

1 A bill to be entitled
2 An act relating to transportation of inspected
3 unauthorized aliens; defining the term "inspected
4 unauthorized alien"; providing legislative findings;
5 creating the Unauthorized Alien Transport Program
6 within the Division of Emergency Management to
7 facilitate the transport of inspected unauthorized
8 aliens within the United States; authorizing the
9 division to contract for services to implement the
10 program; authorizing the division to adopt rules to
11 implement the program; providing for future
12 expiration; repealing s. 185 of chapter 2022-156, Laws
13 of Florida; deeming certain payments approved;
14 reverting appropriated funds; providing an
15 appropriation; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:
18

19 Section 1. (1) As used in this section, the term
20 "inspected unauthorized alien" means an individual who has
21 documentation from the United States Government indicating that
22 the United States Government processed and released him or her
23 into the United States without admitting the individual in
24 accordance with the federal Immigration and Nationality Act, 8
25 U.S.C. ss. 1101 et seq. The term must be interpreted

26 consistently with any applicable federal statutes, rules, or
27 regulations.

28 (2) The Legislature finds that the Federal Government has
29 failed to secure the nation's borders and has allowed a surge of
30 inspected unauthorized aliens to enter the United States. In
31 January 2023, the Governor issued Executive Order 23-03,
32 directing state law enforcement agencies and other state
33 agencies to take necessary actions to protect Floridians from
34 the impacts of the border crisis. Without such action,
35 detrimental effects may be experienced in Florida, including
36 increased crime, diminished economic opportunities and wages for
37 American workers, and burdens on the education and health care
38 systems. The Legislature finds that the Federal Government has
39 proven itself unwilling to address this crisis.

40 (3) To mitigate the effects of this crisis on the State of
41 Florida, the Unauthorized Alien Transport Program is created
42 within the Division of Emergency Management within the Executive
43 Office of the Governor for the purpose of facilitating the
44 transport of inspected unauthorized aliens within the United
45 States, consistent with federal law. Notwithstanding s. 287.057,
46 Florida Statutes, the division is authorized to contract for
47 services to implement the program.

48 (4) The division may adopt rules to implement the program.

49 (5) This section expires June 30, 2025.

50 Section 2. Section 185 of chapter 2022-156, Laws of

HB 5B

2023B

51 Florida, is repealed. All payments made pursuant to that section
52 are deemed approved. Any unexpended balance of funds
53 appropriated to the Department of Transportation under that
54 section shall immediately revert. For the 2022-2023 fiscal year,
55 the nonrecurring sum of \$10 million from the General Revenue
56 Fund is appropriated to the Division of Emergency Management
57 within the Executive Office of the Governor for the Unauthorized
58 Alien Transport Program created by this act.

59 Section 3. This act shall take effect upon becoming a law.