
2145 positions, classifications, and pay plans are authorized: one
2146 Law Enforcement Major, class code 8630, pay plan 01; one Law
2147 Enforcement Captain, class code 8630, pay plan 01; four Law
2148 Enforcement Lieutenants, class code 8522, pay plan 01; 44 Law
2149 Enforcement Officers, class code 8515, pay plan 01; four
2150 Investigation Supervisor-SES, class code 8354, pay plan 08; 46
2151 Investigation Specialist II, class code 8318, pay plan 01; two
2152 Training Consultant III, class code 6004, pay plan 01; 20
2153 Regulatory Specialist III, class code 0444, pay plan 01; one
2154 chief of general operations, class code 9328, pay plan 08; three
2155 senior attorneys, class code 7738, pay plan 08; and 16
2156 government operations consultants, class code 2238, pay plan 01.

2157 (5) The Department of Agriculture and Consumer Services is
2158 authorized to establish 7.00 full-time equivalent positions with
2159 associated salary rate of 550,000 in the Executive Direction and
2160 Support Services budget entity for the purpose of implementing
2161 this act. The following specific positions, classifications, and
2162 pay plans are authorized: two Senior Attorneys, class code 7738,
2163 pay plan 08; three Government Analyst II, class code 2225, pay
2164 plan 01; one Purchasing Analyst, class code 0830, pay plan 01;

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2165 and one Human Resource Specialist, class code 0190, pay plan 01.

2166 (6) From the nonrecurring general revenue funds, \$100
2167 million shall be allocated to specific appropriation special
2168 category Local Law Enforcement Immigration Grant Program in the
2169 Division of Law Enforcement/Office of State Immigration
2170 Enforcement to implement the Local Law Enforcement Immigration
2171 Grant Program. The amount of \$3.75 million shall be released
2172 immediately upon this act becoming a law. The division/office
2173 shall use these funds for administrative costs associated with
2174 developing and implementing the grant program. The
2175 division/office shall develop an implementation plan, including
2176 procedures, administration, and criteria for approving grant
2177 applications. The implementation plan shall be submitted to the
2178 President of the Senate and the Speaker of the House of
2179 Representatives no later than March 1, 2025. Upon approval of
2180 the implementation plan by the President of the Senate and the
2181 Speaker of the House of Representatives, the Chief Financial
2182 Officer shall immediately release the balance of funds to the
2183 division/office.

2184 (7) From the nonrecurring general revenue funds, \$25
2185 million shall be allocated to specific appropriation special
2186 category Local Law Enforcement Federal Participation Incentive
2187 Program in the Division of Law Enforcement/Office of State
2188 Immigration Enforcement to implement the Local Law Enforcement
2189 Federal Participation Incentive Program. The funds shall be
2190 released to the division/office immediately upon this act
2191 becoming a law.

2192 (8) From the nonrecurring general revenue funds, \$350
2193 million shall be allocated to specific appropriation special

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2194 category Implementation and Support for Enforcement of Federal
2195 Immigration Policies in the Division of Law Enforcement/Office
2196 of State Immigration Enforcement to implement specific
2197 recommendations from the division/office for use of the funds,
2198 which may include funds to support federal access to training
2199 facilities in this state; grants to local law enforcement to
2200 retain existing law enforcement officers or attract new
2201 officers; and grants to pay costs incurred by local law
2202 enforcement that were necessary for the full support and
2203 coordination with the Federal Government in the implementation
2204 and enforcement of federal immigration policies, including
2205 training activities related to the federal program established
2206 under s. 287(g) of the Immigration and Nationality Act, 8 U.S.C.
2207 s. 1357. The division/office shall develop a report of the
2208 recommendations including allocations of applicable costs and
2209 implementation plans. The report shall be submitted to the
2210 President of the Senate and the Speaker of the House of
2211 Representatives by March 15, 2025. Upon approval of the report
2212 by concurrent resolution of the Legislature, the Chief Financial
2213 Officer shall immediately release funds to the division/office
2214 consistent with the recommendations approved from the report.

2215 Section 52. The unexpended balance of funds provided in
2216 section 229, chapter 2024-231, Laws of Florida, to the Executive
2217 Office of the Governor, Division of Emergency Management shall
2218 immediately revert. For the 2024-2025 fiscal year, the
2219 nonrecurring sum of \$10 million from the General Revenue Fund is
2220 appropriated to the Division of Law Enforcement within the
2221 Department of Agriculture and Consumer Services for the
2222 Unauthorized Alien Transport Program as amended by this act. The

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2223 funds shall be released to the division immediately upon this
2224 act becoming a law.

2225 Section 53. Except as otherwise provided in this act, this
2226 act shall take effect upon becoming a law.