By the Committee on Rules; and Senator Ingoglia

A bill to be entitled
An act relating to immigration; creating ss. 125.0156 and 166.246, F.S.; prohibiting counties and municipalities, respectively, from providing funds to any person, entity, or organization to issue identification documents to an individual who does not provide proof of lawful presence in the United States; creating s. 322.033, F.S.; specifying that certain driver licenses and permits issued by other states exclusively to unauthorized immigrants are not valid in this state; requiring law enforcement officers and authorized representatives of the Department of Highway Safety and Motor Vehicles to cite a person driving with a specified invalid license; requiring the department to maintain a list on its website of out-of-state classes of driver licenses that are invalid in this state; amending s. 322.04, F.S.; revising the circumstances under which certain persons are exempt from obtaining a driver license; creating s. 395.3027, F.S.; requiring certain hospitals to collect patient immigration status data information on admission or registration forms; requiring hospitals to submit quarterly reports to the Agency for Health Care Administration containing specified information; requiring the agency to submit an annual report to the Governor and the Legislature containing specified information; authorizing the agency to adopt rules; prohibiting rules requiring the disclosure of patient names to the agency; amending s. 448.09, F.S.;
increasing the maximum fine that may be imposed for a first violation of specified provisions relating to employing, hiring, recruiting, or referring aliens for private or public employment; providing a fine for second or subsequent violations of specified provisions after a certain previous conviction relating to employing, hiring, recruiting, or referring aliens for private or public employment; providing criminal penalties for certain aliens who knowingly use false identification documents or who fraudulently use identification documents of another person for the purpose of obtaining employment; making technical changes; amending s. 448.095, F.S.; deleting the definition of the term “department”; requiring a public employer, contractor, or subcontractor to retain specified copies for at least a certain number of years; creating a certain rebuttable presumption that the public employer, contractor, or subcontractor has not violated specified provisions with respect to the hiring of an unauthorized alien; prohibiting a public employer from continuing to employ an unauthorized alien after obtaining knowledge that a person is or has become an unauthorized alien; authorizing specified persons or entities to request, and requiring a public employer, contractor, or subcontractor to provide, copies of specified documentation; requiring a public employer, contractor, or subcontractor to provide an affidavit to the Department of Economic Opportunity under
certain circumstances; requiring a private employer to verify a person’s employment eligibility before recruiting or referring for a fee a person for employment; requiring a private employer to retain specified copies for at least a certain number of years; deleting a provision absolving private employers of civil or criminal liability for complying with certain provisions; creating a certain rebuttable presumption that the private employer has not violated specified provisions with respect to the hiring, recruitment, or referral for employment of an unauthorized alien; establishing an affirmative defense to an allegation that the private employer has not violated specified provisions with respect to the hiring, recruitment, or referral for employment of an unauthorized alien; prohibiting a private employer from continuing to employ an unauthorized alien after obtaining knowledge that a person is or has become an unauthorized alien; authorizing the Department of Economic Opportunity to request, and requiring a private employer to provide, copies of specified documentation; requiring a person or an entity that determines or finds that a private employer has violated certain provisions to notify the department; revising the required actions that the department must take if a private employer does not comply with specified provisions, including imposing fines for first, second, or subsequent violations; requiring that specified fines be deposited into the General
Revenue Fund; requiring the department to provide certain notice to private employers for any action taken pursuant to specified provisions; requiring the department to notify private employers of the opportunity for a hearing pursuant to specified provisions; deleting provisions relating to penalties imposed upon private employers for specified violations; conforming provisions to changes made by the act; amending s. 454.021, F.S.; deleting a provision authorizing an unauthorized immigrant to obtain a license to practice law in this state under certain circumstances; providing applicability; amending s. 787.07, F.S.; providing criminal penalties for persons who knowingly and willfully violate, or who reasonably should know and who violate, certain provisions relating to the transporting into or within this state, or the concealing, harboring, or shielding from detection, or the attempt thereof, of individuals who entered the United States unlawfully and without inspection by the Federal Government; providing enhanced criminal penalties for prior convictions of specified provisions; defining the term “conviction”; providing circumstances that give rise to a certain inference; requiring that persons who violate certain provisions be held in custody; making technical changes; amending s. 908.104, F.S.; specifying that 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 sending the applicable information obtained pursuant to certain provisions to a federal immigration agency; amending s. 943.03, F.S.; requiring the Department of Law Enforcement to coordinate and direct the law enforcement, initial emergency, and other initial responses in matters dealing with the Federal Government in federal immigration law enforcement and responses to immigration enforcement incidents within or affecting this state; amending s. 943.03101, F.S.; revising legislative findings and determinations; amending s. 943.0311, F.S.; revising the required duties of the Chief of Domestic Security; requiring the chief to regularly coordinate random audits pursuant to specified provisions and notify the Department of Economic Opportunity of any violations; amending s. 943.0312, F.S.; revising legislative findings; requiring that each task force cooperate with and provide assistance to the Federal Government in the enforcement of federal immigration laws within or affecting this state in compliance with specified provisions, in accordance with the state’s domestic security strategic goals and objectives; requiring the Chief of Domestic Security to, in conjunction with specified entities, identify appropriate equipment and training needs, curricula, and materials related to the effective response to immigration enforcement incidents; requiring that each regional domestic security...
security task force, working in conjunction with specified entities, work to ensure that hate-driven acts against ethnic groups that may have been targeted as a result of immigration enforcement incidents within or affecting this state are appropriately investigated and responded to; amending s. 943.0313, F.S.; revising legislative findings; requiring the Domestic Security Oversight Council to make recommendations to the Governor and the Legislature regarding the expenditure of funds and allocation of resources related to cooperating with and providing assistance to the Federal Government in the enforcement of federal immigration laws; expanding the list of persons whom the council may invite to attend and participate in its meetings as ex officio, nonvoting members; revising the duties of the council; amending s. 943.325, F.S.; revising the definition of the term “qualifying offender” to include certain persons who are the subject of an immigration detainer issued by a federal immigration agency; requiring certain qualifying offenders to submit DNA samples at a specified time; requiring law enforcement agencies to immediately take DNA samples from certain qualifying offenders under certain circumstances; providing effective dates.

