

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [HM 5C](#)

TITLE: Immigration Guidance and Training Opportunities

SPONSOR(S): McClure

COMPANION BILL: [SM 6-C](#) (Gruters)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Budget](#)
22 Y, 8 N

SUMMARY

Effect of the Bill:

The memorial urges the Secretary of Homeland Security to provide guidance, training opportunities, and any other necessary directives to ensure cooperation and coordination with 287(g) agreements and to maximize the impact of state and local law enforcement agency assistance to the federal government in combatting the effect of the unprecedented flood of illegal immigration to the United States.

Fiscal or Economic Impact:

None.

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ANALYSIS

EFFECT OF THE BILL:

The memorial describes recent changes to the federal government's immigration policies, specifying that in [Executive Order 14159, titled "Protecting the American People Against Invasion"](#), President Trump has ordered the Secretary of Homeland Security to work with state and local law enforcement agencies to ensure their assistance with the protection of the American people, including by entering into [287\(g\) agreements](#) with state and local law enforcement agencies to perform the functions of immigration officers.

The memorial states that the Florida Legislature enacted SB 1808 in 2022, which required county correctional facilities to enter into 287(g) agreements with the federal government. The memorial also states that Florida is home to robust, highly qualified, strategic, year-round assets for law enforcement training, including the [Camp Blanding Joint Training Center](#), and that such training facilities are available and prepared to meet the anticipated training and operational needs of state and local law enforcement agencies entering into 287(g) agreements.

The memorial urges the Secretary of Homeland Security to provide guidance, training opportunities, and any other necessary directives to ensure cooperation and coordination with 287(g) agreements and to maximize the impact of state and local law enforcement agency assistance to the federal government in combatting the effects of the unprecedented flood of illegal immigration to the United States.

The memorial directs the Secretary of State to dispatch copies of the memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

STORAGE NAME: h0005a.BUC

DATE: 2/12/2025

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[287\(g\) Agreements](#)

In 1996, the United States Congress added s. 287(g) to the Immigration and Nationality Act (INA),¹ codified as 8 U.S.C. § 1357(g). This section authorizes the Secretary of Homeland Security² (Secretary) to enter into a written agreement with a state or any political subdivision of a state to allow a state or local officer to perform immigration functions, such as investigating, apprehending, detaining, or transporting aliens.³ Such state or local officer acts at the direction and under the supervision of the Secretary.⁴ The state or local officer must:

- Be qualified to perform immigration officer functions, as determined by the Secretary.
- Have knowledge of and adhere to federal law.
- Have received adequate training on the enforcement of federal immigration laws, as indicated in a written certification.

There are currently two active enforcement models for 287(g) agreements, the Jail Enforcement Model and the Warrant Service Officer Model.

Jail Enforcement Model (JEM)

Under the JEM, a state or local officer receives a delegation of immigration authority and training from U.S. Immigration and Customs Enforcement (ICE) and performs immigration enforcement functions as provided in the memorandum of agreement between the Secretary and the state or local jurisdiction.⁵ Such immigration enforcement functions under the JEM may include the power and authority to:

- Interrogate a person detained in a detention facility about his or her immigration status.
- Serve and execute warrants of arrest for immigration violations and serve warrants of removal on designated aliens detained in a jail or other correctional facility at the time of the alien's scheduled release from criminal custody.
- Administer oaths and take and consider evidence to complete alien processing.
- Prepare charging documents.
- Detain and transport arrested aliens subject to removal to ICE-approved detention facilities.
- Issue immigration detainers.⁶

Four Florida sheriffs' offices and the Florida Department of Corrections have 287(g) agreements under the JEM.⁷

Warrant Service Officer Model (WSO)

Alternatively, a state or local jurisdiction may have a 287(g) agreement under the WSO Model. The WSO Model is a narrower cooperative agreement between the Secretary and the local jurisdiction in which a state or local officer receives specified training from ICE, but only receives limited authority to serve and execute administrative warrants on behalf of ICE to aliens incarcerated in a county detention facility.⁸ Forty-three Florida sheriffs' offices have 287(g) agreements under the WSO Model.⁹

¹ Pub. L. 104-208.

² Although the regulations reference the "Attorney General," Congress has, since the publication of the regulations, transferred the authority and responsibility for administrating and enforcing the immigration laws to the Secretary of Homeland Security. See INA s. 103(a)(1), 8 U.S.C. s. 1103(a)(1) (charging the Secretary of Homeland Security with the administration and enforcement of the chapter and all other laws relating to the immigration and naturalization of aliens).

