



# Journal of the Senate

Number 2—Special Session B

Tuesday, January 28, 2025

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## CALL TO ORDER

The Senate was called to order by President Albritton at 3:36 p.m. A quorum present—37:

Mr. President	Fine	Pizzo
Arrington	Gaetz	Polsky
Avila	Grall	Rodriguez
Berman	Gruters	Rouson
Bernard	Harrell	Sharief
Boyd	Hooper	Simon
Bradley	Ingoglia	Smith
Brodeur	Jones	Truenow
Burgess	Leek	Trumbull
Burton	Martin	Wright
Calatayud	McClain	Yarborough
Collins	Osgood	
DiCeglie	Passidomo	

Excused: Senators Davis, Garcia, and Thompson

## PRAYER

The following prayer was offered by Pastor Gary Austin, Faith Fellowship Church, Crawfordville, an employee of the Office of the Sergeant at Arms:

Our Heavenly Father, we thank you for the many blessings you've bestowed upon us every day. Oftentimes, we don't take the time to show our appreciation for these blessings. We ask for your forgiveness. Thank you for all you have done for each one of us. As we hold today's session, I ask that you give wisdom and clarity to each one of our Senators who have awesome responsibility to make hard decisions on behalf of the people of Florida. As representatives, they sometimes receive gratitude for the way they vote on bills, but sadly that's not always the case. May you give them strength and complete peace as they tackle the tough tasks before them this week.

We especially want to remember their families left behind as they perform their duties here in the Capitol. It is not easy to leave family behind, and in many cases, the unresolved issues and daily tasks of life. The issues don't stop because they make the trips to this place, but often they are handled by the spouses and families at home. We pray for protection on their loved ones while fulfilling their commitments here this week.

My most gracious Heavenly Father, thank you for the breath of life and the joy you have given to us. Thank you for allowing me to be able to pray in a country, a state, and an assembly like this one today, without fear of retribution, or fear of life. I wish that could be the case for all your people. I do not take this privilege lightly, nor should any of us.

God, will you bless us all today with your mercy and grace? It is in your wonderful name, and saving name, I pray. Amen.

## PLEDGE

Senator Grall led the Senate in the Pledge of Allegiance to the flag of the United States of America.

By direction of the President, the Secretary read the following proclamation:

### THE FLORIDA LEGISLATURE AMENDED JOINT PROCLAMATION

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE FLORIDA HOUSE OF REPRESENTATIVES:

We, Ben Albritton, President of the Florida Senate, and Daniel Perez, Speaker of the Florida House of Representatives, by virtue of the authority vested in us by Article III, Section 3(c), Florida Constitution, and Section 11.011, Florida Statutes, do hereby proclaim:

1. That Section 2. of our Joint Proclamation filed January 27, 2025, is hereby amended by adding, after the last paragraph:

- J. Provide financial penalties for government officials.
- K. Create or enhance criminal penalties for offenses committed by illegal aliens.
- L. Establish programs and policies, and provide appropriations in support thereof, to allow law enforcement agencies to supplement, not replace, the Federal Government in its enforcement of federal immigration law.

2. Except as amended by this Proclamation, the Joint Proclamation filed January 27, 2025, is ratified and confirmed.



*Ben Albritton*  
President  
The Florida Senate  
January 28, 2025



*Daniel Perez*  
Speaker  
The Florida House  
of Representatives  
January 28, 2025



Duly filed with and received by the Florida Department of State in Tallahassee this 28th day of January, 2025.

*Cord Byrd*  
Secretary of State

## SPECIAL ORDER CALENDAR

**CS for SB 2-B**—A bill to be entitled An act relating to immigration; providing a short title; amending s. 14.23, F.S.; providing that the Commissioner of Agriculture is the only person responsible for serving

as liaison between certain entities regarding federal immigration laws; authorizing the Commissioner of Agriculture to appoint an employee to serve in a specific capacity; creating s. 19.55, F.S.; providing that the Commissioner of Agriculture is the chief immigration officer; providing responsibilities for such position; creating s. 19.56, F.S.; creating the Local Law Enforcement Immigration Grant Program within the Office of State Immigration Enforcement within the Division of Law Enforcement under the Department of Agriculture and Consumer Services for specified purposes; providing the process for awarding grants; prohibiting grants from being awarded for certain activities; requiring the office to adopt rules; amending s. 20.14, F.S.; revising the division structure within the Department of Agriculture and Consumer Services; authorizing the department to establish certain offices; creating s. 104.155, F.S.; providing that certain persons who vote in an election are guilty of a felony; prohibiting certain defenses from being raised; providing that a person who takes certain actions with specified knowledge is guilty of a felony; providing penalties; amending s. 252.36, F.S.; providing construction; amending s. 288.061, F.S.; requiring the Department of Commerce to take specified actions when notified of non-compliance with specified economic development incentive application requirements; amending ss. 319.001 and 320.01, F.S.; defining the term “valid passport”; amending s. 322.08, F.S.; revising the types of documents that may be used as proof of identity for certain purposes; amending s. 322.121, F.S.; revising the exceptions to the prohibitions on a person being identified as a “Safe Driver”; revising the time period for making certain notifications to the department in order to be identified as a “Safe Driver”; amending s. 322.19, F.S.; requiring a person who has become a citizen of the United States to obtain specified replacement documents within a certain time; amending s. 395.3027, F.S.; revising reporting requirements related to patient immigration status; amending s. 448.09, F.S.; conforming provisions to changes made by the act; amending s. 448.095, F.S.; revising the entities responsible for enforcing provisions relating to employment eligibility; revising the trust fund into which certain funds are deposited; amending s. 480.0535, F.S.; expanding the parties required to receive a certain notice related to massage establishments; amending s. 775.0848, F.S.; expanding the classification of crimes that may be reclassified in certain circumstances; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity”; amending s. 903.046; expanding the criteria the court must consider when making bail determinations; amending s. 907.041, F.S.; expanding circumstances a pretrial release service must certify to the court; expanding the information required to be reported to a state attorney after an arrest; amending s. 908.101, F.S.; providing additional legislative findings; amending s. 908.102, F.S.; defining the terms “chief immigration officer” and “office”; creating s. 908.1031, F.S.; creating the Office of State Immigration Enforcement within the Division of Law Enforcement under the Department of Agriculture and Consumer Services for specified purposes; requiring the office to employ certain personnel; providing powers, duties, and qualifications for such personnel; providing certain authority and powers of such personnel; providing reporting requirements; providing that the office serves a specified purpose; authorizing the office to adopt rules; amending s. 908.104, F.S.; requiring specified parties to provide certain information to a federal immigration agency; expanding the criteria for receiving a certain exemption; revising applicability; creating s. 908.1041, F.S.; requiring cooperation and coordination between specified entities in the enforcement of immigration laws; requiring the approval of the state immigration officer for certain actions related to agreements or contracts; creating s. 908.1042, F.S.; creating the State Immigration Enforcement Council; providing the purpose, membership, compensation, staff, meetings, and duties of the council; authorizing the Office of State Immigration Enforcement to adopt rules; amending s. 908.105, F.S.; providing requirements for law enforcement agencies that have custody of specified persons; amending s. 908.107, F.S.; authorizing the chief immigration officer to present certain evidence to the Governor and make certain recommendations and to file suit against certain entities and agencies for a specified purpose; amending s. 908.11, F.S.; revising the entities required to enter into certain agreements with the United States Immigration and Customs Enforcement; requiring that entities that do not enter into such agreements by a specified date take certain actions; creating s. 908.13, F.S.; providing construction; authorizing the chief immigration officer to issue a state of emergency in specified circumstances; authorizing the issuance, amendment, and renewal of certain orders, proclamations, and rules that meet certain conditions; requiring emergency orders to be disseminated in a specified manner; requiring such orders be filed with specified parties; providing an exception; authorizing the Legislature to take certain actions relating to a

state of emergency declared by the chief immigration officer; requiring the chief immigration officer to issue a certain order in specified circumstances; requiring certain declarations and orders be filed in a specified manner with the Division of Administrative Hearings; requiring the division to make all such declarations and orders available in a searchable format; requiring a certain link be placed on the Department of Agriculture and Consumer Services website; requiring the chief immigration officer take certain actions during a specified state of emergency; authorizing the chief immigration officer to request certain assistance during specified states of emergency; amending s. 921.0022, F.S.; ranking offenses created by the act on the offense severity ranking chart of the Criminal Punishment Code; amending s. 943.03, F.S.; requiring the Department of Law Enforcement to coordinate with the chief immigration officer for a certain purpose; amending s. 943.03101, F.S.; conforming provisions to changes made by the act; amending s. 943.0311, F.S.; requiring the Chief of Domestic Security to coordinate with the chief immigration officer for a certain purpose; amending ss. 943.0312 and 943.0313, F.S.; conforming provisions to changes made by the act; amending s. 1009.26, F.S.; revising eligibility for certain fee waivers; requiring students receiving such a waiver be reevaluated for eligibility beginning on a certain date; requiring certain agreements and contracts to replace one party with a specified entity; requiring the transfer of certain rules; authorizing the Office of State Immigration Enforcement to adopt emergency rules; providing requirements for such rules; providing legislative findings; requiring the Department of Military Affairs and local law enforcement to work with the Office of State Immigration Enforcement for a specified purpose; amending ch. 2023-3, Laws of Florida; conforming provisions to changes made by the act; requiring the Division of Law Enforcement to evaluate a specified program and make recommendations by a certain date; prohibiting the renewal or issuance of certain executive orders; providing appropriations; authorizing the establishment of certain positions; requiring the reversion of the unexpended balance of certain funds; providing for immediate release of specified funds; providing effective dates.

—was read the second time by title.

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Gruters moved the following amendment:

**Amendment 1 (843850) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the “Tackling and Reforming Unlawful Migration Policy (TRUMP) Act.”*

Section 2. Paragraph (d) is added to subsection (2) of section 14.23, Florida Statutes, and subsection (3) of that section is amended, to read:

14.23 State-Federal relations.—

(2) CREATION OF THE OFFICE OF STATE-FEDERAL RELATIONS.—

(d) *The office does not serve as a liaison between the state government and federal immigration agencies, as defined in s. 908.102, regarding federal immigration laws and matters directly related thereto. The Commissioner of Agriculture as the chief immigration officer is the exclusive liaison between the state government and federal immigration agencies regarding federal immigration laws and matters directly related thereto. The Commissioner of Agriculture, at his or her discretion, may appoint an employee of the Department of Agriculture and Consumer Services to work as an adjunct official to the office for the purpose of facilitating coordination between the state government and federal immigration agencies.*

(3) COOPERATION.—For the purpose of centralizing the state-federal relations efforts of the state, state agencies and their representatives shall cooperate and coordinate their state-federal efforts and activities with the office, *except as provided in paragraph (2)(d)*. State agencies which have representatives headquartered in Washington, D.C., are encouraged to station their representatives in the office.

Section 3. Section 19.55, Florida Statutes, is created to read:

*19.55 Commissioner of Agriculture as chief immigration officer.—The Commissioner of Agriculture is the chief immigration officer of the*

state and serves as the state's official liaison between state entities, local governmental entities, and law enforcement agencies and the Federal Government regarding the enforcement of federal immigration laws. It is the responsibility of the chief immigration officer to:

(1) Coordinate with and provide assistance to the Federal Government in the enforcement of federal immigration laws and other matters related to the enforcement of federal immigration laws.