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

Section 1. Section 125.0156, Florida Statutes, is created
125.0156 Restriction on providing funds for identification documents.—A county may not provide funds to any person, entity, or organization for the purpose of issuing an identification card or document to an individual who does not provide proof of lawful presence in the United States.

Section 2. Section 166.246, Florida Statutes, is created to read:

166.246 Restriction on providing funds for identification documents.—A municipality may not provide funds to any person, entity, or organization for the purpose of issuing an identification card or document to an individual who does not provide proof of lawful presence in the United States.

Section 3. Section 322.033, Florida Statutes, is created to read:

322.033 Unauthorized aliens; invalid out-of-state driver licenses.—

(1) If a driver license is of a class of licenses issued by another state exclusively to undocumented immigrants who are unable to prove lawful presence in the United States when the licenses are issued, the driver license, or other permit purporting to authorize the holder to operate a motor vehicle on public roadways, is invalid in this state and does not authorize the holder to operate a motor vehicle in this state. Such classes of licenses include licenses that are issued exclusively to undocumented immigrants or licenses that are substantially the same as licenses issued to citizens, residents, or those lawfully present in the United States but have markings establishing that the license holder did not exercise the option
(2) A law enforcement officer or other authorized representative of the department who stops a person driving with an invalid license as described in subsection (1) and driving without a valid license shall issue a citation to the driver for driving without a license in violation of s. 322.03.

(3) The department, to facilitate the enforcement of this section and to aid in providing notice to the public and visitors of invalid licenses, shall maintain on its website a list of out-of-state classes of driver licenses that are invalid in this state.

Section 4. Section 322.04, Florida Statutes, is amended to read:

322.04 Persons exempt from obtaining driver license.—
(1) The following persons are exempt from obtaining a driver license:

(a) Any employee of the United States Government, while operating a noncommercial motor vehicle owned by or leased to the United States Government and being operated on official business.

(b) Any person while driving or operating any road machine, farm tractor, or implement of husbandry temporarily operated or moved on a highway.

(c) A nonresident who is at least 16 years of age and who has in his or her immediate possession a valid noncommercial driver license issued to the nonresident in his or her home state or country operating a motor vehicle of the type for which a Class E driver license is required in this state, if the nonresident’s license is not invalid under s. 322.033 relating...
to proof of the licensee’s lawful presence in the United States.

(d) A nonresident who is at least 18 years of age and who
has in his or her immediate possession a valid noncommercial
driver license issued to the nonresident in his or her home
state or country operating a motor vehicle, other than a
commercial motor vehicle, in this state, if the nonresident’s
license is not invalid under s. 322.033 relating to proof of the
licensee’s lawful presence in the United States.

(e) Any person operating a golf cart, as defined in s.
320.01, which is operated in accordance with the provisions of
s. 316.212.

(2) This section does not apply to any person to whom s.
322.031 applies.

(3) Any person working for a firm under contract to the
United States Government whose residence is outside this state
and whose main point of employment is outside this state may
drive a noncommercial vehicle on the public roads of this state
for periods up to 60 days while in this state on temporary duty,
if the person has a valid driver license from the state of the
person’s residence and if the license is not invalid under s.
322.033 relating to proof of the licensee’s lawful presence in
the United States.

Section 5. Section 395.3027, Florida Statutes, is created
to read:

395.3027 Patient immigration status data collection.—
(1) Each hospital that accepts Medicaid must include a
provision on its patient admission or registration forms for the
patient or the patient’s representative to state or indicate
whether the patient is a United States citizen or lawfully
present in the United States or is not lawfully present in the United States. The inquiry must be followed by a statement that the response will not affect patient care or result in a report of the patient’s immigration status to immigration authorities.

(2) Each hospital must submit a quarterly report to the agency within 30 days after the end of each calendar quarter which reports the number of hospital admissions or visits within the previous quarter which were made by a patient who indicated that he or she was a citizen of the United States or lawfully present in the United States, was not lawfully present in the United States, or declined to answer.

