

THE FLORIDA SENATE  
2022 SUMMARY OF LEGISLATION PASSED  
**Committee on Judiciary**

**CS/SB 1808 — Immigration Enforcement**

by Appropriations Committee and Senators Bean and Rodriques

The bill amends ch. 908, F.S., relating to federal immigration enforcement, which was enacted in 2019. Chapter 908, F.S., prohibits sanctuary policies and seeks to ensure that state and local entities and law enforcement agencies cooperate with federal government officials to enforce, and not obstruct, federal immigration laws.

The bill amends three areas of the existing ch. 908, F.S. Specifically, the bill:

- Expands the definition of “sanctuary policy” to include any law, policy, practice, procedure, or custom of any state or local governmental entity which prohibits a law enforcement agency from providing to any state entity information on the immigration status of a person in the custody of the law enforcement agency.
- Requires each law enforcement agency that operates a county detention facility to enter into a “287(g) Agreement” with United States Immigration and Customs Enforcement (ICE) by January 1, 2023. The bill does not specify which type of agreement the law enforcement agency must choose.
- Prohibits state and local governmental entities from contracting with common carriers or contracted carriers that willfully transport a person into the state knowing the person is an unauthorized alien, except to facilitate the detention, removal, or departure of the person from the state or the United States. The bill also specifies that contracts, including a grant agreement or economic incentive program payment agreement, must include certain provisions requiring the common carrier or contracted carrier to attest that it is not, and will not transport an unauthorized alien into this state.

Additionally, the bill amends the criminal justice data collection statutes. The bill requires state entities to collect and report immigration status data to the Florida Department of Law Enforcement each month. The clerks of courts must collect and report the immigration status of each defendant in a criminal case; the administrator of a county detention facility must collect information on the immigration status of each inmate; and the Department of Corrections must collect and report the immigration status of each inmate and each person supervised by the department on probation or community control.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 24-15; House 77-42*