(2) Coordinate with and provide assistance to law enforcement agencies, as defined in s. 908.102, in the enforcement of federal immigration laws and other matters related to the enforcement of such laws, and monitor local government compliance with the requirements of chapter 908.

(3) Administer the Local Law Enforcement Immigration Grant Program established in s. 19.56.

(4) Regularly coordinate random audits pursuant to s. 448.095 to ensure compliance and enforcement.

(5) Provide recommendations regarding measures that may be implemented to improve cooperation and coordination with the Federal Government in the enforcement of federal immigration laws to the President of the Senate and the Speaker of the House of Representatives.

(6) No later than March 15, 2025, report to the President of the Senate and the Speaker of the House of Representatives the number of vacant beds available in state correctional institutions and facilities and county detention facilities which can be sublet to the United States Immigration and Customs Enforcement for use as detention beds. Operators of state correctional institutions and facilities and county detention facilities shall provide such information requested by the chief immigration officer no later than March 1, 2025.

(7) Serve as an "authorized state officer" under the Laken Riley Act, S. 5, 119th Cong. (2025), for purposes of having standing to bring an action against specified federal officials to obtain injunctive relief on behalf of the state and its residents.

(8) Actively seek Congressional action to amend the National Crime Prevention and Privacy Compact to require states that are a party to the compact to share information relating to a person's immigration status for criminal justice purposes and to require that such information be fully shared with all federal agencies having authority over immigration enforcement.

Section 4. Section 19.56, Florida Statutes, is created to read:

19.56 Local Law Enforcement Immigration Grant Program.—

(1) There is created in the Office of State Immigration Enforcement within the Division of Law Enforcement under the Department of Agriculture and Consumer Services the Local Law Enforcement Immigration Grant Program to award grants to support local law enforcement agencies, which include chief correctional officers operating county detention facilities, in their cooperation and coordination with federal immigration agencies, as defined in s. 908.102, in the enforcement of federal immigration laws.

(2) The office shall annually award any funds specifically appropriated for the grant program to reimburse expenses for, including, but not limited to, subletting detention beds to the United States Immigration and Customs Enforcement, equipment, travel, lodging, and training programs to include certified apprenticeship programs, related to supporting the enforcement of federal immigration laws. The total amount of grants awarded may not exceed funding appropriated for the grant program.

(3) The office must prescribe the procedure and application for the program. Grants shall be awarded on a first-come, first-served basis based on the date the office received each completed application. In order to efficiently and effectively disburse the funds, the office shall not duplicate benefits and grants may not be awarded to pay for any activity for which the agency has received or expects to receive federal or other funding.

(4) The office shall adopt rules to implement this section.

Section 5. Section 19.57, Florida Statutes, is created to read:

19.57 The Local Law Enforcement Federal Participation Incentive Program.—

(1) The Local Law Enforcement Federal Participation Incentive Program is created in the Office of State Immigration Enforcement within the Division of Law Enforcement under the Department of Agriculture and Consumer Services. The purpose of the program is to administer one-time bonus payments of up to \$1,000 to local law enforcement officers in this state who participate in United States Department of Homeland Security at-large task force operations.

(2) The office shall prescribe the procedure and application for the program and distribution of bonus payments. Eligible activity does not include operations occurring solely at state correctional facilities or county correctional facilities. Local law enforcement agencies shall assist the office with the collection of any data necessary to determine bonus payment amounts and to distribute the bonus payments and shall otherwise provide the office with any information or assistance needed to fulfill the requirements of this section.

(3) Bonus payments shall be awarded on a first-come, first-served basis based on the date the office received each completed application. The total amount of bonuses awarded may not exceed funding appropriated for the program. A local law enforcement agency may submit a joint application for all law enforcement officers within its agency who are eligible for the bonus.

(4) The office shall adopt rules to implement this section.

Section 6. Subsections (2) and (3) of section 20.14, Florida Statutes, are amended to read:

20.14 Department of Agriculture and Consumer Services.—There is created a Department of Agriculture and Consumer Services.

(2) The following units ~~divisions~~ of the Department of Agriculture and Consumer Services are established:

- (a) Division of Administration.
- (b) Division of Agricultural Environmental Services.
- (c) Division of Animal Industry.
- (d) Division of Aquaculture.
- (e) Division of Consumer Services.
- (f) Division of Food Safety.
- (g) Division of Florida Forest Service.
- (h) Division of Fruit and Vegetables.
- (i) Division of Law Enforcement.

1. Office of Agriculture Law Enforcement.

2. Office of State Immigration Enforcement.

(j) ~~(h)~~ Division of Licensing.

(k) ~~(i)~~ Division of Marketing and Development.

(l) ~~(j)~~ Division of Plant Industry.

(m) ~~(k)~~ Division of Food, Nutrition, and Wellness.

(3) Notwithstanding s. 20.04(7)(b) and (c), the department may establish bureaus and offices ~~may be established~~ as deemed necessary to promote efficient and effective operation of the department, ~~pursuant to s. 20.04.~~

Section 7. Section 104.155, Florida Statutes, is created to read:

104.155 Unauthorized alien willfully voting; prohibited defenses; aiding or soliciting unauthorized alien in voting prohibited.—

(1) Any person who is not a qualified elector because he or she is an unauthorized alien as defined in s. 908.111 and who willfully votes in any election commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person's ignorance of his or her status as an unauthorized alien or a person's bona fide belief of his or her status as an unauthorized alien cannot be raised as a defense in a prosecution for a violation of this subsection.

(2) Any person who aids or solicits another to violate subsection (1) with knowledge that such person is an unauthorized alien as defined in s. 908.111 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 8. Paragraph (a) of subsection (6) of section 252.36, Florida Statutes, is amended to read:

252.36 Emergency management powers of the Governor.—

(6) In addition to any other powers conferred upon the Governor by law, she or he may:

(a) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of any state agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. *However, nothing in this paragraph may be used to suspend any provision in s. 19.55 or s. 19.56 or in chapter 908.*

Section 9. Subsection (6) of section 288.061, Florida Statutes, is amended to read:

288.061 Economic development incentive application process.—

(6) The Secretary of Commerce may not approve an economic development incentive application unless the application includes proof to the department that the applicant business is registered with and uses the E-Verify system, as defined in s. 448.095, to verify the work authorization status of all newly hired employees. If the department is notified by the Office of State Immigration Enforcement within the Department of Agriculture and Consumer Services ~~determines~~ that an awardee is not complying with this subsection, the department must notify the awardee by certified mail of the office's ~~department's~~ determination of noncompliance and the awardee's right to appeal the determination. Upon a final determination of noncompliance, the awardee must repay all moneys received as an economic development incentive to the department within 30 days after the final determination.

Section 10. Subsection (13) is added to section 319.001, Florida Statutes, to read:

319.001 Definitions.—As used in this chapter, the term:

(13) "Valid passport" means:

(a) An unexpired passport or passport card issued by the United States government; or

(b) An unexpired passport issued by the government of another country with:

1. A stamp or mark affixed by the Federal Government onto the passport to evidence and authorize lawful presence in the United States; or

2. An unexpired I-94, or current permanent resident card, or unexpired immigrant visa, issued by the Federal Government.

Section 11. Subsection (46) is added to section 320.01, Florida Statutes, to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

(46) "Valid passport" means:

(a) An unexpired passport or passport card issued by the United States government; or

(b) An unexpired passport issued by the government of another country with:

1. A stamp or mark affixed by the Federal Government onto the passport to evidence and authorize lawful presence in the United States; or

2. An unexpired I-94, or current permanent resident card, or unexpired immigrant visa, issued by the Federal Government.

Section 12. Subsection (2) of section 322.02, Florida Statutes, is amended to read:

322.02 Legislative intent; administration.—

(2) The Department of Highway Safety and Motor Vehicles is charged with the administration and function of enforcement of this chapter and the administration and enforcement of 49 C.F.R. parts 382-386 and 390-397. *The Legislature intends for the state to meet all minimum security standards of the REAL ID Act of 2005, Public Law No. 109-13, for driver licenses and identification cards issued by this state. Such action ensures that all state-issued driver licenses and identification cards are available to United States citizens and individuals who are not citizens but who are lawfully present and meet the requirements of the REAL ID Act.*

Section 13. Section 322.033, Florida Statutes, is amended to read:

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

(1) *The Legislature intends for only driver licenses or identification cards to be issued which meet all minimum security requirements of the REAL ID Act of 2005, Public Law No. 109-13. The department is prohibited from issuing a driver license or identification card to any person who is an unauthorized alien.*

(2) If a driver license is of a class of licenses issued by another state exclusively to ~~unauthorized aliens~~ ~~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 ~~unauthorized aliens~~, 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 of providing proof of lawful presence.

(3)(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 (2) (4) and driving without a valid license shall issue a citation to the driver for driving without a license in violation of s. 322.03.

(4)(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 14. Paragraph (c) of subsection (2) of section 322.08, Florida Statutes, is amended to read:

322.08 Application for license; requirements for license and identification card forms.—

(2) Each such application shall include the following information regarding the applicant:

(c) Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

1. A driver license record or identification card record from another jurisdiction *which complies with the federal REAL ID Act of 2005, Public Law No. 109-13, and which* ~~that~~ required the applicant to submit a document for identification which is substantially similar to a document required under subparagraph 2., subparagraph 3., subparagraph 4., subparagraph 5., subparagraph 6., subparagraph 7., or subparagraph 8.;

2. A certified copy of a United States birth certificate;
3. A valid, unexpired United States passport *or passport card*;
4. A naturalization certificate issued by the United States Department of Homeland Security;
5. A valid, unexpired alien registration receipt card (green card);
6. A Consular Report of Birth Abroad provided by the United States Department of State;
7. An unexpired employment authorization card issued by the United States Department of Homeland Security; or
8. Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original driver license. In order to prove nonimmigrant classification, an applicant must provide at least one of the following documents. In addition, the department may require applicants to produce United States Department of Homeland Security documents for the sole purpose of establishing the maintenance of, or efforts to maintain, continuous lawful presence:
  - a. A notice of hearing from an immigration court scheduling a hearing on any proceeding.
  - b. A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.
  - c. A notice of the approval of an application for adjustment of status issued by the United States Citizenship and Immigration Services.
  - d. An official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Citizenship and Immigration Services.
  - e. A notice of action transferring any pending matter from another jurisdiction to this state issued by the United States Citizenship and Immigration Services.
  - f. An order of an immigration judge or immigration officer granting relief that authorizes the alien to live and work in the United States, including, but not limited to, asylum.
  - g. Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Citizenship and Immigration Services.
  - h. ~~On or after January 1, 2010, An unexpired foreign passport issued by the government of another country with:~~

(I) ~~A stamp or mark affixed by the Federal Government onto the passport to evidence and authorize lawful presence in the United States; or~~

(II) ~~An unexpired United States Visa affixed, accompanied by an approved I-94, or current permanent resident card, or unexpired immigrant visa, issued by the Federal Government documenting the most recent admittance into the United States.~~

A driver license or temporary permit issued based on documents required in subparagraph 7. or subparagraph 8. is valid for a period not to exceed the expiration date of the document presented or 1 year.

