

1 A bill to be entitled
2 An act relating to the Department of Commerce;
3 amending s. 253.025, F.S.; exempting federal agencies
4 from a requirement that a conveyance at less than
5 appraised value must state that the land will revert
6 to the board of trustees if the land is not used for
7 its intended purposes as a military installation
8 buffer or if the military installation closes;
9 amending s. 288.0656, F.S.; revising the definition of
10 the term "rural community"; repealing ss. 290.0401,
11 290.0411, 290.042, 290.0455, 290.046, 290.047,
12 290.0475, and 290.048, F.S., relating to Florida Small
13 Cities Community Development Block Grant Program Act,
14 legislative intent and purpose, definitions, Florida
15 Small Cities Community Development Block Grant Loan
16 Guarantee Program, applications for grants,
17 establishment of grant ceilings and maximum
18 administrative cost percentages and the elimination of
19 population bias, rejection of grant applications and
20 penalties for failure to meet application conditions,
21 and general powers of department under s. 290.0401,
22 respectively; amending s. 290.043, F.S.; renaming the
23 "Florida Small Cities Community Development Block
24 Grant Program" as the "Community Development Block
25 Grant Program"; amending s. 290.044, F.S.; revising

provisions relating to the Florida Small Cities
Community Development Block Grant Program Fund;
renaming the fund as the "Community Development Block
Grant Program Fund"; providing definitions;
designating the Department of Commerce as the state
agency to receive federal funding from the United
States Department of Housing and Urban Development to
administer the Community Development Block Grant
Program; providing that the department shall
administer additional federal funding in accordance
with federal law and guidance from the Department of
Housing and Urban Development; authorizing the
Department of Commerce to adopt rules; amending s.
295.22, F.S.; conforming a cross reference; amending
s. 448.095, F.S.; defining the terms "employer" and
"noncompliance"; providing that an employer must
maintain an E-Verify case for each employee; providing
that an employer's failure to provide requested
documentation within a specified time period
constitutes noncompliance; requiring the department to
issue a notification of noncompliance containing
specified information; providing that if the employer
fails to cure the noncompliance, the department shall
issue a final determination of noncompliance;
providing requirements for specified hearings for

51 employers under certain circumstances; providing
52 penalties; providing requirements for an employer to
53 cure specified noncompliance with the E-Verify system;
54 authorizing the department to adopt rules; providing
55 that the department may recover specified costs;
56 requiring such funds to be deposited into the State
57 Economic Enhancement and Development Trust Fund;
58 providing construction; amending s. 448.09, F.S.;
59 providing that an employer knowingly employs an
60 unauthorized alien if specified conditions are met;
61 requiring the department to provide an employer with a
62 written determination that an employer has knowingly
63 employed an unauthorized alien; providing that if an
64 employer requests a hearing the administrative law
65 judge's final order is appealable; providing that an
66 employer report quarterly to the department to
67 demonstrate compliance; authorizing the department to
68 adopt rules; amending s. 163.3184, F.S.; conforming
69 cross-references and changes made by the act;
70 providing an effective date.

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

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74 **Section 1. Paragraph (e) is added to subsection (21) of**
75 **section 253.025, Florida Statutes, to read:**

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253.025 Acquisition of state lands.—

(21)

(e) Federal agencies, including the United States Department of Defense, are exempt from s. 253.025(21)(d) if the land continues to serve the general purpose of acting as a buffer for a military installation, even if the specific military mission, use, or function of the land is modified or changed.

Section 2. Paragraph (e) of subsection (2) of section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

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

(e) "Rural community" means:

1. A county with a population of 75,000 or fewer.

2. A county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer.

3. A municipality within a county described in subparagraph 1. or subparagraph 2.

4. An unincorporated area recommended by the department and designated by the Governor which has ~~federal enterprise community or an incorporated rural city with~~ a population of 25,000 or fewer and which meets ~~an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in paragraph~~

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~~(c) and verified by the department.~~

For purposes of this paragraph, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

Section 3. Sections 290.0401, 290.0411, 290.042, 290.0455, 290.046, 290.047, 290.0475, and 290.048, Florida Statutes, are repealed.

