

## CHAPTER 2024-8

### Committee Substitute for Committee Substitute for Senate Bill No. 1036

An act relating to reclassification of criminal penalties; creating s. 775.0848, F.S.; requiring reclassification of the penalty for the commission of a felony committed by a person who has a previous specified conviction; creating s. 908.12, F.S.; defining the term “transnational crime organization”; authorizing reclassification of the penalty for any misdemeanor or felony offense if the commission of such offense was for specified purposes; providing an effective date.

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

Section 1. Section 775.0848, Florida Statutes, is created to read:

775.0848 Commission of a felony after unlawful reentry into the United States; reclassification.—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 felony of the third degree is reclassified to a felony of the second degree.

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

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

Section 2. Section 908.12, Florida Statutes, is created to read:

908.12 Transnational crime organizations; reclassification.—

(1) As used in this section, the term “transnational crime organization” means an organization that routinely facilitates the international trafficking of drugs, humans, or weapons or the international smuggling of humans.

(2) The penalty for any misdemeanor or felony may be reclassified if the commission of such misdemeanor or felony was for the purpose of benefiting, promoting, or furthering the interests of a transnational crime organization. The reclassification is as follows:

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

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

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

(d) A felony of the second degree is reclassified to a felony of the first degree.

(e) A felony of the first degree is reclassified to a life felony.

Section 3. This act shall take effect October 1, 2024.

Approved by the Governor March 15, 2024.

Filed in Office Secretary of State March 15, 2024.