Section 15. Paragraph (e) of subsection (2) of section 322.121, Florida Statutes, is amended to read:

322.121 Periodic reexamination of all drivers.—

(2) For each licensee whose driving record does not show any revocations, disqualifications, or suspensions for the preceding 7 years or any convictions for the preceding 3 years except for convictions of the following nonmoving violations:

(e) Failure to notify the department of a change of address, ~~or~~ name, or United States citizenship status within 30 ~~to~~ days pursuant to s. 322.19,

the department shall cause such licensee's license to be prominently marked with the notation "Safe Driver."

Section 16. Section 322.19, Florida Statutes, is amended to read:

322.19 Change of address, ~~or~~ name, or citizenship status.—

(1) Except as provided in ss. 775.21, 775.261, 943.0435, 944.607, and 985.4815, whenever any person, after applying for or receiving a driver license or identification card, changes his or her legal name, that person must within 30 days thereafter obtain a replacement license or card that reflects the change.

(2) If a person, after applying for or receiving a driver license or identification card, changes the legal residence or mailing address in the application, license, or card, the person must, within 30 calendar days after making the change, obtain a replacement license or card that reflects the change. A written request to the department must include the old and new addresses and the driver license or identification card number. Any person who has a valid, current student identification card issued by an educational institution in this state is presumed not to have changed his or her legal residence or mailing address. This subsection does not affect any person required to register a permanent or temporary address change pursuant to s. 775.13, s. 775.21, s. 775.25, or s. 943.0435.

(3) *If a person, after applying for or receiving a driver license or identification card, becomes a citizen of the United States, such person must, within 30 calendar days after making the change, obtain a replacement license or card that reflects such change.*

(4)~~(3)~~ A violation of this section is a nonmoving violation with a penalty as provided in s. 318.18(2).

(5)~~(4)~~ Notwithstanding any other provision of this chapter, if a licensee established his or her identity for a driver license using an identification document authorized under s. 322.08(2)(c)7. or 8., the licensee may not change his or her name or address except in person and upon submission of an identification document authorized under s. 322.08(2)(c)7. or 8.

Section 17. Subsection (3) of section 395.3027, Florida Statutes, is amended to read:

395.3027 Patient immigration status data collection.—

(3) By March 1 of each year, the agency shall submit a report to the Governor, the chief immigration officer within the Department of Agriculture and Consumer Services, the President of the Senate, and the Speaker of the House of Representatives. *The report shall consist of a consolidation of the quarterly reports of the prior calendar year and an executive summary of the data which includes the total number of hospital admissions and emergency department 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.*

Section 18. Subsections (2), (3), and (4) of section 448.09, Florida Statutes, are amended to read:

448.09 Unauthorized aliens; employment prohibited.—

(2) If the *Office of State Immigration Enforcement within the Department of Agriculture and Consumer Services* ~~Commerce~~ finds or is notified by an entity specified in s. 448.095(3)(a) that an employer has knowingly employed an unauthorized alien without verifying the employment eligibility of such person, the ~~office department~~ *must notify the Department of Commerce, which 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 *Office of State Immigration Enforcement department* shall place the employer on probation for a 1-year period and require that the employer report quarterly to the *office*

~~department~~ to demonstrate compliance with the requirements of subsection (1) and s. 448.095.

(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 *Office of State Immigration Enforcement* ~~department~~ shall take the following actions for a violation involving:

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

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

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

Section 19. Paragraph (a) of subsection (3) and subsection (6) of section 448.095, Florida Statutes, are amended to read:

448.095 Employment eligibility.—

(3) ENFORCEMENT.—

(a) For the purpose of enforcement of this section, any of the following persons or entities may request, and an employer must provide, copies of any documentation relied upon by the employer for the verification of a new employee's employment eligibility:

1. The *Office of State Immigration Enforcement* within the Department of Agriculture and Consumer Services ~~Law Enforcement~~;

2. The Attorney General;

3. The state attorney in the circuit in which the new employee works; or

4. The statewide prosecutor; ~~or~~

5. ~~The Department of Commerce.~~

(6) COMPLIANCE.—

(a) ~~In addition to the requirements under s. 288.061(6), beginning on July 1, 2024, If the Office of State Immigration Enforcement Department of Commerce determines that an employer failed to use the E-Verify system to verify the employment eligibility of employees as required under this section, the office department must notify the employer of the office's department's determination of noncompliance and provide the employer with 30 days to cure the noncompliance. The office must also provide notice to the Department of Commerce, which shall take action pursuant to s. 288.061(6).~~

(b) If the *Office of State Immigration Enforcement* ~~Department of Commerce~~ determines that an employer failed to use the E-Verify system as required under this section three times in any 24-month period, the *office department* must impose a fine of \$1,000 per day until the employer provides sufficient proof to the *office department* that the noncompliance is cured. Noncompliance constitutes grounds for the suspension of all licenses issued by a licensing agency subject to chapter 120 until the noncompliance is cured.

(c) Fines collected under this subsection must be deposited into the *General Inspection State Economic Enhancement and Development Trust Fund* for use by the *Office of State Immigration Enforcement* ~~department~~ for employer outreach and public notice of the state's employment verification laws.

Section 20. Subsection (4) of section 480.0535, Florida Statutes, is amended to read:

480.0535 Documents required while working in a massage establishment; penalties; reporting.—

(4) The department shall notify a federal immigration office *and the chief immigration officer within the Department of Agriculture and Consumer Services* if a person operating a massage establishment, an employee, or any person performing massage therapy in a massage establishment fails to provide valid government identification as required under this section.

Section 21. Section 775.0824, Florida Statutes, is created to read:

775.0824 *Dangerous Unauthorized Alien Offender; legislative intent; definitions; mandatory minimum prison terms.*—

(1) *It is the intent of the Legislature that dangerous unauthorized alien offenders be punished to the fullest extent of the law and as provided in this section.*

(2) *As used in this section, the terms:*

(a) *“Dangerous unauthorized alien offender” means any unauthorized alien who is a member of a criminal gang as defined in s. 874.03, including any member of a transnational crime organization, and who commits or attempts to commit a felony offense in this state.*

(b) *“Unauthorized alien” means a person who is unlawfully present in the United States according to the terms of the federal Immigration and Nationality Act, 8 U.S.C. ss. 1101 et seq. The term shall be interpreted consistently with any applicable federal statutes, rules, or regulations.*

(3) *For an offense committed on or after the effective date of this act, if the state attorney determines that a person is a dangerous unauthorized alien offender as defined in subsection (2), the state attorney shall seek to have the court sentence the person as a dangerous unauthorized alien offender. In a separate proceeding conducted pursuant to this section, upon proof from the state attorney that establishes by a preponderance of the evidence that the person is a dangerous unauthorized alien offender, such person is not eligible for sentencing under the sentencing guidelines and must be sentenced as follows:*

(a) *For a felony punishable by life, by a term of life imprisonment;*

(b) *For a felony of the first degree, by a term of imprisonment of 30 years;*

(c) *For a felony of the second degree, by a term of imprisonment for 15 years;*

(d) *For a felony of the third degree, by a term of imprisonment for 5 years.*

(4) *A person sentenced under subsection (3) shall be released only by expiration of sentence and shall not be eligible for parole, control release, or any form of early release. Any person sentenced under subsection (3) must serve 100 percent of the court-imposed sentence.*

(5) *Nothing in this section shall prevent a court from imposing a greater sentence of incarceration as authorized by law, pursuant to s. 775.084 or any other provision of law.*

Section 22. Section 775.0848, Florida Statutes, is amended to read:

775.0848 *Offenses committed by an unauthorized alien; reclassification; unauthorized alien Commission of a felony after unlawful reentry into the United States; reclassification.*—*The penalty for any misdemeanor or felony shall be reclassified as provided in this section if the commission of such misdemeanor or felony was committed by an unauthorized alien as defined in s. 908.111. A person who has been previously convicted of a crime relating to the reentry of removed aliens under 8 U.S.C. s. 1326 shall have the penalty for committing a felony committed after such conviction reclassified in the following manner:*

(1) *A misdemeanor of the second degree is reclassified to a misdemeanor of the first degree.*

(2) *A misdemeanor of the first degree is reclassified to a felony of the third degree.*

(3) *A felony of the third degree is reclassified to a felony of the second degree.*

~~(4)(2)~~ A felony of the second degree is reclassified to a felony of the first degree.

~~(5)(3)~~ A felony of the first degree is reclassified to a life felony.

Section 23. Subsection (1) of section 874.03, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

874.03 Definitions.—As used in this chapter:

(1) “Criminal gang” means a formal or informal ongoing organization, association, or group that has as one of its primary activities the commission of criminal or delinquent acts, and that consists of three or more persons who have a common name or common identifying signs, colors, or symbols, including, but not limited to, terrorist organizations, *transnational crime organizations*, and hate groups.

(a) As used in this subsection, “ongoing” means that the organization was in existence during the time period charged in a petition, information, indictment, or action for civil injunctive relief.

(b) As used in this subsection, “primary activities” means that a criminal gang spends a substantial amount of time engaged in such activity, although such activity need not be the only, or even the most important, activity in which the criminal gang engages.

(8) “*Transnational crime organization*” means any group, network, or association of persons, at least one of which is an unauthorized alien as defined in 8 U.S.C. ss. 1101, that routinely facilitates the international trafficking of drugs, humans, or weapons or the international smuggling of humans.

Section 24. Paragraph (a) of subsection (8) of section 895.02, Florida Statutes, is amended to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(8) “Racketeering activity” means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(a) Any crime that is chargeable by petition, indictment, or information under the following provisions of the Florida Statutes:

1. *Section 104.155(2), relating to aiding or soliciting an unauthorized alien in voting.*

2. Section 210.18, relating to evasion of payment of cigarette taxes.

~~3.2.~~ Section 316.1935, relating to fleeing or attempting to elude a law enforcement officer and aggravated fleeing or eluding.

~~4.3.~~ Chapter 379, relating to the illegal sale, purchase, collection, harvest, capture, or possession of wild animal life, freshwater aquatic life, or marine life, and related crimes.

~~5.4.~~ Section 403.727(3)(b), relating to environmental control.

~~6.5.~~ Section 409.920 or s. 409.9201, relating to Medicaid fraud.

~~7.6.~~ Section 414.39, relating to public assistance fraud.

~~8.7.~~ Section 440.105 or s. 440.106, relating to workers’ compensation.

~~9.8.~~ Section 443.071(4), relating to creation of a fictitious employer scheme to commit reemployment assistance fraud.

~~10.9.~~ Section 465.0161, relating to distribution of medicinal drugs without a permit as an Internet pharmacy.

~~11.10.~~ Section 499.0051, relating to crimes involving contraband, adulterated, or misbranded drugs.

~~12.11.~~ Part IV of chapter 501, relating to telemarketing.

~~13.12.~~ Chapter 517, relating to sale of securities and investor protection.

~~14.13.~~ Section 550.235 or s. 550.3551, relating to dogracing and horseracing.

~~15.14.~~ Chapter 550, relating to jai alai frontons.

~~16.15.~~ Section 551.109, relating to slot machine gaming.

~~17.16.~~ Chapter 552, relating to the manufacture, distribution, and use of explosives.

~~18.17.~~ Chapter 560, relating to money transmitters, if the violation is punishable as a felony.