Section 4. Section 290.043, Florida Statutes, is amended to read:

290.043 ~~Florida Small Cities~~ Community Development Block Grant Program; administration.—There is created the ~~Florida Small Cities~~ Community Development Block Grant Program. The department shall administer the program as authorized and described in Title I of the Housing and Community Development Act of 1974, as amended; Pub. L. No. 93-383, as amended by Pub. L. No. 96-399 and Pub. L. No. 97-35; 42 U.S.C. ss. 5301 et seq.

Section 5. Section 290.044, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 290.044, F.S., for present text.)

290.044 Community Development Block Grant Program Fund; administration; distribution.—

(1) The Community Development Block Grant Program Fund is created.

126 (2) For the purpose of this section, the term:

127 (a) "Act" means the Housing and Community Development Act
128 of 1974, as amended, and applicable federal regulations.

129 (b) "Program" means the Community Development Block Grant
130 Program.

131 (3) The department is designated as the state agency to
132 receive federal funding from the Department of Housing and Urban
133 Development and to administer the program. The department may
134 award grants under the program in any manner and in any amount,
135 consistent with the purposes and requirements of the act. The
136 department may expend funds received from Department of Housing
137 and Urban Development consistent with the act.

138 (4) If, in any year, the department receives additional
139 federal funding through the Department of Housing and Urban
140 Development for necessary expenses related to disaster recovery,
141 long-term recovery, and restoration of infrastructure in
142 impacted and distressed areas arising from the consequences of a
143 federally declared disaster, the department shall administer
144 such funding in accordance with the federal law authorizing such
145 funding, including any implementing guidance or regulations
146 adopted by the Department of Housing and Urban Development.

147 (5) If, in any year, the department receives additional
148 federal funding through the Department of Housing and Urban
149 Development for any purpose not specifically provided in this
150 section, the department shall administer such funding in

151 accordance with the law authorizing such funding, including any
152 implementing guidance or regulations adopted by the Department
153 of Housing and Urban Development.

154 (6) The department may adopt rules to administer this
155 section.

156 **Section 6. Paragraph (c) of subsection (5) of section**
157 **295.22, Florida Statutes, is amended to read:**

158 295.22 Veterans Employment and Training Services Program.—

159 (5) COLLABORATION.—

160 (c) The corporation may collaborate with other state
161 agencies and entities for outreach, information exchange,
162 marketing, and referrals regarding programs and initiatives that
163 include, but are not limited to, the program created by this
164 section and those within any of the following:

165 1. The Department of Veterans' Affairs:

166 a. Access to benefits and assistance programs.

167 b. Hope Navigators Program.

168 2. The Department of Commerce:

169 a. The Disabled Veteran Outreach Program and local veteran
170 employment representatives.

171 b. CareerSource Florida, Inc., and local workforce boards
172 employment and recruitment services.

173 c. The Quick-Response Training Program.

174 d. Efforts of the direct-support organization created
175 under s. 288.987 and, the Florida Small Business Development

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Center Network, ~~and the direct support organization established in s. 288.012(6).~~

3. The Department of Business and Professional Regulation, reciprocity and the availability of certain license and fee waivers.

4. The Department of Education:

a. CAPE industry certifications under s. 1008.44.

b. Information related to earning postsecondary credit at public postsecondary educational institutions for college-level training and education acquired in the military under s. 1004.096.

5. The Department of Health:

a. The Office of Veteran Licensure Services.

b. The Florida Veterans Application for Licensure Online Response expedited licensing.

