

## CHAPTER 2023-3

### Senate Bill No. 6-B

An act relating to transportation of inspected unauthorized aliens; defining the term “inspected unauthorized alien”; providing legislative findings; creating the Unauthorized Alien Transport Program within the Division of Emergency Management to facilitate the transport of inspected unauthorized aliens within the United States; authorizing the division to contract for services to implement the program; authorizing the division to adopt rules to implement the program; providing for future expiration; repealing s. 185 of chapter 2022-156, Laws of Florida; deeming certain payments approved; reverting appropriated funds; providing an appropriation; providing an effective date.

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

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 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 may adopt rules to implement the program.

(5) This section expires June 30, 2025.

Section 2. Section 185 of chapter 2022-156, Laws of Florida, is repealed. All payments made pursuant to that section are deemed approved. Any unexpended balance of funds appropriated to the Department of Transportation under that section shall immediately revert. For the 2022-2023 fiscal year, the nonrecurring sum of \$10 million from the General Revenue Fund is appropriated to the Division of Emergency Management within the Executive Office of the Governor for the Unauthorized Alien Transport Program created by this act.

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

Approved by the Governor February 15, 2023.

Filed in Office Secretary of State February 15, 2023.