~~19.18.~~ Chapter 562, relating to beverage law enforcement.

~~20.19.~~ Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.

~~21.20.~~ Section 655.50, relating to reports of currency transactions, when such violation is punishable as a felony.

~~22.21.~~ Chapter 687, relating to interest and usurious practices.

~~23.22.~~ Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.

~~24.23.~~ Section 775.13(5)(b), relating to registration of persons found to have committed any offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.

~~25.24.~~ Section 777.03, relating to commission of crimes by accessories after the fact.

~~26.25.~~ Chapter 782, relating to homicide.

~~27.26.~~ Chapter 784, relating to assault and battery.

~~28.27.~~ Chapter 787, relating to kidnapping, human smuggling, or human trafficking.

~~29.28.~~ Chapter 790, relating to weapons and firearms.

~~30.29.~~ Chapter 794, relating to sexual battery, but only if such crime was committed with the intent to benefit, promote, or further the interests of a criminal gang, or for the purpose of increasing a criminal gang member’s own standing or position within a criminal gang.

~~31.30.~~ Former s. 796.03, former s. 796.035, s. 796.04, s. 796.05, or s. 796.07, relating to prostitution.

~~32.31.~~ Chapter 806, relating to arson and criminal mischief.

~~33.32.~~ Chapter 810, relating to burglary and trespass.

~~34.33.~~ Chapter 812, relating to theft, robbery, and related crimes.

~~35.34.~~ Chapter 815, relating to computer-related crimes.

~~36.35.~~ Chapter 817, relating to fraudulent practices, false pretenses, fraud generally, credit card crimes, and patient brokering.

~~37.36.~~ Chapter 825, relating to abuse, neglect, or exploitation of an elderly person or disabled adult.

~~38.37.~~ Section 827.071, relating to commercial sexual exploitation of children.

~~39.38.~~ Section 828.122, relating to fighting or baiting animals.

~~40.39.~~ Chapter 831, relating to forgery and counterfeiting.

~~41.40.~~ Chapter 832, relating to issuance of worthless checks and drafts.

~~42.41.~~ Section 836.05, relating to extortion.

~~43.42.~~ Chapter 837, relating to perjury.

~~44.43.~~ Chapter 838, relating to bribery and misuse of public office.

~~45.44.~~ Chapter 843, relating to obstruction of justice.

~~46.45.~~ Section 847.011, s. 847.012, s. 847.013, s. 847.06, or s. 847.07, relating to obscene literature and profanity.

~~47.46.~~ Chapter 849, relating to gambling, lottery, gambling or gaming devices, slot machines, or any of the provisions within that chapter.

~~48.47.~~ Chapter 874, relating to criminal gangs.

~~49.48.~~ Chapter 893, relating to drug abuse prevention and control.

~~50.49.~~ Chapter 896, relating to offenses related to financial transactions.

~~51.50.~~ Sections 914.22 and 914.23, relating to tampering with or harassing a witness, victim, or informant, and retaliation against a witness, victim, or informant.

~~52.51.~~ Sections 918.12 and 918.13, relating to tampering with jurors and evidence.

Section 25. Paragraph (c) of subsection (2) of section 903.046, Florida Statutes, is amended to read:

903.046 Purpose of and criteria for bail determination.—

(2) When determining whether to release a defendant on bail or other conditions, and what that bail or those conditions may be, the court shall consider:

(c) The defendant's family ties, length of residence in the community, employment history, financial resources, ~~and~~ mental condition, *and immigration status*.

Section 26. Paragraph (b) of subsection (3) and paragraph (e) of subsection (5) of section 907.041, Florida Statutes, are amended to read:

907.041 Pretrial detention and release.—

(3) RELEASE ON NONMONETARY CONDITIONS.—

(b) No person shall be released on nonmonetary conditions under the supervision of a pretrial release service, unless the service certifies to the court that it has investigated or otherwise verified:

1. The circumstances of the accused's family, employment, financial resources, character, mental condition, *immigration status*, and length of residence in the community;

2. The accused's record of convictions, of appearances at court proceedings, of flight to avoid prosecution, or of failure to appear at court proceedings; and

3. Other facts necessary to assist the court in its determination of the indigency of the accused and whether she or he should be released under the supervision of the service.

(5) PRETRIAL DETENTION.—

(e) When a person charged with a crime for which pretrial detention could be ordered is arrested, the arresting agency shall promptly notify the state attorney of the arrest and shall provide the state attorney with such information as the arresting agency has obtained relative to:

1. The nature and circumstances of the offense charged;

2. The nature of any physical evidence seized and the contents of any statements obtained from the defendant or any witness;

3. The defendant's family ties, residence, employment, financial condition, ~~and~~ mental condition, *and immigration status*; and

4. The defendant's past conduct and present conduct, including any record of convictions, previous flight to avoid prosecution, or failure to appear at court proceedings.

Section 27. Section 908.101, Florida Statutes, is amended to read:

908.101 Legislative findings and intent.—

(1) The Legislature finds that it is an important state interest to cooperate and assist the Federal Government in the enforcement of federal immigration laws within this state.

(2) *The Legislature further finds that designating a single state officer, the Commissioner of Agriculture, as the chief immigration officer, is essential to facilitating coordination, assistance, and communication between the Federal Government, state entities, local governmental entities, and law enforcement agencies regarding the enforcement of federal immigration laws.*

Section 28. Subsections (1) through (5) and subsections (6) and (7) of section 908.102, Florida Statutes, are renumbered as subsections (2) through (6) and subsections (8) and (9), respectively, and new subsections (1) and (7) are added to that section to read:

908.102 Definitions.—As used in this chapter, the term:

(1) *“Chief immigration officer” means the chief immigration officer as described in s. 19.55.*

(7) *“Office” means the Office of State Immigration Enforcement established within the Division of Law Enforcement under the Department of Agriculture and Consumer Services.*

Section 29. Section 908.1031, Florida Statutes, is created to read:

908.1031 Office of State Immigration Enforcement; creation; purpose and duties.—

(1) *The Office of State Immigration Enforcement is established within the Division of Law Enforcement under the Department of Agriculture and Consumer Services. The purpose of the office is to aid the Commissioner of Agriculture in the commissioner's role as the chief immigration officer of the state by:*

(a) *Encouraging cooperation by state entities, local governmental entities, and law enforcement agencies with the Federal Government to support the enforcement of federal immigration laws to the maximum extent permissible under federal law across the State of Florida.*

(b) *Serving as the central point of coordination between federal immigration agencies, state entities, local governmental entities, and law enforcement agencies regarding the enforcement of federal immigration laws.*

(2) *The office shall facilitate the collection and dissemination of investigative and intelligence information to the Federal Government.*

(3) *The office shall employ sworn law enforcement officers, nonsworn investigators, and administrative personnel. Such employees, when authorized by federal law, must aid local governmental entities and law enforcement agencies in the investigation and enforcement of federal immigration laws. The positions and resources necessary for the office to accomplish its duties shall be established through and subject to the legislative appropriations process.*

(4)(a) *Each law enforcement officer shall meet the qualifications of law enforcement officers under s. 943.13 and shall be certified as a law enforcement officer by the Department of Law Enforcement under the provisions of chapter 943. Upon certification, each law enforcement officer is subject to and shall have the same arrest and other authority provided for law enforcement officers generally in chapter 901 and shall have statewide jurisdiction. Each officer shall also have arrest authority as provided for state law enforcement officers in s. 901.15. Such officers have full law enforcement powers granted to other peace officers of this state, including the authority to make arrests, carry firearms, serve court process, and seize contraband and the proceeds of illegal activities.*

(b) *All law enforcement officers of the office, upon certification under s. 943.1395, shall have the same right and authority to carry arms as do the sheriffs of this state.*

(5) *By December 15 of each year, the office shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report may contain recommendations to the Legislature to improve the state's cooperation and coordination with the*



*Federal Government in the enforcement of federal immigration laws within this state. The report must detail the number of trained law enforcement officers under the required agreements in s. 908.11 and the level of cooperation and coordination between the following entities and federal immigration agencies:*

- (a) *State entities.*
- (b) *Local governmental entities.*
- (c) *Law enforcement agencies.*

(6) *The office serves as a relevant state law enforcement agency for any applicable Federal Homeland Security Task Force established under President Trump's Executive Order, Protecting the American People Against Invasion, issued on January 20, 2025.*

- (7) *The office may adopt rules to implement this section.*

Section 30. Subsections (5) through (8) of section 908.104, Florida Statutes, are renumbered as subsections (6) through (9), respectively, present subsections (5), (6), and (8) are amended, and a new subsection (5) is added to that section, to read:

**908.104 Cooperation with federal immigration authorities.—**

(5) *Upon request from a federal immigration agency, a sheriff or chief correctional officer operating a county detention facility must provide the requesting federal immigration agency a list of all inmates booked into a county detention facility and any information regarding each inmate's immigration status.*

(6)(5) *This section does not require a state entity, local governmental entity, or law enforcement agency to provide a federal immigration agency with information related to a victim of or a witness to a criminal offense if:*

- (a) *The victim or witness is necessary to the investigation or prosecution of a crime, and such crime occurred in the United States; and*
- (b) *The victim or witness timely and in good faith responds to the entity's or agency's request for information and cooperates ~~cooperation~~ in the investigation or prosecution of such ~~the~~ offense.*

(7)(6) *A state entity, local governmental entity, or law enforcement agency that, pursuant to subsection (6) (5), withholds information regarding the immigration information of a victim of or witness to a criminal offense shall document the victim's or witness's cooperation in the entity's or agency's investigative records related to the offense and shall retain the records for at least 10 years for the purpose of audit, verification, or inspection by the Auditor General.*

(9)(8) *This section does not apply to any alien unlawfully present in the United States if he or she is or has been a necessary witness or victim of a crime of domestic violence, rape, sexual exploitation, sexual assault, murder, manslaughter, assault, battery, human trafficking, kidnapping, false imprisonment, involuntary servitude, fraud in foreign labor contracting, blackmail, extortion, or witness tampering, provided that such crime was committed in the United States. Documentation, including, but not limited to, police reports, testimony, sworn statements, or a victim impact statement, must be relied upon to verify that the person was a necessary witness or victim to the crime.*

**Section 31. Section 908.1041, Florida Statutes, is created to read:**

**908.1041 Cooperation between public entities to enforce federal immigration laws.—**

(1) *Every state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government and any other public or private agency, person, partnership, corporation, or business entity contracted with or otherwise acting on behalf of any public agency has a duty and an obligation to cooperate to the fullest extent possible with the Federal Government in the enforcement of federal immigration laws and the protection of the borders of the United States.*

(2) *State entities and state law enforcement agencies must cooperate and coordinate with the office at its request concerning federal im-*

*migration laws or matters directly related thereto. Any communication with or coordination between a state entity and a federal immigration agency concerning such laws or matters must occur through the office. Any interagency agreement, memorandum of understanding, or contract, or any modification or amendment to such agreement, memorandum, or contract, concerning federal immigration laws or matters directly related thereto between a federal immigration agency and a state entity or state law enforcement agency must be approved by the chief immigration officer before execution.*

(3) *If a local governmental entity or local law enforcement agency requests assistance regarding federal immigration laws from a state entity or state law enforcement agency, that local governmental entity or local law enforcement agency must coordinate the request through the office.*