6. The Office of Reimagining Education and Career Help.

Section 7. Paragraph (c) and paragraphs (d) through (f) of subsection (1) of section 448.095, Florida Statutes, are redesignated as paragraph (d) and paragraphs (f) through (h), respectively, paragraph (b) of subsection (2), subsection (6), and paragraphs (a) and (c) of subsection (7) are amended, new paragraphs (c) and (e) are added to subsection (1), and paragraph (c) is added to subsection (3) of that section, to read:

448.095 Employment eligibility.—

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

(c) "Employer" means any person, firm, company, corporation, association, joint stock company, partnership, organization, or other legal entity, or any agent thereof, which engages one or more individuals to perform labor or services in this state in exchange for salary, wages, or other remuneration. The term does not include:

1. An occupant or owner of a private residence with respect to an individual hired for casual labor, as defined in s. 443.036, which is to be performed entirely within that private residence.

2. A person or entity solely with respect to its engagement of an independent contractor, as defined in federal laws or regulations.

(e) "Noncompliance" means:

1. The failure of an employer to verify a new employee's employment eligibility through the E-Verify system.

2. An employer's failure to timely provide, upon request by an entity or person listed in paragraph (3) (a), copies of the documentation the employer relied upon to verify a new employee's employment eligibility.

(2) EMPLOYMENT VERIFICATION.—

(b)1. A public agency shall use the E-Verify system to verify a new employee's employment eligibility as required under paragraph (a).

226 2. Beginning on July 1, 2023, a private employer with 25
227 or more employees shall use the E-Verify system to verify a new
228 employee's employment eligibility as required under paragraph
229 (a). The employer must maintain an E-Verify case for each
230 employee which verifies the employee's employment eligibility.

231 3. Each employer required to use the E-Verify system under
232 this paragraph must certify on its first return each calendar
233 year to the tax service provider that it is in compliance with
234 this section when making contributions to or reimbursing the
235 state's unemployment compensation or reemployment assistance
236 system. An employer that voluntarily uses the E-Verify system
237 may also make such a certification on its first return each
238 calendar year in order to document such use.

239 (3) ENFORCEMENT.—

240 (c) Failure by an employer to provide the requested
241 documentation within 30 days after a request made under
242 paragraph (a) constitutes noncompliance. Each failure to timely
243 provide the documentation constitutes a noncompliance event for
244 the application of fines under paragraph (6) (b).

245 (6) COMPLIANCE.—

246 (a) In addition to the requirements under s. 288.061(6),
247 beginning on July 1, 2024, if the Department of Commerce has a
248 reasonable basis to believe ~~determines~~ that an employer failed
249 to use the E-Verify system to verify the employment eligibility
250 of employees as required under this section, the department

251 must, before the imposition of a fine or suspension of licenses,
252 issue an initial notification of noncompliance to the employer.
253 An employer's failure to provide copies of any documentation
254 relied upon by the employer for the verification of a new
255 employee's employment eligibility to a person or entity listed
256 in paragraph (3)(a) constitutes a reasonable basis that an
257 employer failed to use the E-Verify system. The department must
258 notify the employer that it must cure the noncompliance within
259 30 days after the date of the department's initial notification.
260 The department, for good cause shown by the employer, may grant
261 the employer an additional 30 days to cure the noncompliance. If
262 the employer does not timely cure the noncompliance, the
263 department shall issue a final determination of noncompliance to
264 the employer, which is subject to chapter 120. If the employer
265 requests a hearing, the hearing shall be held pursuant to ss.
266 120.569 and 120.57(1), except that the order of an
267 administrative law judge is a final order and reviewable under
268 s. 120.68 ~~notify the employer of the department's determination~~
269 ~~of noncompliance and provide the employer with 30 days to cure~~
270 ~~the noncompliance.~~

271 (b) If the Department of Commerce determines that an
272 employer failed to use the E-Verify system as required under
273 this section and the employer failed to cure the noncompliance
274 in accordance with paragraph (a) ~~three times in any 24-month~~
275 ~~period,~~ the department must impose a fine of \$1,000 for each

276 employee not verified pursuant to this section. Any subsequent
277 noncompliance by the employer after the final determination of
278 per day until the employer provides sufficient proof to the
279 department that the noncompliance is cured. noncompliance
280 constitutes grounds for the suspension of all licenses issued by
281 a licensing agency subject to chapter 120 until the
282 noncompliance is cured.

