

By Senator Dockery

15-00495A-08

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1 A bill to be entitled

2 An act relating to human smuggling; creating s. 787.07,
3 F.S.; providing that a person commits a third-degree
4 felony if he or she transports an individual into this
5 state and knows, or should know, that the individual is
6 illegally entering the United States or has illegally
7 remained in the United States; providing criminal
8 penalties; providing enhanced penalties if the individual
9 being transported is a minor or suffers great bodily harm
10 or death; providing an effective date.

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

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14 Section 1. Section 787.07, Florida Statutes, is created to
15 read:

16 787.07 Human smuggling.--

17 (1) (a) A person who transports into this state an
18 individual 18 years of age or older whom the person knows, or
19 should know, is illegally entering the United States or has
20 illegally remained in the United States commits a felony of the
21 third degree, punishable as provided in s. 775.082, s. 775.083,
22 or s. 775.084.

23 (b) If, during the course of a violation of paragraph (a),
24 the individual being transported suffers great bodily harm or
25 death, the violation is a felony of the second degree, punishable
26 as provided in s. 775.082, s. 775.083, or s. 775.084.

27 (2) (a) A person who transports into this state a minor whom
28 the person knows, or should know, is illegally entering the
29 United States or has illegally remained in the United States

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30 commits a felony of the second degree, punishable as provided in
31 s. 775.082, s. 775.083, or s. 775.084.

32 (b) If, during the course of a violation of paragraph (a),
33 the minor suffers great bodily harm or death, the person commits
34 a felony of the first degree, punishable as provided in s.
35 775.082, s. 775.083, or s. 775.084.

36 (3) A person commits a separate offense for each individual
37 or minor he or she transports into this state in violation of
38 this section.

39 Section 2. This act shall take effect October 1, 2008.