**Section 32. Section 908.1042, Florida Statutes, is created to read:**

**908.1042 State Immigration Enforcement Council.—***The State Immigration Enforcement Council is created within the office for the purpose of advising the chief immigration officer.*

(1) **MEMBERSHIP.**—*The council at a minimum must be composed of seven sheriffs and four police chiefs appointed by the chief immigration officer, as well as the executive director of the Department of Law Enforcement. The chief immigration officer must appoint a sheriff to serve as chair of the council.*

**(2) TERMS OF MEMBERSHIP; COMPENSATION; STAFF.—**

(a) *Appointments to the council must be made by March 1, 2025. Any vacancy shall be filled within 2 weeks after such a vacancy.*

(b) *Membership of the council shall not disqualify a member from holding any other public office or being employed by a public entity except that no member of the Legislature shall serve on the council. The Legislature finds that the council serves a state, county, and municipal purpose and that service on the council is consistent with a member's principal service in a public office or employment.*

(c) *Members of the council shall serve without compensation but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061.*

(d) *The office shall provide the council with staff necessary to assist the council in the performance of its duties.*

(3) **MEETINGS.**—*The council must meet quarterly. Additional meetings may be held at the discretion of the chair. A majority of members of the council constitute a quorum. Council meetings may be conducted by teleconference or other electronic means.*

**(4) DUTIES OF COUNCIL.—***The council shall:*

(a) *Advise the chief immigration officer on the efforts of local law enforcement agencies related to the enforcement of federal immigration laws within the state.*

(b) *Provide recommendations on the financial resources necessary to aid local law enforcement agencies in the cooperation and coordination with the Federal Government.*

(c) *Provide recommendations to enhance information sharing between state entities, local governmental entities, law enforcement agencies, and the Federal Government in the enforcement of federal immigration laws within the state. The recommendations must provide for enhanced use and coordination of the following Federal Government centers, including, but not limited to:*

1. *The Federal Bureau of Investigation's Terrorist Screening Center;*
2. *The United States Customs and Border Protection's National Targeting Center;*
3. *The United States Department of Homeland Security Fusion Centers; and*
4. *The United States Drug Enforcement Administration's Special Operations Unit.*

(d) *Provide recommendations of any resources necessary to facilitate the training of local law enforcement agencies in the cooperation and coordination with the Federal Government and the enforcement of federal immigration laws.*

(e) *Provide recommendations on strategies to increase the number of available detention beds for use by the United States Immigration and Customs Enforcement.*

(f) *Analyze the information collected in s. 908.1031(5), including the number of trained law enforcement officers under the required agreements in s. 908.11, and make recommendations to the chief immigration officer.*

(5) **RULEMAKING.**—*The office may adopt rules to implement this section.*

Section 33. Paragraph (c) of subsection (1) of section 908.105, Florida Statutes, is amended, paragraph (d) is added to that subsection, and subsection (4) is added to that section, to read:

908.105 Duties related to immigration detainees.—

(1) A law enforcement agency that has custody of a person subject to an immigration detainer issued by a federal immigration agency shall:

(c) Upon determining that the immigration detainer is in accordance with s. 908.102(3) ~~or 908.102(2)~~, comply with the requests made in the immigration detainer.

(d) *Notify the state attorney that the person is subject to an immigration detainer.*

(4)(a) *If any county, district, authority, municipality, or other local government adopts an ordinance, a regulation, a rule, or a policy refusing to comply with or otherwise directing local officials, employees, or others to refuse to comply with an immigration detainer issued by a federal immigration agency, the chief immigration officer must initiate judicial proceedings in the name of the state in order to enforce compliance. The court upon finding noncompliance with this subsection shall declare invalid the improper ordinance, regulation, rule, or policy and issue a permanent injunction against the local government prohibiting it from enforcing such ordinance, regulation, rule, or policy. It is not a defense that in enacting the ordinance, regulation, rule, or policy the local government was acting in good faith or upon advice of counsel.*

(b) *If the court determines that a violation was knowing and willful, the court must assess a civil fine of up to \$5,000 against the elected or appointed local government official or officials or administrative agency head under whose jurisdiction the violation occurred.*

(c) *Except as required by applicable law, public funds may not be used to defend or reimburse the unlawful conduct of any person found to have knowingly and willfully violated this subsection.*

Section 34. Subsections (1) and (2) of section 908.107, Florida Statutes, are amended to read:

908.107 Enforcement.—

(1)(a) Any executive or administrative state, county, or municipal officer who violates his or her duties under this chapter may be subject to action by the Governor in the exercise of his or her authority under the State Constitution and state law. Pursuant to s. 1(b), Art. IV of the State Constitution, the Governor may initiate judicial proceedings in the name of the state against such officers to enforce compliance with any duty under this chapter or restrain any unauthorized act contrary to this chapter.

(b) *The chief immigration officer may present evidence to the Governor that an executive or administrative state, county, or municipal officer has violated his or her duties under this chapter and recommend that the Governor take action using his or her authority under the State Constitution and state law.*

(2) In addition, the Attorney General or the chief immigration officer may file suit against a local governmental entity or local law enforcement agency in a court of competent jurisdiction for declaratory or injunctive relief for a violation of this chapter.

Section 35. Section 908.11, Florida Statutes, is amended to read:

908.11 Immigration enforcement assistance agreements; reporting requirement.—

(1) *The sheriff or the chief correctional officer* ~~By January 1, 2023, each law enforcement agency~~ operating a county detention facility must enter into a written agreement with the United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357. *The chief immigration officer must approve the termination of any such agreement.* This subsection does not require a sheriff or chief correctional officer operating a county detention facility ~~law enforcement agency~~ to participate in a particular program model.

(2) Beginning no later than ~~April 1, 2025~~ ~~October 1, 2022~~, and until the ~~sheriff or chief correctional officer operating a county detention facility law enforcement agency~~ enters into the written agreement required under subsection (1), each ~~sheriff or chief correctional officer law enforcement agency~~ operating a county detention facility must notify the ~~office Department of Law Enforcement~~ quarterly of the status of such written agreement and any reason for noncompliance with this section, if applicable.

Section 36. Section 908.13, Florida Statutes, is created to read:

908.13 *Emergency powers of the chief immigration officer.*—*Notwithstanding the provisions of ss. 252.31-252.90, this section provides the sole authority to declare a state of emergency related to illegal immigration, illegal migration, or immigration enforcement to the chief immigration officer.*

(1) *Within the powers conferred upon the chief immigration officer by law, the chief immigration officer may issue emergency orders, proclamations, and rules and may amend or rescind them. Such orders, proclamations, and rules have the force and effect of law. An emergency order, proclamation, or rule must be limited to a duration of not more than 60 days and may be renewed as necessary during the duration of the emergency. If renewed, such order, proclamation, or rule must specifically state the provisions being renewed.*

(2) *An emergency order or proclamation must be promptly disseminated by means calculated to bring its contents to the attention of the general public, and unless the circumstances attendant upon the emergency prevent or impede such filing, the order or proclamation must be filed promptly with the Governor, the Department of State, the President of the Senate, the Speaker of the House of Representatives, and the offices of the county commissioners in the counties to which the order or proclamation applies.*

(3)(a) *At any time, the Legislature, by concurrent resolution, may terminate a state of emergency or any specific order, proclamation, or rule thereunder. Upon such concurrent resolution, the chief immigration officer shall issue an emergency order or proclamation consistent with the concurrent resolution.*

(b) *Notwithstanding s. 252.46(2), all emergency declarations and orders, regardless of how titled, issued under the authority of this section by the chief immigration officer before, during, or after a declared emergency must be immediately filed with the Division of Administrative Hearings. Failure to file any such declaration or order with the division within 5 days after issuance voids the declaration or order. The division shall index all such declarations and orders and make them available in a searchable format on its website within 3 days after filing. The searchable format must include, but is not limited to, searches by term, referenced statutes, and rules and must include a search category that specifically identifies emergency orders in effect at any given time. A link to the division's index must be placed in a conspicuous location on the Department of Agriculture and Consumer Services' website.*

(4) *During a declared state of emergency for illegal immigration, illegal migration, or immigration enforcement, the chief immigration officer shall coordinate with and advise state and local law enforcement agencies for the purpose of securing compliance with this chapter.*

(5) *The chief immigration officer, when deemed necessary to respond to immigration-related emergencies, shall request assistance from the*

*Governor for the activation and deployment of Florida National Guard personnel and equipment.*

Section 37. Paragraph (d) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(d) LEVEL 4

Florida Statute	Felony Degree	Description			
			787.07	3rd	Human smuggling.
			790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
			790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
			790.115(2)(c)	3rd	Possessing firearm on school property.
104.155	3rd	<i>Unauthorized alien willfully voting; aiding or soliciting unauthorized alien in voting.</i>	794.051(1)	3rd	Indecent, lewd, or lascivious touching of certain minors.
			800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.	806.135	2nd	Destroying or demolishing a memorial or historic property.
			810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
499.0051(5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.	810.06	3rd	Burglary; possession of tools.
517.07(1)	3rd	Failure to register securities.	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
517.12(1)	3rd	Failure of dealer or associated person of a dealer of securities to register.	810.145(3)(b)	3rd	Digital voyeurism dissemination.
784.031	3rd	Battery by strangulation.	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.	812.014(2)(c)4. & 6.-10.	3rd	Grand theft, 3rd degree; specified items.
784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.	812.014(2)(d)2.	3rd	Grand theft, 3rd degree; \$750 or more taken from dwelling or its unenclosed curtilage.
784.075	3rd	Battery on detention or commitment facility staff.	812.014(2)(e)3.	3rd	Petit theft, 1st degree; less than \$40 taken from dwelling or its unenclosed curtilage with two or more prior theft convictions.
784.08(2)(c)	3rd	Battery on a person 65 years of age or older.	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
784.081(3)	3rd	Battery on specified official or employee.	817.505(4)(a)	3rd	Patient brokering.
784.082(3)	3rd	Battery by detained person on visitor or other detainee.	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
784.083(3)	3rd	Battery on code inspector.	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.	817.5695(3)(c)	3rd	Exploitation of person 65 years of age or older, value less than \$10,000.
787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.	817.625(2)(a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.	817.625(2)(c)	3rd	Possess, sell, or deliver skimming device.
787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid produ-	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding dis-

cing child at custody hearing or delivering to designated person.