(3) By March 1 of each year, the agency shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes the total number of hospital admissions and visits for the previous calendar year for which the patient or patient’s representative reported that the patient was a citizen of the United States or lawfully present in the United States, was not lawfully present in the United States, or declined to answer. The report must also describe information relating to the costs of uncompensated care for aliens who are not lawfully present in the United States, the impact of uncompensated care on the cost or ability of hospitals to provide services to the public, hospital funding needs, and other related information.

(4) The agency may adopt rules relating to the format and information to be contained in quarterly reports and the acceptable formats for hospitals to use in requesting information regarding a patient’s immigration status on hospital admission or registration forms. The rules may not require the
Section 6. Section 448.09, Florida Statutes, is amended to read:

448.09 Unauthorized aliens; employment prohibited.—

(1) It shall be unlawful for any person to knowingly to employ, hire, recruit, or refer, either for herself or himself or on behalf of another, for private or public employment within the state, an alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States.

(2) A person who violates The first violation of subsection (1) a first time commits shall be a noncriminal violation as defined in s. 775.08(3) and, upon conviction, shall be punishable as provided in s. 775.082(5) by a civil fine of not more than $1,000, regardless of the number of aliens with respect to whom the violation occurred.

(3) Any person who has been previously convicted for a violation of subsection (1) and who subsequently thereafter violates that subsection commits (1), shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, except that the fine is $2,500. Any such subsequent violation of this section constitutes shall constitute a separate offense with respect to each unauthorized alien.

(4) Any alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States who knowingly uses a false identification document, or who fraudulently uses an identification document of another person, for the purpose of obtaining employment commits a felony of the third degree, punishable as provided in s. 775.082 or s.
Section 7. Paragraph (c) of subsection (1), paragraph (a) of subsection (2), and subsection (3) of section 448.095, Florida Statutes, are amended, and paragraphs (g), (h), and (i) are added to subsection (2) of that section, to read:

448.095 Employment eligibility.—

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

(c) “Department” means the Department of Economic Opportunity.

(2) PUBLIC EMPLOYERS, CONTRACTORS, AND SUBCONTRACTORS.—

(a) Beginning January 1, 2021, Every public employer, contractor, and subcontractor shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-Verify system. A public employer, contractor, or subcontractor must retain a copy of the official verification generated by the E-Verify system and any supporting documentation used to generate the verification for at least 5 years after the date the verification was generated.

(g)1. A public employer, contractor, or subcontractor that establishes compliance with this subsection with respect to the hiring of an unauthorized alien has established a rebuttable presumption that the public employer, contractor, or subcontractor has not violated this section with respect to such hiring.

2. A public employer, contractor, or subcontractor may not continue to employ an unauthorized alien after obtaining
knowledge that a person is or has become an unauthorized alien.

(h)1. For the purpose of enforcement of this section, the
following persons or entities may request, and a public
employer, contractor, or subcontractor must provide, copies of
any documentation relied upon by the public employer,
contractor, or subcontractor for the verification of a person’s
employment eligibility, including, but not limited to, any
documentation required under paragraph (a) or paragraph (b):

a. The Department of Law Enforcement.
b. The Attorney General.
c. The state attorney.
d. The statewide prosecutor.
e. The Department of Economic Opportunity.

2. A person or entity that makes a request under this
paragraph must rely upon the Federal Government to verify a
person’s employment eligibility and may not independently make a
final determination as to whether a person is an unauthorized
alien. If the person or entity determines or finds that a public
employer, contractor, or subcontractor has violated this
section, the person or entity must notify the Department of
Economic Opportunity.

(i) If a public employer, contractor, or subcontractor does
not comply with paragraph (a) or paragraph (b), as applicable,
the Department of Economic Opportunity must require the public
employer, contractor, or subcontractor to provide an affidavit
to the department stating that the entity will comply with
paragraphs (a) and (b), as applicable, the entity has terminated
the employment of all unauthorized aliens employed in this
state, and the entity will not intentionally or knowingly employ
an unauthorized alien in this state.

(3) PRIVATE EMPLOYERS.—

(a) Beginning January 1, 2021, a private employer shall, after making an offer of employment which has been accepted by a person or before recruiting or referring for a fee a person for employment, a private employer shall verify such person’s employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee’s employment eligibility upon the renewal or extension of his or her contract.

(b) A private employer shall verify a person’s employment eligibility by:

1. Using the E-Verify system; or
2. Requiring the person to provide the same documentation that is required by the United States Citizenship and Immigration Services on its Employment Eligibility Verification form (Form I-9).

(c) The private employer must retain, for at least 5 years:

1. A copy of the documentation provided under this subparagraph for at least 3 years after the person’s initial date of employment.
2. A copy of the official verification generated by the E-Verify system, if used, and any supporting documentation used to generate the verification after the date the verification was generated.

(c) A private employer that complies with this subsection may not be held civilly or criminally liable under state law for
hiring, continuing to employ, or refusing to hire an
unauthorized alien if the information obtained under paragraph
(b) indicates that the person’s work authorization status was
not that of an unauthorized alien.

