

CHAPTER 2025-1

Senate Bill No. 2-C

An act relating to immigration; 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; 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; prohibiting the Department of Highway Safety and Motor Vehicles from issuing a driver license or identification card to unauthorized aliens and undocumented immigrants; 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 an exception to the requirements for designation 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; creating s. 775.0824, F.S.; providing legislative intent; defining the terms “dangerous unauthorized alien offender” and “unauthorized alien”; requiring a state attorney to seek to have the court sentence certain persons as dangerous unauthorized alien offenders; providing sentencing requirements; providing construction; amending s. 775.0848, F.S.; providing for the reclassification of certain penalties for offenses committed by an unauthorized alien; 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.; revising legislative intent; revising requirements for release on nonmonetary conditions; expanding circumstances a pretrial release service must certify they have investigated; defining the terms “forcible felony” and “unauthorized alien”; providing that an unauthorized alien who is arrested for committing a forcible felony is not eligible for release under certain conditions; authorizing a defendant to request a continuance if certain conditions are met; amending s. 908.102, F.S.; revising the definition of “sanctuary policy”; creating s. 908.1031, F.S.; creating the State Board of Immigration Enforcement within the Department of Law Enforcement; providing board membership, powers, and duties; providing reporting requirements; authorizing the board to adopt rules; requiring the department to provide administrative support to the board; creating s. 908.1032, F.S.; creating the State Immigration Enforcement Council within the State Board of Immigration Enforcement for a specified purpose; providing membership and meeting requirements; providing council duties; requiring the Department of Law Enforcement to provide administrative support to the council; creating s. 908.1033, F.S.; creating the Local Law Enforcement Immigration Grant Program within the State Board of Immigration

Enforcement for a certain purpose; providing requirements for the application and awarding of grants; providing for rulemaking; amending s. 908.104, F.S.; revising agencies and persons who must use best efforts to support the enforcement of federal immigration law; providing that certain entities may not prohibit or restrict a law enforcement officer from performing certain actions; requiring specified parties to provide certain information to a federal immigration agency; expanding the criteria for receiving a certain exemption; revising applicability; amending s. 908.105, F.S.; providing additional requirements for law enforcement agencies that have custody of specified persons; requiring the Attorney General to initiate judicial proceedings in the name of the state in order to enforce compliance with an immigration detainer issued by a federal immigration agency; providing penalties; prohibiting public funds from being used to defend or reimburse certain persons for specified unlawful conduct; amending s. 908.107, F.S.; specifying that certain officers are subject to suspension from office; amending s. 908.11, F.S.; revising the entities required to enter into certain agreements with the United States Immigration and Customs Enforcement; requiring the State Board of Immigration Enforcement to approve the termination of an agreement; revising construction; requiring entities that do not enter into such agreements by a specified date to take certain actions; creating s. 908.13, F.S.; creating the Unauthorized Alien Transport Program within the Division of Emergency Management within the Executive Office of the Governor for a specified purpose; providing program requirements; providing for future repeal; amending s. 921.0022, F.S.; ranking an offense created by the act on the offense severity ranking chart of the Criminal Punishment Code; 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; repealing s. 1 of chapter 2023-3, Laws of Florida, which creates the Unauthorized Alien Transport Program; authorizing the State Board of Immigration Enforcement to adopt certain rules; providing for future expiration; providing legislative findings; providing appropriations; authorizing positions; providing a directive to the Division of Law Revision; providing effective dates.

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

Section 1. Section 104.155, Florida Statutes, is created to read:

104.155 Unqualified noncitizen electors willfully voting; prohibited defenses; aiding or soliciting noncitizen electors in voting prohibited.—

(1) Any person who is not a qualified elector because he or she is not a citizen of the United States and who willfully votes in any election is guilty of 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 citizenship status or a person's bona fide belief of his or her citizenship status 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 not a citizen of the United States is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. 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 3. 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 4. 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 5. Section 322.033, Florida Statutes, is amended to read:

322.033 Unauthorized aliens and undocumented immigrants; 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 may not issue a driver license or identification card to a person who is an unauthorized alien or undocumented immigrant.

(2)(1) If a driver license is of a class of licenses issued by another state exclusively to unauthorized aliens or 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 or 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) (1) 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 6. 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 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 7. 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 10 days pursuant to s. 322.19,

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

Section 8. 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 9. 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 term:

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

(b) “Unauthorized alien” has the same meaning as in s. 908.111.

(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, 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 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 of 15 years.

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

(4) A person sentenced under subsection (3) shall be released only by expiration of sentence and is not 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) This section does not 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 10. Section 775.0848, Florida Statutes, is amended to read:

~~775.0848 Offenses committed by an unauthorized alien Commission of a felony after unlawful reentry into the United States; reclassification.—The penalty for any misdemeanor or 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 by an unauthorized alien as defined in s. 908.111 shall be 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)(1)~~ 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 11. 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 s. 908.111, that routinely facilitates the international trafficking of drugs, humans, or weapons or the international smuggling of humans.

Section 12. 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 a noncitizen in voting.

2.1. 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 horse-racing.

~~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 13. 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, immigration status, employment history, financial resources, and mental condition.

Section 14. Subsections (1) and (3) and paragraph (e) of subsection (5) of section 907.041, Florida Statutes, are amended, subsection (6) is added to that section, and paragraph (a) of subsection (5) of that section is republished, to read:

907.041 Pretrial detention and release.—

(1) LEGISLATIVE INTENT.—It is the policy of this state that persons committing serious criminal offenses, posing a threat to the safety of the community or the integrity of the judicial process, ~~or failing to appear at trial, or posing a substantial flight risk because of their status as unauthorized aliens~~ be detained upon arrest. However, persons found to meet specified criteria shall be released under certain conditions until proceedings are concluded and adjudication has been determined. The Legislature finds that this policy of pretrial detention and release will assure the detention of those persons posing a threat to society while reducing the costs for incarceration by releasing, until trial, those persons not considered a danger to the community who meet certain criteria. It is the intent of the Legislature that the primary consideration be the protection of the community from risk of physical harm to persons.