		ability to any registered horse or cattle.	telephone or other portable communication device introduced into county detention facility.
836.14(2)	3rd	Person who commits theft of a sexually explicit image with intent to promote it.	Section 38. Section 921.1426, Florida Statutes, is created to read:
836.14(3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.	<i>921.1426 Sentence of death for capital offense committed by an unauthorized alien.—Notwithstanding any provision of law to the contrary, the court shall sentence a defendant who is an unauthorized alien and who is convicted or adjudicated guilty of a capital felony to a sentence of death. For the purposes of this section, an “unauthorized alien” means a person who is unlawfully present in the United States according to the terms of the federal Immigration and Nationality Act, 8 U.S.C. ss. 1101 et seq. The term shall be interpreted consistently with any applicable federal statutes, rules, or regulations.</i>
837.02(1)	3rd	Perjury in official proceedings.	
837.021(1)	3rd	Make contradictory statements in official proceedings.	
838.022	3rd	Official misconduct.	
839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.	Section 39. Subsections (15) and (16) of section 943.03, Florida Statutes, are renumbered as subsections (16) and (17), respectively, subsection (14) is amended, and a new subsection (15) is added to that section, to read:
839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.	943.03 Department of Law Enforcement.—
843.021	3rd	Possession of a concealed handcuff key by a person in custody.	(14) The department, with respect to counter-terrorism efforts, responses to acts of terrorism within or affecting this state, <del>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,</del> and other matters related to the domestic security of Florida as it relates to terrorism <del>and immigration enforcement incidents,</del> 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, <del>immigration enforcement incidents within or affecting this state,</del> and in the response to such acts <del>or incidents.</del> 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.
843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.	
843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).	
843.19(2)	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.	
847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.	
870.01(3)	2nd	Aggravated rioting.	
870.01(5)	2nd	Aggravated inciting a riot.	
874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.	(15) <i>The department shall coordinate with the Office of State Immigration Enforcement within the Department of Agriculture and Consumer Services when providing assistance to the Federal Government in the enforcement of federal immigration laws.</i>
893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)5. drugs).	Section 40. Section 943.03101, Florida Statutes, is amended to read:
914.14(2)	3rd	Witnesses accepting bribes.	943.03101 Counter-terrorism <del>and immigration enforcement</del> coordination.—The Legislature finds that with respect to counter-terrorism efforts <del>and;</del> initial responses to acts of terrorism within or affecting this state, <del>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,</del> 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, <del>immigration enforcement incidents within or affecting this state,</del> 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).
914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.	
914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.	
916.1085(2)(c)1.	3rd	Introduction of specified contraband into certain DCF facilities.	
918.12	3rd	Tampering with jurors.	
934.215	3rd	Use of two-way communications device to facilitate commission of a crime.	
944.47(1)(a)6.	3rd	Introduction of contraband (cellular telephone or other portable communication device) into correctional institution.	
951.22(1)(h),(j) & (k)	3rd	Intoxicating drug, instrumentality or other device to aid escape, or cellular	Section 41. Subsections (3) through (8) of section 943.0311, Florida Statutes, are renumbered as subsections (2) through (7), respectively, and subsection (1) and present subsections (2) and (4) 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) *Coordinate with the chief immigration officer within the Department of Agriculture and Consumer Services when providing assistance to the Federal Government in the enforcement of federal immigration laws.*

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

~~(f)(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 Commerce of any violations.~~

~~(3)(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 (5) ~~(6)~~. The chief may utilize the assessments provided under subsection (5) ~~(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 42. 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 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 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 43. 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.
12. Two representatives of the Florida Fire Chiefs Association.
13. One representative of the Florida Police Chiefs Association.
14. One representative of the Florida Prosecuting Attorneys Association.
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.
18. One representative of the Florida Emergency Preparedness Association.
19. One representative of the Florida Seaport Transportation and Economic Development 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.
9. A representative of the United States Department of Homeland Security.
10. A representative of United States Immigration and Customs Enforcement.
11. A representative of United States Customs and Border Protection.

(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 ef-~~

~~forts 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 44. Effective July 1, 2025, paragraph (a) of subsection (12) of section 1009.26, Florida Statutes, is amended to read:

#### 1009.26 Fee waivers.—

(12)(a) A state university, a Florida College System institution, a career center operated by a school district under s. 1001.44, or a charter technical career center shall waive out-of-state fees for students *who are citizens of the United States or lawfully present in the United States, including, but not limited to, students who are undocumented for federal immigration purposes*, who meet the following conditions:

1. Attended a secondary school in this state for 3 consecutive years immediately before graduating from a high school in this state;
2. Apply for enrollment in an institution of higher education within 24 months after high school graduation; and
3. Submit an official Florida high school transcript as evidence of attendance and graduation.

Section 45. *Students receiving a fee waiver pursuant to s. 1009.26(12), Florida Statutes, must be reevaluated for eligibility beginning July 1, 2025.*

Section 46. (1) *Any interagency agreement, memorandum of understanding, or contract existing before the effective date of this act between the Department of Law Enforcement and any other agency related to the coordination or enforcement of federal immigration laws shall continue as an agreement, memorandum, or contract for the remainder of its term with the Department of Agriculture and Consumer Services replacing the Department of Law Enforcement as a party.*

(2) *Any administrative rules promulgated by the Department of Law Enforcement related to coordination with the Federal Government regarding federal immigration laws or the enforcement of federal immigration laws are transferred to the Department of Agriculture and Consumer Services.*

Section 47. (1) *The Office of State Immigration Enforcement within the Division of Law Enforcement under the Department of Agriculture and Consumer Services is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to implement the creation by this act of ss. 19.56, 908.1031, and 908.1042, Florida Statutes. Notwithstanding any other law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

(2) *This section expires July 1, 2026.*

Section 48. *The Legislature finds that the state's criminal justice training centers as well as facilities of the Department of Military Affairs, such as the Camp Blanding Joint Training Center, are highly qualified and critical strategic, year-round assets for training. The Legislature has made significant investments to make the Camp Blanding Joint Training Center the premier facility in the Southeast. In order to support the anticipated training and operations involving multiple federal, state, and local agencies, and given the scale and value of this state's assets, the Department of Military Affairs and local law enforcement shall work with the Office of State Immigration Enforcement within the Department of Agriculture and Consumer Services to ensure that the state's federal partners can access and use the state's physical assets in order to further the nation's mission to address illegal immigration. Such activities include outreach to federal partners as well as entering into agreements for the use of such facilities.*

Section 49. Section 1 of chapter 2023-3, Laws of Florida, is amended to read:

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

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

(3) To mitigate the effects of this crisis on the State of Florida, the Unauthorized Alien Transport Program is created within the Division of Law Enforcement under the Department of Agriculture and Consumer Services ~~Emergency Management within the Executive Office of the Governor~~ for the purpose of facilitating the transport of inspected unauthorized aliens within the United States, consistent with federal law. Notwithstanding s. 287.057, Florida Statutes, the division is authorized to contract for services to implement the program.

(4) *The division shall evaluate the effectiveness and value of the program in assisting coordination with the Federal Government and recommend to the Legislature by March 15, 2025, to make no changes or to continue or modify the program.*

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

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

Section 50. *Notwithstanding s. 252.36, Florida Statutes, Executive Order 23-03, renewed by executive orders 23-49, 23-88, 23-134, 23-213, 23-245, 24-35, 24-74, 24-118, 24-173, 24-220, and 24-269, may not be renewed. Once the state of emergency expires, or but for early termination would have expired, the Governor may not issue a subsequent state of*

*emergency with respect to the same or substantially similar issue or circumstances.*

Section 51. (1) *For the 2024-2025 fiscal year, the sums of \$20,562,630 in recurring funds and \$484,467,609 in nonrecurring funds are appropriated from the General Revenue Fund to the Department of Agriculture and Consumer Services to implement this act.*

(2) *From the recurring general revenue funds, \$898,592 shall be allocated to the Executive Direction and Support Services budget entity in specific appropriations categories: \$852,500 in Salaries and Benefits, \$43,631 in Expenses, and \$2,461 in Transfer to the Department of Management Services/Statewide Human Resources Contract, and \$19,664,038 shall be allocated to the Division of Law Enforcement/Office of State Immigration Enforcement in specific appropriations categories: \$13,827,050 in Salaries and Benefits, \$3,694,073 in Expenses, \$15,000 in Operating Capital Outlay, \$2 million in Contracted Services, \$49,915 in Transfer to the Department of Management Services/Statewide Human Resources Contract, and \$78,000 in Salary Incentive Payments. These funds shall be released immediately upon this act becoming a law.*

(3) *From the nonrecurring general revenue funds, \$38,017 shall be allocated to the Executive Direction and Support Services budget entity in the expense category, and \$9,429,592 shall be allocated to the Division of Law Enforcement/Office of State Immigration Enforcement in specific appropriations categories: \$1,515,114 in Expenses, \$478,850 in Operating Capital Outlay, \$6,402,468 in Acquisition of Motor Vehicles, \$533,160 in Acquisition of Boats, Motors, and Trailers, and \$500,000 in Contracted Services. These funds shall be released immediately upon this act becoming a law. The unexpended balance of nonrecurring general revenue funds appropriated to the Division of Law Enforcement/Office of State Immigration Enforcement remaining on June 30, 2025, shall revert and is appropriated to the Division of Law Enforcement/Office of State Immigration Enforcement for Fiscal Year 2025-2026 for the same purpose.*

(4) *The Department of Agriculture and Consumer Services is authorized to establish 142.00 full-time equivalent positions with associated salary rate of 8,584,000 in the Division of Law Enforcement/Office of State Immigration Enforcement for the purpose of implementing this act. The following specific positions, classifications, and pay plans are authorized: one Law Enforcement Major, class code 8630, pay plan 01; one Law Enforcement Captain, class code 8630, pay plan 01; four Law Enforcement Lieutenants, class code 8522, pay plan 01; 44 Law Enforcement Officers, class code 8515, pay plan 01; four Investigation Supervisor-SES, class code 8354, pay plan 08; 46 Investigation Specialist II, class code 8318, pay plan 01; two Training Consultant III, class code 6004, pay plan 01; 20 Regulatory Specialist III, class code 0444, pay plan 01; one chief of general operations, class code 9328, pay plan 08; three senior attorneys, class code 7738, pay plan 08; and 16 government operations consultants, class code 2238, pay plan 01.*

(5) *The Department of Agriculture and Consumer Services is authorized to establish 7.00 full-time equivalent positions with associated salary rate of 550,000 in the Executive Direction and Support Services budget entity for the purpose of implementing this act. The following specific positions, classifications, and pay plans are authorized: two Senior Attorneys, class code 7738, pay plan 08; three Government Analyst II, class code 2225, pay plan 01; one Purchasing Analyst, class code 0830, pay plan 01; and one Human Resource Specialist, class code 0190, pay plan 01.*

(6) *From the nonrecurring general revenue funds, \$100 million shall be allocated to specific appropriation special category Local Law Enforcement Immigration Grant Program in the Division of Law Enforcement/Office of State Immigration Enforcement to implement the Local Law Enforcement Immigration Grant Program. The amount of \$3.75 million shall be released immediately upon this act becoming a law. The division/office shall use these funds for administrative costs associated with developing and implementing the grant program. The division/office shall develop an implementation plan, including procedures, administration, and criteria for approving grant applications. The implementation plan shall be submitted to the President of the Senate and*



*the Speaker of the House of Representatives no later than March 1, 2025. Upon approval of the implementation plan by the President of the Senate and the Speaker of the House of Representatives, the Chief Financial Officer shall immediately release the balance of funds to the division/office.*

(7) *From the nonrecurring general revenue funds, \$25 million shall be allocated to specific appropriation special category Local Law Enforcement Federal Participation Incentive Program in the Division of Law Enforcement/Office of State Immigration Enforcement to implement the Local Law Enforcement Federal Participation Incentive Program. The funds shall be released to the division/office immediately upon this act becoming a law.*