(d)1. A private employer that establishes compliance with
subparagraph (b)1. with respect to the hiring, recruitment, or
referral for employment of an unauthorized alien has established
a rebuttable presumption that the private employer has not
violated this section with respect to such hiring, recruiting,
or referral.

2. A private employer that establishes compliance with
subparagraph (b)2. with respect to the hiring, recruitment, or
referral for employment of an unauthorized alien has established
an affirmative defense that the private employer has not
violated this section with respect to such hiring, recruiting,
or referral.

3. A private employer may not continue to employ an
unauthorized alien after obtaining knowledge that a person is or
has become an unauthorized alien For purposes of this
subsection, compliance with paragraph (b) creates a rebuttable
presumption that a private employer did not knowingly employ an
unauthorized alien in violation of s. 448.09(1).

(e)1. For the purpose of enforcement of this section, the
following persons or entities may request, and a private
employer must provide, copies of any documentation relied upon
by the private employer for the verification of a person’s
employment eligibility, including, but not limited to, any
documentation required under paragraph (b) or paragraph (c):

a.1. The Department of Law Enforcement.
b. 2. The Attorney General.

c. 3. The state attorney.

d. 4. The statewide prosecutor.

e. The Department of Economic Opportunity.

2. A person or entity that makes a request under this paragraph must rely upon the Federal Government to verify a person’s employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien. If the person or entity determines or finds that a private employer has violated this section, the person or entity must notify the Department of Economic Opportunity.

(f) If a private employer does not comply with paragraph (b) or paragraph (c), the Department of Economic Opportunity shall:

1. Require the private employer to provide an affidavit to the department stating that the private employer will comply with paragraphs (b) and (c), the private employer has terminated the employment of all unauthorized aliens employed in this state, and the employer will not intentionally or knowingly employ an unauthorized alien in this state.

   a. If the private employer does not provide the required affidavit within 30 days after the department’s request, the appropriate licensing agency shall suspend all applicable licenses held by the private employer. The appropriate agency shall notify the private employer that such suspension is effective until the private employer provides the department with the required affidavit. Upon receipt of the required affidavit, the department shall notify the respective agencies...
to reinstate the licenses held by the private employer.

b. For any private employer that does not provide the required affidavit within 30 days after the department’s request three times within any 24-month period, all applicable licenses held by the private employer must be revoked by the respective agencies that issued them.

2. Impose a fine if the private employer knowingly employed an unauthorized alien in violation of this subsection:

a. For a first violation, the fine is $5,000 for each unauthorized alien employed as a result of noncompliance with this subsection.

b. For a second violation within 24 months of the first violation, the fine is $7,500 for each unauthorized alien employed as a result of noncompliance with this subsection. Additionally, all applicable licenses held by the private employer must be suspended for 120 days by the respective agencies that issued them.

c. For a third or subsequent violation within 24 months of the first violation, the fine is $10,000 for each unauthorized alien employed as a result of noncompliance with this subsection. Additionally, all applicable licenses held by the private employer must be revoked by the respective agencies that issued them.

d. All fines imposed pursuant to this subparagraph must be deposited in the General Revenue Fund.

(g) For purposes of paragraph (f): this paragraph,

1. The applicable licenses that are subject to suspension or revocation under that this paragraph are all licenses that are held by the private employer specific to the business
location where the unauthorized alien performed work. If the
private employer does not hold a license specific to the
business location where the unauthorized alien performed work,
but a license is necessary to operate the private employer’s
business in general, the licenses that are subject to suspension
or revocation under this paragraph (f) are all licenses that are
held by the private employer at the private employer’s primary
place of business.

2. The Department of Economic Opportunity must provide
notice to a private employer for any action under that paragraph
in accordance with the provisions of chapter 120, including a
statement of facts, and must notify the private employer of the
opportunity for a hearing pursuant to ss. 120.569 and 120.57.

(g) For any private employer found to have violated
paragraph (f) three times within any 36 month period, the
appropriate licensing agency shall permanently revoke all
licenses that are held by the private employer specific to the
business location where the unauthorized alien performed work.
If the private employer does not hold a license specific to the
business location where the unauthorized alien performed work,
but a license is necessary to operate the private employer’s
business in general, the appropriate licensing agency shall
permanently revoke all licenses that are held by the private
employer at the private employer’s primary place of business.

Section 8. Effective November 1, 2026, subsection (3) of
section 454.021, Florida Statutes, is amended to read:

454.021 Attorneys; admission to practice law; Supreme Court
to govern and regulate.—

(3) Upon certification by the Florida Board of Bar
Examiners that an applicant who is an unauthorized immigrant who was brought to the United States as a minor, has been present in the United States for more than 10 years, has received documented employment authorization from the United States Citizenship and Immigration Services (USCIS), has been issued a social security number; if a male, has registered with the Selective Service System if required to do so under the Military Selective Service Act, 50 U.S.C. App. 453; and has fulfilled all requirements for admission to practice law in this state, the Supreme Court of Florida may admit that applicant as an attorney at law authorized to practice in this state and may direct an order be entered upon the court’s records to that effect.

Section 9. The repeal of s. 454.021(3), Florida Statutes, by this act does not affect the validity of any license to practice law issued pursuant to that subsection before November 1, 2026.

