

A bill to be entitled
An act relating to the Department of Commerce;
amending s. 253.025, F.S.; exempting federal agencies
from a requirement that a conveyance at less than
appraised value must state that the land will revert
to the Board of Trustees of the Internal Improvement
Trust Fund if the land is not used for its intended
purposes as a military installation buffer or if the
military installation closes; amending s. 288.0656,
F.S.; revising the definition of the term "rural
community"; repealing ss. 290.0401, 290.0411, 290.042,
290.0455, 290.046, 290.047, 290.0475, and 290.048,
F.S., relating to the Florida Small Cities Community
Development Block Grant Program Act, legislative
intent and purpose, definitions, the Florida Small
Cities Community Development Block Grant Loan
Guarantee Program, applications for grants,
establishment of grant ceilings and maximum
administrative cost percentages and the elimination of
population bias, rejection of grant applications and
penalties for failure to meet application conditions,
and general powers of the department, respectively;
amending s. 290.043, F.S.; renaming the "Florida Small
Cities Community Development Block Grant Program" as
the "Community Development Block Grant Program";

26 amending s. 290.044, F.S.; revising provisions
27 relating to the Florida Small Cities Community
28 Development Block Grant Program Fund; renaming the
29 fund as the "Community Development Block Grant Program
30 Fund"; providing definitions; designating the
31 department as the state agency to receive federal
32 funding from the United States Department of Housing
33 and Urban Development to administer the program;
34 providing that the department shall administer
35 additional federal funding in accordance with federal
36 law and guidance from the Department of Housing and
37 Urban Development; authorizing the Department of
38 Commerce to adopt rules; amending s. 448.095, F.S.;
39 defining the terms "employer" and "noncompliance";
40 providing that an employer must maintain an E-Verify
41 case for each employee; providing that an employer's
42 failure to provide requested documentation within a
43 specified time period constitutes noncompliance;
44 requiring the department to issue a notification of
45 noncompliance containing specified information;
46 providing that if the employer fails to cure the
47 noncompliance, the department shall issue a final
48 determination of noncompliance; providing requirements
49 for specified hearings for employers under certain
50 circumstances; providing penalties; providing

CS/HB 741

2026

51 requirements for an employer to cure specified
52 noncompliance with the E-Verify system; authorizing
53 the department to adopt rules; providing that the
54 department may recover specified costs; requiring such
55 funds to be deposited into the State Economic
56 Enhancement and Development Trust Fund; revising
57 construction and expiration; amending s. 448.09, F.S.;
58 providing that an employer knowingly employs an
59 unauthorized alien if specified conditions are met;
60 requiring the department to provide an employer with a
61 written determination that an employer has knowingly
62 employed an unauthorized alien; providing that if an
63 employer requests a hearing, the administrative law
64 judge's final order is appealable; requiring an
65 employer to report quarterly to the department to
66 demonstrate compliance; authorizing the department to
67 adopt rules; amending s. 163.3184, F.S.; conforming
68 provisions to changes made by the act; providing an
69 effective date.

70

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

72

73 **Section 1. Paragraph (e) is added to subsection (21) of**
74 **section 253.025, Florida Statutes, to read:**
75 253.025 Acquisition of state lands.—

76 (21)

77 (e) Federal agencies, including the United States
78 Department of Defense, are exempt from paragraph (d) if the land
79 continues to serve the general purpose of acting as a buffer for
80 a military installation, even if the specific military mission,
81 use, or function of the land is modified or changed.

82 **Section 2. Paragraph (e) of subsection (2) of section**

83 **288.0656, Florida Statutes, is amended to read:**

84 288.0656 Rural Economic Development Initiative.—

85 (2) As used in this section, the term:

86 (e) "Rural community" means:

87 1. A county with a population of 75,000 or fewer.

88 2. A county with a population of 125,000 or fewer which is
89 contiguous to a county with a population of 75,000 or fewer.

90 3. A municipality within a county described in
91 subparagraph 1. or subparagraph 2.

92 4. An unincorporated ~~area that has federal enterprise~~
93 ~~community or an incorporated rural city with a population of~~
94 ~~25,000 or fewer and that meets an employment base focused on~~
95 ~~traditional agricultural or resource-based industries, located~~
96 ~~in a county not defined as rural, which has at least three or~~
97 ~~more of the economic distress factors identified in paragraph~~
98 ~~(e) and verified by the department.~~

99 100 For purposes of this paragraph, population shall be determined

101 in accordance with the most recent official estimate pursuant to
102 s. 186.901.

103 **Section 3. Sections 290.0401, 290.0411, 290.042, 290.0455,**
104 290.046, 290.047, 290.0475, and 290.048, Florida Statutes, are
105 repealed.