283 (c) To cure noncompliance, the employer must:

284 1. Register with the E-Verify system if the employer is
285 not already registered.

286 2. Use the E-Verify system or the Employment Eligibility
287 Verification form (Form I-9) as provided in paragraph (2)(c) to
288 properly verify the employment eligibility of each employee.

289 3. Provide an E-Verify case result for each employee which
290 verifies the employee's employment eligibility.

291 4. Provide an affidavit to the Department of Commerce,
292 under penalty of perjury, that all instances of noncompliance
293 have been corrected and that the employer is now in full
294 compliance with this section.

295 (d)(e) Fines collected under this subsection must be
296 deposited into the State Economic Enhancement and Development
297 Trust Fund for use by the department for employer outreach and
298 public notice of the state's employment verification laws.

299 (e) The Department of Commerce may adopt rules necessary
300 to implement this section. The department may establish

301 procedures for reporting, enforcement, compliance,
302 noncompliance, license suspension, and the application of fines,
303 as well as any other rules required for effective enforcement
304 and administration of this section.

305 (f) In addition to any penalties imposed under this
306 section, the Department of Commerce is entitled to recover the
307 reasonable costs of investigation and prosecution if the
308 employer is found to have violated this section. The court shall
309 determine the amount of costs to be assessed after its
310 consideration of an affidavit of itemized costs and any written
311 objections thereto. If the assessed costs are not paid within 60
312 days after assessment, the department may contract for the
313 collection of such costs, in which case any fees charged by the
314 collection agent may be added to the amount recovered from the
315 employer, or may bring a civil action to recover such costs, in
316 which case the department is also entitled to recover reasonable
317 attorney fees and court costs incurred in such action. All
318 recovered costs, including additional amounts recovered for
319 collection efforts, shall be deposited into the State Economic
320 Enhancement and Development Trust Fund.

321 (7) CONSTRUCTION.—

322 (a) This section must be enforced without regard to race,
323 color, or national origin and must be construed in a manner so
324 as to be fully consistent with any applicable federal laws or
325 regulations. The Department of Commerce may not investigate a

326 complaint that is based solely on race, color, or national
327 origin.

328 (c) This section shall expire ~~60 days~~ after the E-Verify
329 system is no longer provided or maintained by the Federal
330 Government, or when a pilot program, and the Federal Government
331 requires the use of the E-Verify system by all employers in the
332 United States.

333 **Section 8. Section 448.09, Florida Statutes, is amended to**
334 **read:**

335 448.09 Unauthorized aliens; employment prohibited.—

336 (1) It is unlawful for any person to knowingly employ,
337 hire, recruit, or refer, either for herself or himself or on
338 behalf of another, for private or public employment within this
339 state, an alien who is not duly authorized to work by the
340 immigration laws of the United States, the Attorney General of
341 the United States, or the United States Secretary of the
342 Department of Homeland Security. An employer knowingly employs
343 an unauthorized alien if the employer is aware of the
344 unauthorized alien's unauthorized status or fails to take
345 reasonable steps to verify the unauthorized alien's employment
346 eligibility after being made aware of potential violations.