Section 10. Section 787.07, Florida Statutes, is amended to read:

787.07 Human smuggling.—

(1) Except as provided in subsections (3) and (4), a person who knowingly and willfully commits any of the following offenses commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

(a) Transports into or within this state an individual whom the person knows, or reasonably should know, has entered illegally entering the United States in violation of law and has not been inspected by the Federal Government since his or her unlawful entry from another country.

(b) Conceals, harbors, or shields from detection, or
attempts to conceal, harbor, or shield from detection, in any
place within this state, including any temporary or permanent
structure or through any means of transportation, an individual
whom the person knows, or reasonably should know, has entered
the United States in violation of law and has not been inspected
by the Federal Government since his or her unlawful entry from
another country commits a felony of the third degree, punishable
as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person commits a separate offense for each individual
he or she transports, conceals, harbors, or shields from
detection, or attempts to transport, conceal, harbor, or shield
from detection, into this state in violation of this section.

(3) A person who commits five or more separate offenses
under this section during a single episode commits a felony of
the second degree, punishable as provided in s. 775.082, s.
775.083, or s. 775.084.

(4)(a) A person with a prior conviction under this section
who commits a subsequent violation of this section commits a
felony of the second degree, punishable as provided in s.
775.082, s. 775.083, or s. 775.084.

(b) As used in paragraph (a), the term “conviction” means a
determination of guilt that is the result of a plea agreement or
a trial, regardless of whether adjudication is withheld or a
plea of nolo contendere is entered.

(5) Proof that a person knowingly and willfully presented
false identification or gave false information to a law
enforcement officer who is conducting an investigation for a
violation of this section gives rise to an inference that such
person was aware that the transported, concealed, harbored, or
shielded individual has entered the United States in violation of the law and had not been inspected by the Federal Government since his or her unlawful entry.

(6) A person who is arrested for a violation of this section must be held in custody until brought before the court for admittance to pretrial release in accordance with chapter 903.

Section 11. Paragraph (f) is added to subsection (2) of section 908.104, Florida Statutes, to read:

908.104 Cooperation with federal immigration authorities.—
(2) 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:

(f) Sending the applicable information obtained pursuant to enforcement of s. 448.095 to a federal immigration agency.

Section 12. Subsection (14) of section 943.03, Florida Statutes, is amended to read:

943.03 Department of Law Enforcement.—
(14) The department, with respect to counter-terrorism efforts, responses to acts of terrorism within or affecting this state, coordinating with and providing assistance to the Federal Government in the enforcement of federal immigration laws, responses to immigration enforcement incidents within or affecting this state, and other matters related to the domestic security of Florida as it relates to terrorism and immigration...
enforcement incidents, shall coordinate and direct the law enforcement, initial emergency, and other initial responses. The department shall work closely with the Division of Emergency Management, other federal, state, and local law enforcement agencies, fire and rescue agencies, first-responder agencies, and others involved in preparation against acts of terrorism in or affecting this state. Immigration enforcement incidents within or affecting this state, and in the response to such acts or incidents. The executive director of the department, or another member of the department designated by the director, shall serve as Chief of Domestic Security for the purpose of directing and coordinating such efforts. The department and Chief of Domestic Security shall use the regional domestic security task forces as established in this chapter to assist in such efforts.

Section 13. Section 943.03101, Florida Statutes, is amended to read:

943.03101 Counter-terrorism and immigration enforcement coordination.—The Legislature finds that with respect to counter-terrorism efforts, and initial responses to acts of terrorism within or affecting this state, coordinating with and providing assistance to the Federal Government in the enforcement of federal immigration laws, and responses to immigration enforcement incidents within or affecting this state, specialized efforts of emergency management which are unique to such situations are required and that these efforts intrinsically involve very close coordination of federal, state, and local law enforcement agencies with the efforts of all others involved in emergency-response efforts. In order to best
provide this specialized effort, the Legislature has determined
that such efforts should be coordinated by and through the
Department of Law Enforcement, working closely with the Division
of Emergency Management and others involved in preparation
against acts of terrorism in or affecting this state, immigration enforcement incidents within or affecting this state, and in the initial response to such acts, in accordance
with the state comprehensive emergency management plan prepared pursuant to s. 252.35(2)(a).

Section 14. Present subsections (2) through (7) of section
943.0311, Florida Statutes, are redesignated as subsections (3)
through (8), respectively, a new subsection (2) is added to that
section, and subsection (1) and present subsection (3) of that
section are amended, to read:

943.0311 Chief of Domestic Security; duties of the
department with respect to domestic security.—

(1) The executive director of the department, or a member
of the department designated by the executive director, shall
serve as the Chief of Domestic Security. The Chief of Domestic
Security shall:

(a) Coordinate the efforts of the department in the ongoing
assessment of this state’s vulnerability to, and ability to
detect, prevent, prepare for, respond to, and recover from, acts
of terrorism within or affecting this state and immigration
enforcement incidents within or affecting this state.

(b) Prepare recommendations for the Governor, the President
of the Senate, and the Speaker of the House of Representatives,
which are based upon ongoing assessments to limit the
vulnerability of the state to terrorism and immigration
enforcement incidents.