106 **Section 4. Section 290.043, Florida Statutes, is amended**
107 **to read:**

108 290.043 ~~Florida Small Cities~~ Community Development Block
109 Grant Program; administration.—There is created the ~~Florida~~
110 ~~Small Cities~~ Community Development Block Grant Program. The
111 department shall administer the program as authorized and
112 described in Title I of the Housing and Community Development
113 Act of 1974, as amended; Pub. L. No. 93-383, as amended by Pub.
114 L. No. 96-399 and Pub. L. No. 97-35; 42 U.S.C. ss. 5301 et seq.

115 **Section 5. Section 290.044, Florida Statutes, is amended**
116 **to read:**

117 (Substantial rewording of section. See
118 s. 290.044, F.S., for present text.)

119 290.044 Community Development Block Grant Program Fund;
120 administration; distribution.—

121 (1) The Community Development Block Grant Program Fund is
122 created.

123 (2) For the purpose of this section, the term:

124 (a) "Act" means the Housing and Community Development Act
125 of 1974, as amended, and applicable federal regulations.

126 (b) "Program" means the Community Development Block Grant
127 Program.

128 (3) The department is designated as the state agency to
129 receive federal funding from the Department of Housing and Urban
130 Development and to administer the program. The department may
131 award grants under the program consistent with the purposes and
132 requirements of the act. The department may expend funds
133 received from Department of Housing and Urban Development
134 consistent with the act.

135 (4) If, in any year, the department receives additional
136 federal funding through the Department of Housing and Urban
137 Development for necessary expenses related to disaster recovery,
138 long-term recovery, and restoration of infrastructure in
139 impacted and distressed areas arising from the consequences of a
140 federally declared disaster, the department shall administer
141 such funding in accordance with the federal law authorizing such
142 funding, including any implementing guidance or regulations
143 adopted by the Department of Housing and Urban Development.

144 (5) If, in any year, the department receives additional
145 federal funding through the Department of Housing and Urban
146 Development for any purpose not specifically provided in this
147 section, the department shall administer such funding in
148 accordance with the law authorizing such funding, including any
149 implementing guidance or regulations adopted by the Department
150 of Housing and Urban Development.

151 (6) The department may adopt rules to administer this
152 section.

153 **Section 6. Paragraph (c) and paragraphs (d) through (f) of**
154 **subsection (1) of section 448.095, Florida Statutes, are**
155 **redesignated as paragraph (d) and paragraphs (f) through (h),**
156 **respectively, paragraph (b) of subsection (2), subsection (6),**
157 **and paragraphs (a) and (c) of subsection (7) are amended, new**
158 **paragraphs (c) and (e) are added to subsection (1), and**
159 **paragraph (c) is added to subsection (3) of that section, to**
160 **read:**

161 448.095 Employment eligibility.—

162 (1) DEFINITIONS.—As used in this section, the term:

163 (c) "Employer" means any person, firm, company,
164 corporation, association, joint stock company, partnership,
165 organization, or other legal entity, or any agent thereof, which
166 engages one or more individuals to perform labor or services in
167 this state in exchange for salary, wages, or other remuneration.

168 The term does not include:

169 1. An occupant or owner of a private residence with
170 respect to an individual hired for casual labor, as defined in
171 s. 443.036, which is to be performed entirely within that
172 private residence.

173 2. A person or entity solely with respect to its
174 engagement of an independent contractor, as defined in federal
175 laws or regulations.

176 (e) "Noncompliance" means:

177 1. The failure of an employer to verify a new employee's
178 employment eligibility through the E-Verify system.

179 2. An employer's failure to timely provide, upon request
180 by an entity or person listed in paragraph (3)(a), copies of the
181 documentation the employer relied upon to verify a new
182 employee's employment eligibility.

183 (2) EMPLOYMENT VERIFICATION.—

184 (b) 1. A public agency shall use the E-Verify system to
185 verify a new employee's employment eligibility as required under
186 paragraph (a).

187 2. Beginning on July 1, 2023, a private employer with 25
188 or more employees shall use the E-Verify system to verify a new
189 employee's employment eligibility as required under paragraph
190 (a). The employer must maintain an E-Verify case for each
191 employee which verifies the employee's employment eligibility.

192 3. Each employer required to use the E-Verify system under
193 this paragraph must certify on its first return each calendar
194 year to the tax service provider that it is in compliance with
195 this section when making contributions to or reimbursing the
196 state's unemployment compensation or reemployment assistance
197 system. An employer that voluntarily uses the E-Verify system
198 may also make such a certification on its first return each
199 calendar year in order to document such use.

200 (3) ENFORCEMENT.—

201 (c) Failure by an employer to provide the requested
202 documentation within 30 days after a request made under
203 paragraph (a) constitutes noncompliance. Each failure to timely
204 provide the documentation constitutes a noncompliance event for
205 the application of fines under paragraph (6) (b).

