Representative Polo offered the following:

Amendment (with title amendment)

Remove lines 118-203 and insert:

(1) Except as otherwise expressly prohibited by federal law, a state entity, local governmental entity, or law enforcement agency, or an employee, an agent, or a representative of the entity or agency, may not prohibit or in any way restrict a law enforcement agency from taking any of the following actions with respect to information regarding a person's immigration status:
(a) Sending the information to or requesting, receiving, or reviewing the information from a federal immigration agency for purposes of this chapter.

(b) Recording and maintaining the information for purposes of this chapter.

(c) Exchanging the information with a federal immigration agency or another state entity, local governmental entity, or law enforcement agency for purposes of this chapter.

(d) Using the information to comply with an immigration detainer.

(e) Using the information to confirm the identity of a person who is detained by a law enforcement agency.

(2)(a) For purposes of this subsection, the term "applicable criminal case" means a criminal case in which:

1. The judgment requires the defendant to be confined in a secure correctional facility; and

2. The judge:

   a. Indicates in the record under s. 908.105 that the defendant is subject to an immigration detainer; or

   b. Otherwise indicates in the record that the defendant is subject to a transfer into federal custody.

(b) In an applicable criminal case, when the judge sentences a defendant who is the subject of an immigration detainer to confinement, the judge shall issue an order requiring the secure correctional facility in which the
defendant is to be confined to reduce the defendant's sentence
by a period of not more than 12 days on the facility's
determination that the reduction in sentence will facilitate the
seamless transfer of the defendant into federal custody. For
purposes of this paragraph, the term "secure correctional
facility" means a state correctional institution as defined in
s. 944.02 or a county detention facility or a municipal
detention facility as defined in s. 951.23.

(c) If the information specified in sub-subparagraph
(a)2.a. or sub-subparagraph (a)2.b. is not available at the time
the sentence is pronounced in the case, but is received by a law
enforcement agency afterwards, the law enforcement agency shall
notify the judge who shall issue the order described by
paragraph (b) as soon as the information becomes available.

(3) When a county correctional facility or the Department
of Corrections receives verification from a federal immigration
agency that a person subject to an immigration detainer is in
the law enforcement agency's custody, the agency may securely
transport the person to a federal facility in this state or to
another point of transfer to federal custody outside the
jurisdiction of the law enforcement agency. The law enforcement
agency may transfer a person who is subject to an immigration
detainer and is confined in a secure correctional facility to
the custody of a federal immigration agency not earlier than 12
days before his or her release date. A law enforcement agency
shall obtain judicial authorization before securely transporting an alien to a point of transfer outside of this state.

(4) This section does not require a state entity, local governmental entity, or law enforcement agency to provide a federal immigration agency with information related to a victim of or a witness to a criminal offense if the victim or witness timely and in good faith responds to the entity's or agency's request for information and cooperation in the investigation or prosecution of the offense.

(5) A state entity, local governmental entity, or law enforcement agency that, pursuant to subsection (4), withholds information regarding the immigration information of a victim of or witness to a criminal offense shall document the victim's or witness's cooperation in the entity's or agency's investigative records related to the offense and shall retain the records for at least 10 years for the purpose of audit, verification, or inspection by the Auditor General.

(6) This section does not authorize a law enforcement agency to detain an alien unlawfully present in the United States pursuant to an immigration detainer solely because the alien witnessed or reported a crime or was a victim of a criminal offense.

(7) This section does not apply to any alien unlawfully
T I T L E  A M E N D M E N T

Remove lines 6-9 and insert:
prohibiting sanctuary policies;