(8) *From the nonrecurring general revenue funds, \$350 million shall be allocated to specific appropriation special category Implementation and Support for Enforcement of Federal Immigration Policies in the Division of Law Enforcement/Office of State Immigration Enforcement to implement specific recommendations from the division/office for use of the funds, which may include funds to support federal access to training facilities in this state; grants to local law enforcement to retain existing law enforcement officers or attract new officers; and grants to pay costs incurred by local law enforcement that were necessary for the full support and coordination with the Federal Government in the implementation and enforcement of federal immigration policies, including training activities related to the federal program established under s. 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357. The division/office shall develop a report of the recommendations including allocations of applicable costs and implementation plans. The report shall be submitted to the President of the Senate and the Speaker of the House of Representatives by March 15, 2025. Upon approval of the report by concurrent resolution of the Legislature, the Chief Financial Officer shall immediately release funds to the division/office consistent with the recommendations approved from the report.*

Section 52. *The unexpended balance of funds provided in section 229, chapter 2024-231, Laws of Florida, to the Executive Office of the Governor, Division of Emergency Management shall immediately revert. For the 2024-2025 fiscal year, the nonrecurring sum of \$10 million from the General Revenue Fund is appropriated to the Division of Law Enforcement within the Department of Agriculture and Consumer Services for the Unauthorized Alien Transport Program as amended by this act. The funds shall be released to the division immediately upon this act becoming a law.*

Section 53. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to immigration; providing a short title; amending s. 14.23, F.S.; providing that the Commissioner of Agriculture is the only person responsible for serving as liaison between certain entities regarding federal immigration laws; authorizing the Commissioner of Agriculture to appoint an employee to serve in a specific capacity; creating s. 19.55, F.S.; providing that the Commissioner of Agriculture is the chief immigration officer; providing responsibilities for such position; creating s. 19.56, F.S.; creating the Local Law Enforcement Immigration Grant Program within the Office of State Immigration Enforcement within the Division of Law Enforcement under the Department of Agriculture and Consumer Services for specified purposes; providing the process for awarding grants; prohibiting grants from being awarded for certain activities; requiring the office to adopt rules; creating s. 19.57, F.S.; creating the Local Law Enforcement Federal Participation Incentive Program within the Office of State Immigration Enforcement within the Division of Law Enforcement under the Department of Agriculture and Consumer Services for specified purposes; requiring the office to prescribe the procedure and application for the program and distribution of bonus payments; prohibiting awards from being made for certain activities; providing the process for awarding bonus payments; requiring the office to adopt rules; amending s. 20.14, F.S.; revising the division structure within the Department of Agriculture and Consumer Services; authorizing the

department to establish certain offices; creating s. 104.155, F.S.; providing criminal penalties for certain persons who vote in an election; prohibiting certain defenses from being raised; providing criminal penalties for a person who takes certain actions with specified knowledge; amending s. 252.36, F.S.; providing construction; amending s. 288.061, F.S.; requiring the Department of Commerce to take specified actions when notified of noncompliance with specified economic development incentive application requirements; amending ss. 319.001 and 320.01, F.S.; defining the term "valid passport"; amending s. 322.02, F.S.; providing legislative intent; amending s. 322.033, F.S.; providing legislative intent; specifying that certain driver licenses issued by other states exclusively to unauthorized aliens are invalid in this state and do not authorize the holder to operate motor vehicles in this state; amending s. 322.08, F.S.; revising the types of documents that may be used as proof of identity for application for certain licenses; amending s. 322.121, F.S.; revising the exceptions to the prohibitions on a person being identified as a "Safe Driver"; revising the time period for making certain notifications to the department in order to be identified as a "Safe Driver"; amending s. 322.19, F.S.; requiring a person who has become a citizen of the United States to obtain specified replacement documents within a certain time; amending s. 395.3027, F.S.; revising reporting requirements related to patient immigration status; amending s. 448.09, F.S.; conforming provisions to changes made by the act; amending s. 448.095, F.S.; revising the entities responsible for enforcing provisions relating to employment eligibility; revising the trust fund into which certain funds are deposited; amending s. 480.0535, F.S.; expanding the parties required to receive a certain notice related to massage establishments; creating s. 775.0824, F.S.; providing legislative intent; defining terms; providing sentencing requirements for dangerous unauthorized alien offenders; providing construction; amending s. 775.0848, F.S.; expanding the classification of crimes that may be reclassified in certain circumstances; amending s. 874.03, F.S.; revising the definition of the term "criminal gang"; defining the term "transnational crime organization"; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; amending s. 903.046, F.S.; expanding the criteria the court must consider when making bail determinations; amending s. 907.041, F.S.; expanding circumstances a pretrial release service must certify to the court; expanding the information required to be reported to a state attorney after an arrest; amending s. 908.101, F.S.; providing additional legislative findings; amending s. 908.102, F.S.; defining the terms "chief immigration officer" and "office"; creating s. 908.1031, F.S.; creating the Office of State Immigration Enforcement within the Division of Law Enforcement under the Department of Agriculture and Consumer Services for specified purposes; requiring the office to employ certain personnel; providing powers, duties, and qualifications for such personnel; providing certain authority and powers of such personnel; providing reporting requirements; providing that the office serves a specified purpose; authorizing the office to adopt rules; amending s. 908.104, F.S.; requiring specified parties to provide certain information to a federal immigration agency; expanding the criteria for receiving a certain exemption; revising applicability; creating s. 908.1041, F.S.; requiring cooperation and coordination between specified entities in the enforcement of immigration laws; requiring the approval of the state immigration officer for certain actions related to agreements or contracts; creating s. 908.1042, F.S.; creating the State Immigration Enforcement Council; providing the purpose, membership, compensation, staff, meetings, and duties of the council; authorizing the Office of State Immigration Enforcement to adopt rules; amending s. 908.105, F.S.; requiring law enforcement agencies that have custody of specified persons to notify the state attorney; requiring the chief immigration officer to initiate judicial proceedings in the name of the state under specified circumstances; requiring a court, upon a certain finding, to declare invalid specified ordinances, regulations, rules, or policies and issue a permanent injunction; prohibiting a certain defense from being raised; requiring the court to issue a fine if it makes a certain determination; prohibiting the use of public funds under certain circumstances; providing an exception; conforming a cross-reference; amending s. 908.107, F.S.; authorizing the chief immigration officer to present certain evidence to the Governor and make certain recommendations and to file suit against certain entities and agencies for a specified purpose; amending s. 908.11, F.S.; revising the entities required to enter into certain agreements with the United States Immigration and Customs Enforcement; requiring that

entities that do not enter into such agreements by a specified date take certain actions; creating s. 908.13, F.S.; providing construction; authorizing the chief immigration officer to issue a state of emergency in specified circumstances; authorizing the issuance, amendment, and renewal of certain orders, proclamations, and rules that meet certain conditions; requiring emergency orders to be disseminated in a specified manner; requiring such orders be filed with specified parties; providing an exception; authorizing the Legislature to take certain actions relating to a state of emergency declared by the chief immigration officer; requiring the chief immigration officer to issue a certain order in specified circumstances; requiring that certain declarations and orders be filed in a specified manner with the Division of Administrative Hearings; requiring the division to make all such declarations and orders available in a searchable format; requiring a certain link be placed on the Department of Agriculture and Consumer Services website; requiring the chief immigration officer to take certain actions during a specified state of emergency; requiring the chief immigration officer to request certain assistance during specified states of emergency; amending s. 921.0022, F.S.; ranking an offense created by the act on the offense severity ranking chart of the Criminal Punishment Code; creating s. 921.1426, F.S.; requiring a court to sentence unauthorized aliens convicted of specified crimes to death; defining the term “unauthorized alien”; amending s. 943.03, F.S.; requiring the Department of Law Enforcement to coordinate with the chief immigration officer for a certain purpose; amending s. 943.03101, F.S.; conforming provisions to changes made by the act; amending s. 943.0311, F.S.; requiring the Chief of Domestic Security to coordinate with the chief immigration officer for a certain purpose; amending ss. 943.0312 and 943.0313, F.S.; conforming provisions to changes made by the act; amending s. 1009.26, F.S.; revising eligibility for certain fee waivers; requiring that students receiving such a waiver be reevaluated for eligibility beginning on a certain date; requiring that certain agreements and contracts replace one party with a specified entity; requiring the transfer of certain rules; authorizing the Office of State Immigration Enforcement to adopt emergency rules; providing requirements for such rules; providing legislative findings; requiring the Department of Military Affairs and local law enforcement to work with the Office of State Immigration Enforcement for a specified purpose; amending chapter 2023-3, Laws of Florida; conforming provisions to changes made by the act; requiring the Division of Law Enforcement to evaluate a specified program and make recommendations by a certain date; prohibiting the renewal or issuance of certain executive orders; providing appropriations; authorizing the establishment of certain positions; requiring the reversion of the unexpended balance of certain funds; providing for immediate release of specified funds; providing effective dates.

WHEREAS, the United States has long welcomed immigrants to this country, and

WHEREAS, federal law provides many pathways for immigrants to become permanent lawful residents and citizens of the United States and to enter the country temporarily for work, education, and tourism, and

WHEREAS, the state welcomes lawful immigrants who love freedom, recognize the equality and intrinsic value and worth of all individuals, wish to follow the law, and who seek to contribute to our state’s peace, security, cultural vibrancy, and prosperity, and

WHEREAS, the previous federal administration substantially ignored its duties under federal law to deter and prevent illegal immigration and remove illegal immigrants, and

WHEREAS, representatives of the previous federal administration repeatedly claimed the “border is secure,” despite the fact that millions of immigrants entered the United States illegally, outside of designated border crossings, and

WHEREAS, illegal immigrants caught crossing the southwest border illegally included dangerous criminals on the terrorist watch list, some of whom were released into the United States by the previous federal administration, and

WHEREAS, the open border policies of the previous federal administration have allowed drug cartels to smuggle massive amounts of illegal drugs, including fentanyl, across the border and into American communities, causing loss of American lives and dangerous, deadly situations for first responders, and

WHEREAS, SM 1020 (2024) urged the federal government to designate drug cartels as foreign terrorist organizations, and

WHEREAS, President Trump, in his executive order Designating Cartels and Other Organizations as Foreign Terrorist Organizations and Specially Designated Global Terrorists, implemented a policy to ensure the total elimination of these organizations’ presence in the United States and their ability to threaten the territory, safety, and security of our country, and

WHEREAS, instead of deterring and preventing illegal immigration, the previous federal administration and sanctuary jurisdictions invited, administered, and oversaw an unprecedented flood of illegal immigration into the United States, encouraging people to illegally cross the border, putting themselves in danger as well as allowing dangerous individuals to enter and commit crimes across the country at a high cost to the American people, and

WHEREAS, the previous federal administration and sanctuary jurisdictions, through their actions incentivizing illegal entry into our county, caused great financial harm to the nation and communities, and

WHEREAS, in response to the border crisis caused by the previous federal administration, the Florida Legislature passed enhanced state laws to combat illegal immigration, making Florida a national leader in fighting illegal immigration, and

WHEREAS, SB 168 (2019) prohibited a state entity, local governmental entity, or law enforcement agency from having a sanctuary policy, and

WHEREAS, SB 168 (2019) required a county correctional facility to enter into an agreement with a federal immigration agency for the payment of costs associated with housing and detaining defendants, and

WHEREAS, SB 1718 (2023) helped to protect citizens from the financial costs of illegal immigration, competition in the labor force from illegal immigrants who drive down wages for citizens, and security risks created by some illegal immigrants and gangs of criminal illegal immigrants, and