347 (2) If the Department of Commerce finds or is notified by
348 an entity specified in s. 448.095(3)(a) that an employer has
349 knowingly employed an unauthorized alien, the department must
350 provide the employer with a written determination subject to

chapter 120. If the employer requests a hearing, the hearing shall be held pursuant to ss. 120.569 and 120.57(1), except that the order of an administrative law judge is a final order and reviewable under s. 120.68 ~~without verifying the employment eligibility of such person, the department must enter an order pursuant to chapter 120 making such determination and require repayment of any economic development incentive pursuant to s. 288.061(6).~~

(3) For a violation of this section, the department shall place the employer on probation for a 1-year period and require that the employer report quarterly to the department to demonstrate compliance with the requirements of subsection (1) and s. 448.095. On or before the last day of each quarter, the employer must submit an affidavit that affirms the employer is not employing any unauthorized aliens and is in compliance with s. 448.095. The first quarter will commence from the issuance date of the final order. Each subsequent quarter commences 90 days after the previous quarter. The department may enforce compliance with this subsection by filing a petition for enforcement with the circuit court in and for Leon County. Venue for all actions under this subsection is in Leon County.

(4) Any violation of this section which takes place within 24 months after a previous violation constitutes grounds for the suspension or revocation of all licenses issued by a licensing agency subject to chapter 120. The Department of Commerce must

376 provide the employer with a written determination subject to
377 chapter 120. The hearing shall be held pursuant to ss. 120.569
378 and 120.57(1), except that the order of the administrative law
379 judge is a final order and appealable pursuant to s. 120.68. The
380 department shall take the following actions for a violation
381 involving:

382 (a) One to ten unauthorized aliens, suspension of all
383 applicable licenses held by a private employer for ~~up to~~ 30 days
384 by the respective agencies that issued them.

385 (b) Eleven to fifty unauthorized aliens, suspension of all
386 applicable licenses held by a private employer for ~~up to~~ 60 days
387 by the respective agencies that issued them.

388 (c) More than fifty unauthorized aliens, revocation of all
389 applicable licenses held by a private employer by the respective
390 agencies that issued them.

391 (5) An alien who is not duly authorized to work by the
392 immigration laws of the United States, the Attorney General of
393 the United States, or the United States Secretary of the
394 Department of Homeland Security and who knowingly uses a false
395 identification document or who fraudulently uses an
396 identification document of another person for the purpose of
397 obtaining employment commits a felony of the third degree,
398 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

399 (6) The Department of Commerce may adopt rules to
400 implement this section.

Section 9. Paragraph (b) of subsection (8) of section 163.3184, Florida Statutes, is amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(8) ADMINISTRATION COMMISSION.—

(b) The commission may specify the sanctions provided in subparagraphs 1. and 2. to which the local government will be subject if it elects to make the amendment effective notwithstanding the determination of noncompliance.

1. The commission may direct state agencies not to provide funds to increase the capacity of roads, bridges, or water and sewer systems within the boundaries of those local governmental entities which have comprehensive plans or plan elements that are determined not to be in compliance. The commission order may also specify that the local government is not eligible for grants administered under the following programs:

a. The ~~Florida Small Cities~~ Community Development Block Grant Program, as authorized by ss. 290.043-290.044 ~~ss. 290.0401-290.048~~.

b. The Florida Recreation Development Assistance Program, as authorized by chapter 375.

c. Revenue sharing pursuant to ss. 206.60, 210.20, and 218.61 and chapter 212, to the extent not pledged to pay back bonds.

2. If the local government is one which is required to

include a coastal management element in its comprehensive plan pursuant to s. 163.3177(6)(g), the commission order may also specify that the local government is not eligible for funding pursuant to s. 161.091. The commission order may also specify that the fact that the coastal management element has been determined to be not in compliance shall be a consideration when the department considers permits under s. 161.053 and when the Board of Trustees of the Internal Improvement Trust Fund considers whether to sell, convey any interest in, or lease any sovereignty lands or submerged lands until the element is brought into compliance.

3. The sanctions provided by subparagraphs 1. and 2. do not apply to a local government regarding any plan amendment, except for plan amendments that amend plans that have not been finally determined to be in compliance with this part, and except as provided in this paragraph.

Section 10. This act shall take effect July 1, 2026.