(c) Coordinate the collection of proposals to limit the
vulnerability of the state to terrorism and immigration
enforcement incidents.

(d) Use regional task forces to support the duties of the
department set forth in this section.

(e) Use public or private resources to perform the duties
assigned to the department under this section.

(2) The chief shall regularly coordinate random audits
pursuant to s. 448.095 to ensure compliance and enforcement and
shall notify the Department of Economic Opportunity of any
violations.

(4) The chief shall report to the Governor, the
President of the Senate, and the Speaker of the House of
Representatives by November 1 of each year suggestions for
specific and significant security enhancements of any building,
facility, or structure owned or leased by a state agency, state
university, or community college or any entity that has
conducted an assessment under subsection (6). The chief may
utilize the assessments provided under subsection (6) in
making his or her suggestions. The report shall suggest
strategies to maximize federal funds in support of building or
facility security if such funds are available.

Section 15. Section 943.0312, Florida Statutes, is amended
to read:

943.0312 Regional domestic security task forces.—The
Legislature finds that there is a need to develop and implement
a statewide strategy to address prevention, preparation,
protection, response, and recovery efforts by federal, state,
and local law enforcement agencies, emergency management agencies, fire and rescue departments, first-responder personnel, and others in dealing with potential or actual terrorist acts within or affecting this state and potential or actual immigration enforcement incidents within or affecting this state.

(1) To assist the department and the Chief of Domestic Security in performing their roles and duties in this regard, the department shall establish a regional domestic security task force in each of the department’s operational regions. The task forces shall serve in an advisory capacity to the department and the Chief of Domestic Security and shall provide support to the department in its performance of functions pertaining to domestic security.

(a) Subject to annual appropriation, the department shall provide dedicated employees to support the function of each regional domestic security task force.

(b) Each task force shall be co-chaired by the department’s special agent in charge of the operational region in which the task force is located and by a local sheriff or chief of police from within the operational region.

(c) Each task force membership may also include representatives of state and local law enforcement agencies, fire and rescue departments, or first-responder personnel; representatives of emergency management agencies and health, medical, and hospital agencies; representatives of local emergency planning committees; and other persons as deemed appropriate and necessary by the task force co-chairs.

(d) The co-chairs of each task force may appoint
subcommittees and subcommittee chairs as necessary in order to
to
address issues related to the various disciplines represented on
the task force, except that subcommittee chairs for emergency
management shall be appointed with the approval of the director
of the Division of Emergency Management. A subcommittee chair
shall serve at the pleasure of the co-chairs.

(2) In accordance with the state’s domestic security
strategic goals and objectives, each task force shall coordinate
efforts to counter terrorism as defined by s. 775.30 and
cooperate with and provide assistance to the Federal Government
in the enforcement of federal immigration laws within or
affecting this state in compliance with chapter 908, among
local, state, and federal resources to ensure that such efforts
are not fragmented or unnecessarily duplicated; coordinate
training for local and state personnel to counter terrorism as
defined in by s. 775.30; and cooperate with and provide
assistance to the Federal Government in the enforcement of
federal immigration laws within or affecting this state in
compliance with chapter 908; coordinate the collection and
dissemination of investigative and intelligence information; and
facilitate responses to terrorist incidents within or affecting
each region and immigration enforcement incidents within or
affecting each region. With the approval of the Chief of
Domestic Security, the task forces may incorporate other
objectives reasonably related to the goals of enhancing the
state’s domestic security and ability to detect, prevent, and
respond to acts of terrorism within or affecting this state or
immigration enforcement incidents within or affecting this
state. Each task force shall take into account the variety of
conditions and resources present within its region.

(3) The Chief of Domestic Security, in conjunction with the Division of Emergency Management, the regional domestic security task forces, and the various state entities responsible for establishing training standards applicable to state law enforcement officers and fire, emergency, and first-responder personnel shall identify appropriate equipment and training needs, curricula, and materials related to the effective response to suspected or actual acts of terrorism, immigration enforcement incidents, or incidents involving real or hoax weapons of mass destruction as defined in s. 790.166. Recommendations for funding for purchases of equipment, delivery of training, implementation of, or revision to basic or continued training required for state licensure or certification, or other related responses shall be made by the Chief of Domestic Security to the Domestic Security Oversight Council, the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives as necessary to ensure that the needs of this state with regard to the preparing, equipping, training, and exercising of response personnel are identified and addressed. In making such recommendations, the Chief of Domestic Security and the Division of Emergency Management shall identify all funding sources that may be available to fund such efforts.

(4) Each regional domestic security task force, working in conjunction with the department, the Office of the Attorney General, and other public or private entities, shall work to ensure that hate-driven acts against ethnic groups that may have been targeted as a result of acts of terrorism in or affecting
this state, or as a result of immigration enforcement incidents
within or affecting this state, are appropriately investigated
and responded to.

(5) Members of each regional domestic security task force
may not receive any pay other than their salaries normally
received from their employers, but are entitled to reimbursement
for per diem and travel expenses in accordance with s. 112.061.

(6) Subject to annual appropriation, the department shall
provide staff and administrative support for the regional
domestic security task forces.