206 (6) COMPLIANCE.—

207 (a) In addition to the requirements under s. 288.061(6),
208 beginning on July 1, 2024, if the Department of Commerce has a
209 reasonable basis to believe ~~determines~~ that an employer failed
210 to use the E-Verify system to verify the employment eligibility
211 of employees as required under this section, the department
212 must, before the imposition of a fine or suspension of licenses,
213 issue an initial notification of noncompliance to the employer.
214 An employer's failure to provide copies of any documentation
215 relied upon by the employer for the verification of a new
216 employee's employment eligibility to a person or entity listed
217 in paragraph (3) (a) constitutes a reasonable basis that an
218 employer failed to use the E-Verify system. The department must
219 notify the employer that it must cure the noncompliance within
220 30 days after the date of the department's initial notification.
221 The department, for good cause shown by the employer, may grant
222 the employer an additional 30 days to cure the noncompliance. If
223 the employer does not timely cure the noncompliance, the
224 department shall issue a final determination of noncompliance to
225 the employer, which is subject to chapter 120. If the employer

226 requests a hearing, the hearing shall be held pursuant to ss.
227 120.569 and 120.57(1), except that the order of an
228 administrative law judge is a final order and reviewable under
229 s. 120.68 notify the employer of the department's determination
230 of noncompliance and provide the employer with 30 days to cure
231 the noncompliance.

232 (b) If the Department of Commerce determines that an
233 employer failed to use the E-Verify system as required under
234 this section and the employer failed to cure the noncompliance
235 in accordance with paragraph (a) three times in any 24-month
236 period, the department must impose a fine of \$1,000 for each
237 employee not verified pursuant to this section. Any subsequent
238 noncompliance by the employer after the final determination of
239 per day until the employer provides sufficient proof to the
240 department that the noncompliance is cured. noncompliance
241 constitutes grounds for the suspension of all licenses issued by
242 a licensing agency subject to chapter 120 until the
243 noncompliance is cured.

244 (c) To cure noncompliance, the employer must:
245 1. Register with the E-Verify system if the employer is
246 not already registered.
247 2. Use the E-Verify system or the Employment Eligibility
248 Verification form (Form I-9) as provided in paragraph (2)(c) to
249 properly verify the employment eligibility of each employee.
250 3. Provide an E-Verify case result for each employee which

251 verifies the employee's employment eligibility.

252 4. Provide an affidavit to the Department of Commerce,
253 under penalty of perjury, that all instances of noncompliance
254 have been corrected and that the employer is now in full
255 compliance with this section.

256 (d) (e) Fines collected under this subsection must be
257 deposited into the State Economic Enhancement and Development
258 Trust Fund for use by the department for employer outreach and
259 public notice of the state's employment verification laws.

260 (e) The Department of Commerce may adopt rules necessary
261 to implement this section. The department may establish
262 procedures for reporting, enforcement, compliance,
263 noncompliance, license suspension, and the application of fines,
264 as well as any other rules required for effective enforcement
265 and administration of this section.

266 (f) In addition to any penalties imposed under this
267 section, the Department of Commerce is entitled to recover the
268 reasonable costs of investigation and prosecution if the
269 employer is found to have violated this section. The court shall
270 determine the amount of costs to be assessed after its
271 consideration of an affidavit of itemized costs and any written
272 objections thereto. If the assessed costs are not paid within 60
273 days after assessment, the department may contract for the
274 collection of such costs, in which case any fees charged by the
275 collection agent may be added to the amount recovered from the

276 employer, or may bring a civil action to recover such costs, in
277 which case the department is also entitled to recover reasonable
278 attorney fees and court costs incurred in such action. All
279 recovered costs, including additional amounts recovered for
280 collection efforts, shall be deposited into the State Economic
281 Enhancement and Development Trust Fund.

282 (7) CONSTRUCTION.—

283 (a) This section must be enforced without regard to race,
284 color, or national origin and must be construed in a manner so
285 as to be fully consistent with any applicable federal laws or
286 regulations. The Department of Commerce may not investigate a
287 complaint that is based solely on race, color, or national
288 origin.

289 (c) This section shall expire ~~60 days~~ after the E-Verify
290 system is no longer provided or maintained by the Federal
291 Government, or when a pilot program, and the Federal Government
292 requires the use of the E-Verify system by all employers in the
293 United States.

294 **Section 7. Section 448.09, Florida Statutes, is amended to**
295 **read:**

296 448.09 Unauthorized aliens; employment prohibited.—

297 (1) It is unlawful for any person to knowingly employ,
298 hire, recruit, or refer, either for herself or himself or on
299 behalf of another, for private or public employment within this
300 state, an alien who is not duly authorized to work by the

301 immigration laws of the United States, the Attorney General of
302 the United States, or the United States Secretary of the
303 Department of Homeland Security. An employer knowingly employs
304 an unauthorized alien if the employer is aware of the
305 unauthorized alien's unauthorized status or fails to take
306 reasonable steps to verify the unauthorized alien's employment
307 eligibility after being made aware of potential violations.