³ 8 U.S.C. § 1357(g).

⁴ *Id.*

⁵ See, e.g., ICE, [Memorandum of Agreement 287\(g\) Jail Enforcement Model](#) (last visited Feb. 9, 2025).

⁶ *Id.*

⁷ ICE, *Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act: Participating Entities*, <https://www.ice.gov/identify-and-arrest/287g> (last visited Feb. 9, 2025). Sheriffs' Offices with a JEM include: Clay, Collier, Hernando, and Jacksonville.

⁸ ICE, *Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act: 287(g) Program Models*, <https://www.ice.gov/identify-and-arrest/287g> (last visited Feb. 9, 2025).

⁹ Sheriffs' offices with a WSO Model include: Baker, Bay, Bradford, Brevard, Broward, Calhoun, Charlotte, Columbia, DeSoto, Flagler, Franklin, Hamilton, Hendry, Hernando, Highlands, Holmes, Indian River, Jefferson, Lafayette, Lake, Leon, Levy, Liberty,

Florida Immigration Enforcement Assistance Agreements

In 2022, the Florida Legislature passed CS/SB 1808, requiring each law enforcement agency in Florida that operates a county detention facility to enter into a 287(g) agreement with ICE.¹⁰ The agencies are not required to participate in any particular program model under such an agreement.¹¹ Any law enforcement agency that has not entered into a 287(g) agreement must report to FDLE quarterly regarding the status of any such agreement and any reason for noncompliance.¹²

Executive Order 14159 “Protecting the American People Against Invasion”

On January 20, 2025, President Trump issued Executive Order (EO) 14159, titled “Protecting the American People Against Invasion”.¹³ In part, the EO directs the Secretary of Homeland Security, to the maximum extent permitted by law, and with the consent of state or local officials as appropriate, to take appropriate action, through agreements under s. 287(g) of the INA or otherwise, to authorize state and local law enforcement officials, as the Secretary determines are qualified and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of aliens in the U.S. under the direction and supervision of the Secretary. The EO further directs the Secretary to structure each 287(g) agreement in the manner that provides the most effective model for enforcing federal immigration laws in that jurisdiction.

Camp Blanding Joint Training Center

Camp Blanding Joint Training Center (CBJTC), which is located near Starke, FL, is a 73,000-acre training center for Florida National Guard units.¹⁴ CBJTC provides ranges, education facilities, simulation platforms, maintenance, and other services to Florida National Guard units and numerous federal, state, and local entities.¹⁵ CBJTC also serves as a continuity of government site for the Governor and Executive Branch, and is likewise a continuity of operations site for the Florida Division of Emergency Management (FDEM) and Joint Forces Headquarters-Florida.¹⁶ CBJTC also serves as a joint reception, staging, and logistical support base during emergency operations and hosts various FDEM Emergency Management Academies, focusing on county emergency managers from around the state, designed to enhance capabilities in response to natural disasters or state emergencies.¹⁷

Legislative Memorials

Legislative memorials are not subject to the Governor’s veto power and are not presented to the Governor for review. Memorials have no force of law, as they are mechanisms for formally petitioning the federal government to act on a particular subject.

Madison, Manatee, Marion, Martin, Monroe, Nassau, Okeechobee, Osceola, Pinellas, Polk, Putnam, Santa Rosa, Sarasota, Seminole, St. Johns, Sumter, Suwannee, Taylor, Wakulla, and Walton. *Id.*

¹⁰ Ch. 2022-193, L.O.F. The following sheriffs’ offices have pending 287(g) applications: Glades, Hardee, Hillsborough, Lee, Orange, Palm Beach, Pasco, St Lucie, and Union. ICE, *Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act: 287(g) Program Models*, <https://www.ice.gov/identify-and-arrest/287g> (last visited Feb. 9, 2025).

¹¹ [S. 908.11\(1\), F.S.](#)

¹² [S. 908.11\(2\), F.S.](#)

¹³ Federal Register, Executive Order 14159, *Protecting the American People Against Invasion*, <https://www.federalregister.gov/documents/2025/01/29/2025-02006/protecting-the-american-people-against-invasion> (last visited Feb. 9, 2025).

¹⁴ Florida National Guard, *Camp Blanding Joint Training Center*, <https://fl.ng.mil/Commands/Camp-Blanding-Joint-Training-Center/> (last visited Feb. 9, 2025).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Budget Committee	22 Y, 8 N	2/12/2025	Pridgeon	Hall