Section 16. Section 943.0313, Florida Statutes, is amended
to read:

943.0313 Domestic Security Oversight Council.—The
Legislature finds that there exists a need to provide executive
direction and leadership with respect to terrorism and
immigration enforcement incident prevention, preparation,
protection, response, and recovery efforts by state and local
agencies in this state. In recognition of this need, the
Domestic Security Oversight Council is hereby created. The
council shall serve as an advisory council pursuant to s.
20.03(7) to provide guidance to the state’s regional domestic
security task forces and other domestic security working groups
and to make recommendations to the Governor and the Legislature
regarding the expenditure of funds and allocation of resources
related to counter-terrorism and cooperating with and providing
assistance to the Federal Government in the enforcement of
federal immigration laws and domestic security efforts.

(1) MEMBERSHIP.—

(a) The Domestic Security Oversight Council shall consist
of the following voting members:

1. The executive director of the Department of Law Enforcement.
2. The director of the Division of Emergency Management.
3. The Attorney General.
4. The Commissioner of Agriculture.
5. The State Surgeon General.
6. The Commissioner of Education.
7. The State Fire Marshal.
8. The adjutant general of the Florida National Guard.
9. The state chief information officer.
10. Each sheriff or chief of police who serves as a co-chair of a regional domestic security task force pursuant to s. 943.0312(1)(b).
11. Each of the department’s special agents in charge who serve as a co-chair of a regional domestic security task force.
15. The chair of the Statewide Domestic Security Intelligence Committee.
16. One representative of the Florida Hospital Association.
17. One representative of the Emergency Medical Services Advisory Council.

(b) In addition to the members designated in paragraph (a), the council may invite other ex officio, nonvoting members to attend and participate in council meetings. Those nonvoting members may include, but need not be limited to:

1. The executive director of the Department of Highway Safety and Motor Vehicles.
2. The Secretary of Health Care Administration.
3. The Secretary of Environmental Protection.
4. The director of the Division of Law Enforcement within the Fish and Wildlife Conservation Commission.
5. A representative of the Commission on Human Relations.
6. A representative of the United States Coast Guard.
7. A United States Attorney from a federal judicial circuit within this state.
8. A special agent in charge from an office of the Federal Bureau of Investigation within this state.
10. A representative of United States Immigration and Customs Enforcement.

(2) ORGANIZATION.—

(a) The Legislature finds that the council serves a legitimate state, county, and municipal purpose and that service on the council is consistent with a member’s principal service in public office or employment. Membership on the council does
not disqualify a member from holding any other public office or
being employed by a public entity, except that a member of the
Legislature may not serve on the council.

(b) The executive director of the Department of Law
Enforcement shall serve as chair of the council, and the
director of the Division of Emergency Management shall serve as
vice chair of the council. In the absence of the chair, the vice
chair shall serve as chair. In the absence of the vice chair,
the chair may name any member of the council to perform the
duties of the chair if such substitution does not extend beyond
a defined meeting, duty, or period of time.

(c) Any absent voting member of the council may be
represented by a designee empowered to act on any issue before
the council to the same extent that the designating member is
empowered. If a co-chair of a regional domestic security task
force is absent from a council meeting, the co-chair shall
appoint a subcommittee chair of that task force as the designee.

(d) The council shall establish bylaws for its general
governance.

(e) Any member of the council serving by reason of the
office or employment held by the member shall cease to serve on
the council at such time as he or she ceases to hold the office
or employment which was the basis for appointment to the
council.

(f) Representatives from agencies or organizations other
than those designated by title shall be chosen by the entity.
Except for those individuals designated by title, council
members shall be certified annually to the chair by the
organization they represent.
(g) Members of the council or their designees shall serve without compensation but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061.

(h) The department shall provide the council with the staff support necessary to assist in the performance of its duties.

(3) MEETINGS.—The council must meet at least semiannually. Additional meetings may be held as necessary. A majority of the members of the council constitutes a quorum.

(4) EXECUTIVE COMMITTEE.—

(a) The council shall establish an executive committee consisting of the following members:

1. The executive director of the Department of Law Enforcement.
2. The director of the Division of Emergency Management.
3. The Attorney General.
4. The Commissioner of Agriculture.
5. The State Surgeon General.
6. The Commissioner of Education.
7. The State Fire Marshal.

(b) The executive director of the Department of Law Enforcement shall serve as the chair of the executive committee, and the director of the Division of Emergency Management shall serve as the vice chair of the executive committee.

(c) The executive committee shall approve all matters brought before the council prior to consideration. When expedited action of the council is deemed necessary by the chair or vice chair, the executive committee may act on behalf of the council.

(5) DUTIES OF THE COUNCIL.—
(a) The Domestic Security Oversight Council shall serve as an advisory council to the Governor, the Legislature, and the Chief of Domestic Security. The council shall:

1. Review the development, maintenance, and operation of a comprehensive multidisciplinary domestic security strategy that will guide the state’s prevention, preparedness, protection, response, and recovery efforts against terrorist attacks and immigration enforcement incidents and make appropriate recommendations to ensure the implementation of that strategy.