308 (2) If the Department of Commerce finds or is notified by
309 an entity specified in s. 448.095(3)(a) that an employer has
310 knowingly employed an unauthorized alien, the department must
311 provide the employer with a written determination subject to
312 chapter 120. If the employer requests a hearing, the hearing
313 shall be held pursuant to ss. 120.569 and 120.57(1), except that
314 the order of an administrative law judge is a final order and
315 reviewable under s. 120.68 without verifying the employment
316 eligibility of such person, the department must enter an order
317 pursuant to chapter 120 making such determination and require
318 repayment of any economic development incentive pursuant to s.
319 288.061(6).

320 (3) For a violation of this section, the department shall
321 place the employer on probation for a 1-year period and require
322 that the employer report quarterly to the department to
323 demonstrate compliance with the requirements of subsection (1)
324 and s. 448.095. On or before the last day of each quarter, the
325 employer must submit an affidavit that affirms the employer is

326 not employing any unauthorized aliens and is in compliance with
327 s. 448.095. The first quarter will commence from the issuance
328 date of the final order. Each subsequent quarter commences 90
329 days after the previous quarter. The department may enforce
330 compliance with this subsection by filing a petition for
331 enforcement with the circuit court in and for Leon County. Venue
332 for all actions under this subsection is in Leon County.

333 (4) Any violation of this section which takes place within
334 24 months after a previous violation constitutes grounds for the
335 suspension or revocation of all licenses issued by a licensing
336 agency subject to chapter 120. The Department of Commerce must
337 provide the employer with a written determination subject to
338 chapter 120. The hearing shall be held pursuant to ss. 120.569
339 and 120.57(1), except that the order of the administrative law
340 judge is a final order and appealable pursuant to s. 120.68. The
341 department shall take the following actions for a violation
342 involving:

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

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

349 (c) More than fifty unauthorized aliens, revocation of all
350 applicable licenses held by a private employer by the respective

351 agencies that issued them.

352 (5) An alien who is not duly authorized to work by the
353 immigration laws of the United States, the Attorney General of
354 the United States, or the United States Secretary of the
355 Department of Homeland Security and who knowingly uses a false
356 identification document or who fraudulently uses an
357 identification document of another person for the purpose of
358 obtaining employment commits a felony of the third degree,
359 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

360 (6) The Department of Commerce may adopt rules to
361 implement this section.

362 **Section 8. Paragraph (b) of subsection (8) of section**
363 **163.3184, Florida Statutes, is amended to read:**

364 163.3184 Process for adoption of comprehensive plan or
365 plan amendment.—

366 (8) ADMINISTRATION COMMISSION.—

367 (b) The commission may specify the sanctions provided in
368 subparagraphs 1. and 2. to which the local government will be
369 subject if it elects to make the amendment effective
370 notwithstanding the determination of noncompliance.

371 1. The commission may direct state agencies not to provide
372 funds to increase the capacity of roads, bridges, or water and
373 sewer systems within the boundaries of those local governmental
374 entities which have comprehensive plans or plan elements that
375 are determined not to be in compliance. The commission order may

376 also specify that the local government is not eligible for
377 grants administered under the following programs:

378 a. The ~~Florida Small Cities~~ Community Development Block
379 Grant Program, as authorized by ss. 290.043-290.044 ss.
380 ~~290.0401-290.048.~~

381 b. The Florida Recreation Development Assistance Program,
382 as authorized by chapter 375.

383 c. Revenue sharing pursuant to ss. 206.60, 210.20, and
384 218.61 and chapter 212, to the extent not pledged to pay back
385 bonds.

386 2. If the local government is one which is required to
387 include a coastal management element in its comprehensive plan
388 pursuant to s. 163.3177(6)(g), the commission order may also
389 specify that the local government is not eligible for funding
390 pursuant to s. 161.091. The commission order may also specify
391 that the fact that the coastal management element has been
392 determined to be not in compliance shall be a consideration when
393 the department considers permits under s. 161.053 and when the
394 Board of Trustees of the Internal Improvement Trust Fund
395 considers whether to sell, convey any interest in, or lease any
396 sovereignty lands or submerged lands until the element is
397 brought into compliance.

398 3. The sanctions provided by subparagraphs 1. and 2. do
399 not apply to a local government regarding any plan amendment,
400 except for plan amendments that amend plans that have not been

CS/HB 741

2026

401 finally determined to be in compliance with this part, and
402 except as provided in this paragraph.

403 **Section 9.** This act shall take effect July 1, 2026.