WHEREAS, SB 1718 (2023) increased criminal penalties for human-smuggling of children and persons the offender knew to have unlawfully entered the United States, and

WHEREAS, SB 1718 (2023) required widespread use of E-Verify to deny employment to illegal immigrants who are not authorized to work in this country, and

WHEREAS, SB 1718 (2023) increased penalties for using false identification documents to obtain employment, and

WHEREAS, SB 1718 (2023) declared as invalid driver licenses issued by other states that did not require proof of lawful presence in the United States, and

WHEREAS, SB 1718 (2023) required persons in the custody of a law enforcement agency and subject to an immigration detainer to submit a DNA sample, and

WHEREAS, SB 1718 (2023) required the reporting of data to aid in the estimation of the cost of health care provided to illegal immigrants, and

WHEREAS, HB 1589 (2024) increased the criminal penalties for repeated offenses of driving without a valid driver license, and

WHEREAS, SB 1036 (2024) increased criminal penalties when people convicted of illegal reentry commit a felony or commit a crime that furthers the interests of a transnational crime organization, and

WHEREAS, HB 1451 (2024) and SB 1718 (2023) prohibited counties and municipalities from funding and accepting identification cards knowingly issued by organizations to individuals not lawfully present in the United States, and

WHEREAS, uninsured drivers increase the cost of auto insurance and a national survey indicated half of adult illegal immigrants drive without auto insurance, and

WHEREAS, the Department of Corrections estimated the cost to house 4,653 illegal immigrant inmates in 2023 exceeded \$143 million, and

WHEREAS, according to the Department of Education, for the 2022-2023 school year, there were 152,437 immigrant children enrolled in the public schools at a cost of approximately \$8,000 per student, and

WHEREAS, President Trump, within his first hours of office, issued several executive orders to protect American citizens and interests and secure the nation's borders, and

WHEREAS, the President of the United States has the authority under the Immigration and Nationality Act, as well as inherent authority under Article II of the Constitution, to prevent the physical entry of illegal aliens into the United States across the southern border, and

WHEREAS, President Trump declared the existence of a national emergency at the southern border of the United States and has declared his intent to take every lawful action at his disposal to address the crisis and take back control from the previous federal administration's abdication of its responsibility to enforce the border, and

WHEREAS, President Trump stated the policy of the United States is to secure the borders, and ordered the border be secured through various means, including federal-state partnerships with local law enforcement agencies to enforce federal immigration priorities, detaining and removing aliens apprehended for violations of immigration law, and ending the "catch-and-release" practices of previous administrations, and

WHEREAS, President Trump declared the new national direction for federal agencies to take all appropriate action to protect the public safety and national security interests of the American people by ensuring the successful enforcement of federal laws, including order of removal and stopping illegal entry, and

WHEREAS, President Trump has indicated his guarantee the federal government will take all appropriate steps to protect the American public against the invasion of unknown persons attempting to illegally enter the United States, and

WHEREAS, President Trump has ordered the federal laws related to the process of entry of migrants to be enforced, instead of ignored or side-stepped as in the previous administration, and such vigilant security and stringent verification will protect Americans and identify criminals or those intending harm before they ever are admitted or enter the United States, and

WHEREAS, on January 21, 2025, the new acting commandant of the United States Coast Guard directed operational commanders to immediately surge assets, including cutters, aircraft, boats, and specialized forces, to areas around this state to prevent a maritime mass migration from Haiti or Cuba and to detect and deter drug smuggling, and

WHEREAS, President Trump has suspended the U.S. Refugee Admissions Program to provide relief to small cities and towns which have seen significant influxes of migrants, and because American communities lack the ability to absorb large numbers of migrants, and in particular, refugees, in a manner that does not compromise the availability of resources for Americans, that protects American safety and security, and that ensures the appropriate assimilation of refugees, and

WHEREAS, the numerous executive orders entered by President Trump demonstrate the federal government will finally end policies detrimental to lawful citizens and will enforce the laws of this country to combat illegal immigration, protect victims of crimes committed by illegal immigrants, reduce cost burdens related to illegal aliens, including ending public benefits, and protect our borders, and

WHEREAS, it is necessary to detail immigration enforcement responsibilities in Florida law and to centralize those responsibilities in an agency having authority in civil, administrative, and criminal matters, and

WHEREAS, the Legislature finds it necessary to rigorously implement both the letter and spirit of President Trump's plan to secure our border, protect our state and national sovereignty, support Florida law enforcement, and affirm the federal government's responsibility over immigration, NOW, THEREFORE,

## MOTIONS

On motion by Senator Passidomo, the rules were waived and time of adjournment was extended until completion of today's business.

## SENATOR BRODEUR PRESIDING

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bernard moved the following amendment to **Amendment 1** which failed:

**Amendment 1A (266172) (with title amendment)**—Delete line 1651 and insert:  
*eligibility beginning July 1, 2025. A student in grade 9 in this state as of the effective date of this act shall remain eligible for a fee waiver under s. 1009.26(12), Florida Statutes, for a maximum of 4 years after the student's high school graduation.*

And the title is amended as follows:

Delete line 2042 and insert: on a certain date; providing that certain students remain eligible for such a waiver for a specified period; requiring that certain agreements

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Jones moved the following amendment to **Amendment 1** which failed:

**Amendment 1B (953310) (with title amendment)**—Delete line 1651 and insert:  
*eligibility beginning July 1, 2025. Any student, at the time of the effective date of this act, enrolled at a state university, Florida College System institution, career center operated by a school district under s. 1001.44, Florida Statutes, or charter technical career center who has been granted a fee waiver pursuant to s. 1009.26(12), Florida Statutes, may continue to pursue his or her current degree or certificate under such fee waiver for a maximum of 4 years.*

And the title is amended as follows:

Delete line 2042 and insert:  
an a certain date; authorizing students enrolled at a specified time and at specified universities, institutions, career centers, or technical career centers to continue to pursue their degrees or certificates under a fee waiver for a specified timeframe; requiring certain agreements

The vote was:

Yeas—13

Arrington	Bradley	Osgood
Berman	Calatayud	Pizzo
Bernard	Jones	Polsky

Rodriguez  
Rouson

Sharief  
Smith

Nays—24

Mr. President	Fine	Martin
Avila	Gaetz	McClain
Boyd	Grall	Passidomo
Brodeur	Gruters	Simon
Burgess	Harrell	Truenow
Burton	Hooper	Trumbull
Collins	Ingoglia	Wright
DiCeglie	Leek	Yarborough

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Smith moved the following amendment to **Amendment 1** which failed:

**Amendment 1C (802846) (with title amendment)**—Delete lines 846-917 and insert:

Section 30. Subsection (1) of section 908.104, Florida Statutes, is amended to read:

908.104 Cooperation with federal immigration authorities.—

(1) *Except as provided in s. 908.1041, a law enforcement agency shall use best efforts to support the enforcement of federal immigration law. This subsection applies to an official, representative, agent, or employee of the entity or agency only when he or she is acting within the scope of his or her official duties or within the scope of his or her employment.*

Section 31. Section 908.1041, Florida Statutes, is created to read:

*908.1041 Prohibition against engaging in immigration enforcement activities near public schools or religious institutions.—*

(1) *As used in this section, the term:*

(a) *“Immigration enforcement activities” means any action by a law enforcement officer or agency, including, but not limited to, the identification, detention, questioning, investigation, or arrest of individuals based on their immigration status.*

(b) *“Public school” means any facility or location providing primary or secondary education, including, but not limited to, public K-12 schools, charter schools, and school grounds.*

(c) *“Religious institution” means any building or space primarily used for religious worship or practices, including, but not limited to, churches, synagogues, mosques, temples, and other places of religious gatherings.*

(2) *A law enforcement agency, officer, or sheriff’s deputy may not engage in or cooperate with immigration enforcement activities or engage in or cooperate with immigration enforcement activities pursuant to the Unauthorized Alien Transport Program under s. 908.13 within 500 feet of any public school or religious institution, except in cases of exigent circumstances where immediate action is necessary to prevent harm or death. A local law enforcement agency may not:*

(a) *Use agency resources, personnel, or authority to question, detain, or arrest individuals solely based on their immigration status on the grounds of, or within 500 feet of, a public school or religious institution.*

(b) *Collaborate with federal immigration agency authorities for immigration enforcement purposes within or around the areas described in this subsection unless authorized to do so by a court with jurisdiction over the matter.*

(3) *This section does not prohibit a local law enforcement agency from engaging in activities related to criminal investigations, emergency*

*responses, or school safety as authorized by law, provided such activities do not involve immigration enforcement activities.*

(4) *Within 30 days after the effective date of this act, each local law enforcement agency shall submit a report to the Department of Law Enforcement detailing policies and protocols for compliance with this section, including training protocols for officers.*

(5) *A local law enforcement agency or officer who violates this section may be subject to disciplinary action by the local governmental entity, including suspension, dismissal, or loss of funding for local enforcement efforts.*

Section 32. *The Division of Law Revision is directed to replace the phrase “the effective date of this act” with the date this act becomes a law.*

And the title is amended as follows:

Delete lines 1966-1974 and insert: adopt rules; amending s. 908.104, F.S.; conforming a provision to changes made by the act; creating s. 908.1041, F.S.; defining terms; prohibiting local law enforcement agencies or officers from engaging in or cooperating with immigration enforcement activities or engaging in or cooperating with immigration enforcement activities pursuant to the Unauthorized Alien Transport Program within a specified distance of public schools or religious institutions; providing an exception; requiring law enforcement agencies to submit a report to the Department of Law Enforcement within a specified timeframe; providing requirements for the report; providing for disciplinary action; providing a directive to the Division of Law Revision; creating

The question recurred on **Amendment 1 (843850)** which was adopted.

## THE PRESIDENT PRESIDING

On motion by Senator Gruters, by two-thirds vote, **CS for SB 2-B**, as amended, was read the third time by title, passed, ordered engrossed, and then certified to the House. The vote on passage was:

Yeas—21

Mr. President	Fine	Passidomo
Avila	Gaetz	Rodriguez
Boyd	Gruters	Simon
Brodeur	Harrell	Truenow
Burgess	Hooper	Trumbull
Burton	Leek	Wright
DiCeglie	McClain	Yarborough

Nays—16

Arrington	Grall	Polsky
Berman	Ingoglia	Rouson
Bernard	Jones	Sharief
Bradley	Martin	Smith
Calatayud	Osgood	
Collins	Pizzo	

## CORRECTION AND APPROVAL OF JOURNAL

The Journals of January 27, 2025 (Special Session A) and January 27, 2025 (Special Session B) were corrected and approved.

## ADJOURNMENT

On motion by Senator Passidomo, the Senate adjourned at 8:03 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene upon call of the President.

**JOURNAL OF THE SENATE**

**Daily Numeric Index for  
January 28, 2025**

BA — Bill Action

BF — Bill Failed

BP — Bill Passed

CO — Co-Introducers

CR — Committee Report

CS — Committee Substitute, First Reading

FR — First Reading

MO — Motion

RC — Reference Change

SM — Special Master Reports

SO — Bills on Special Orders

**CS/SB 2-B** .....(BA) 8, (BP) 27