2. Review the development of integrated funding plans to support specific projects, goals, and objectives necessary to the state’s domestic security strategy and make appropriate recommendations to implement those plans.

3. Review and recommend approval of prioritized recommendations from regional domestic security task forces and state working groups on the use of available funding to ensure the use of such funds in a manner that best promotes the goals of statewide, regional, and local domestic security through coordinated planning and implementation strategies.

4. Review and recommend approval of statewide policies and operational protocols that support the domestic security efforts of the regional domestic security task forces and state agencies.

5. Review the overall statewide effectiveness of domestic security efforts, and counter-terrorism efforts, and efforts of coordinating with and providing assistance to the Federal Government in the enforcement of federal immigration laws in order to provide suggestions to improve or enhance those efforts.
6. Review the efforts of any agency or entity involved in state or local domestic security efforts, and counter-terrorism efforts, and efforts of coordination with and providing assistance to the Federal Government in the enforcement of federal immigration laws that requests assistance or that appears to need such review in order to provide suggestions to improve or enhance those efforts.

7. Review efforts within the state to better secure state and local infrastructure against terrorist attack or immigration enforcement incidents and make recommendations to enhance the effectiveness of such efforts.

8. Review and recommend legislative initiatives related to the state’s domestic security and provide endorsement or recommendations to enhance the effectiveness of such efforts.

9. Review statewide or multiagency mobilizations and responses to major domestic security incidents and recommend suggestions for training, improvement of response efforts, or improvement of coordination or for other strategies that may be derived as necessary from such reviews.

10. Conduct any additional review or inquiry or make recommendations to the Governor and Legislature in support of other initiatives, as may be necessary, to fulfill the function of general oversight of the state’s domestic security efforts, and counter-terrorism efforts, and efforts of coordinating with and providing assistance to the Federal Government in the enforcement of federal immigration laws and to promote increased security.

11. Promote and preserve intergovernmental cooperation and consensus among state and local agencies, the Federal
Government, private entities, other states, and other nations, as appropriate, under the guidance of the Governor.

(b) The Domestic Security Oversight Council shall make an annual funding recommendation to the Governor and Legislature which shall prioritize funding requests based on allocations from all available sources for implementing the state’s domestic security strategy. This recommendation must include the prioritized recommendations of each of the regional domestic security task forces and the various working groups that participate in the prioritization process for funding allocations. The recommendation must reflect the consideration of strategic priorities and allocations that best serve the state’s overall domestic security needs. The recommendation shall be transmitted to the Governor and the Legislature by December 31 of each year. If additional funds become available, or reallocation of funding is required beyond current spending authorizations, the council may make recommendations to the Governor for consideration by the Legislative Budget Commission.

(6) REPORTS.—The council shall report annually on its activities, on or before December 31 of each calendar year, to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the committees having principal jurisdiction over domestic security in the Senate and the House of Representatives.

(7) AGENCY DESIGNATION.—For purposes of this section, the Domestic Security Oversight Council shall be considered a criminal justice agency within the definition of s. 119.011(4).

Section 17. Paragraph (g) of subsection (2) and paragraph (a) of subsection (3) of section 943.325, Florida Statutes, are
amended, and paragraph (f) is added to subsection (7) of that
section, to read:

943.325 DNA database.—

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

(g) “Qualifying offender” means any person, including
juveniles and adults, who is:

1.a. Committed to a county jail;

b. Committed to or under the supervision of the Department
of Corrections, including persons incarcerated in a private
correctional institution operated under contract pursuant to s.
944.105;

c. Committed to or under the supervision of the Department
of Juvenile Justice;

d. Transferred to this state under the Interstate Compact
on Juveniles, part XIII of chapter 985; or

e. Accepted under Article IV of the Interstate Corrections
Compact, part III of chapter 941; and who is:

2.a. Convicted of any felony offense or attempted felony
offense in this state or of a similar offense in another
jurisdiction;

b. Convicted of a misdemeanor violation of s. 784.048, s.
810.14, s. 847.011, s. 847.013, s. 847.0135, or s. 877.26, or an
offense that was found, pursuant to s. 874.04, to have been
committed for the purpose of benefiting, promoting, or
furthering the interests of a criminal gang as defined in s.
874.03; or

c. Arrested for any felony offense or attempted felony
offense in this state; or

d. In the custody of a law enforcement agency and is
subject to an immigration detainer issued by a federal immigration agency.

(3) COLLECTION OF SAMPLES.—

(a) Each qualifying offender shall submit a DNA sample at the time he or she is booked into a jail, correctional facility, or juvenile facility. A person who becomes a qualifying offender solely because of the issuance of an immigration detainer by a federal immigration agency must submit a DNA sample when the law enforcement agency having custody of the offender receives the detainer.

(7) COLLECTION OF DNA SAMPLES FROM OFFENDERS.—

(f) A law enforcement agency having custody of a person who becomes a qualifying offender solely because of the issuance of an immigration detainer by a federal immigration agency shall ensure that a DNA sample is taken from the offender immediately after the agency receives the detainer and shall secure and transmit the sample to the department in a timely manner.

Section 18. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2023.