(3) RELEASE ON NONMONETARY CONDITIONS.—

(a) It is the intent of the Legislature to create a presumption in favor of release on nonmonetary conditions for any person who is granted pretrial release unless such person is charged with a dangerous crime as defined in subsection (5) ~~or such person is an unauthorized alien charged with a forcible felony as described in subsection (6). A Such person charged with a dangerous crime as defined in subsection (5)~~ shall be released on monetary conditions if it is determined that such monetary conditions are necessary to assure the presence of the person at trial or at other proceedings, to protect the community from risk of physical harm to persons, to assure the presence of the accused at trial, or to assure the integrity of the judicial process.

(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.—

(a) As used in this subsection, "dangerous crime" means any of the following:

1. Arson;
2. Aggravated assault;
3. Aggravated battery;
4. Illegal use of explosives;
5. Child abuse or aggravated child abuse;
6. Abuse of an elderly person or disabled adult, or aggravated abuse of an elderly person or disabled adult;
7. Aircraft piracy;
8. Kidnapping;
9. Homicide;
10. Manslaughter, including DUI manslaughter and BUI manslaughter;
11. Sexual battery;
12. Robbery;
13. Carjacking;
14. Lewd, lascivious, or indecent assault or act upon or in presence of a child under the age of 16 years;

15. Sexual activity with a child, who is 12 years of age or older but less than 18 years of age, by or at solicitation of person in familial or custodial authority;

16. Burglary of a dwelling;

17. Stalking and aggravated stalking;

18. Act of domestic violence as defined in s. 741.28;

19. Home invasion robbery;

20. Act of terrorism as defined in s. 775.30;

21. Manufacturing any substances in violation of chapter 893;

22. Attempting or conspiring to commit any such crime;

23. Human trafficking;

24. Trafficking in any controlled substance described in s. 893.135(1)(c) 4.;

25. Extortion in violation of s. 836.05; and

26. Written threats to kill in violation of s. 836.10.

(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, immigration status, financial condition, and mental condition; 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.

(6)(a) As used in this subsection, the term:

1. "Forcible felony" has the same meaning as in s. 776.08.

2. "Unauthorized alien" has the same meaning as in s. 908.111.

(b) An unauthorized alien who is arrested for committing a forcible felony is not eligible for release until he or she appears for a first appearance hearing.

(c) If, at the first appearance hearing, the court determines there is probable cause to believe the defendant committed a forcible felony and further determines by a preponderance of the evidence that the defendant is an unauthorized alien, the court shall presume that the defendant presents a substantial flight risk and that no conditions of release will ensure his or her appearance at trial and shall order pretrial detention. The defendant may rebut the presumption by demonstrating, by a preponderance of the evidence, that appropriate conditions of release will ensure his or her appearance at trial. If the court determines the defendant has rebutted the presumption, it must consider the criteria in s. 903.046, and any other relevant facts, to determine whether to release the defendant on bail or other conditions.

(d) The defendant may request a continuance of his or her first appearance hearing conducted under this subsection. A continuance shall not be longer than 48 hours unless the court determines there are extenuating circumstances. The state attorney shall be entitled to one continuance for good cause. The defendant may not be released from custody pending any such continuance.

Section 15. Paragraphs (e) and (f) of subsection (6) of section 908.102, Florida Statutes, are amended, and paragraphs (g) and (h) are added to that subsection, to read:

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

(6) “Sanctuary policy” means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:

(e) Providing a federal immigration agency with an inmate’s incarceration status or release date; ~~or~~

(f) Providing information to a state entity on the immigration status of an inmate or detainee in the custody of the law enforcement agency; ~~or~~

(g) Executing a lawful judicial warrant; or

(h) Participating in a federal immigration operation with a federal immigration agency as permitted by federal and state law.

Section 16. Section 908.1031, Florida Statutes, is created to read:

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

(1) The State Board of Immigration Enforcement is created within the Department of Law Enforcement, composed of the Governor and Cabinet,

which shall be referred to as the board. The Governor and Cabinet shall serve as the agency head of the board. The board shall be a separate budget entity and shall be exempt from s. 20.052. All board action shall be by unanimous vote. The board shall not be subject to control, supervision, or direction of the Department of Law Enforcement in any manner.

(2) The board shall appoint an executive director to assist in the implementation of its responsibilities.

(3) The board is the chief immigration enforcement officer of the state and shall:

(a) Serve as a resource for the United States Immigration and Customs Enforcement.

(b) Coordinate and cooperate with the Federal Government in the enforcement of federal immigration laws and other matters related to the enforcement of federal immigration laws.

(c) Coordinate with and provide assistance to law enforcement agencies in the enforcement of federal immigration laws and other matters related to the enforcement of federal immigration laws, and monitor local government compliance with the requirements of this chapter.

(d) Administer the Local Law Enforcement Immigration Grant Program established in s. 908.1033.

(e) Collect data related to operations with the United States Immigration and Customs Enforcement from law enforcement agencies and, by December 15 of each year, submit a report to 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:

1. State entities.
2. Local governmental entities.
3. Law enforcement agencies.

(f) 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.

(g) No later than March 24, 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 board no later than March 15, 2025.

(4) The State Board of Immigration Enforcement may adopt rules necessary to implement this section.

(5) The Department of Law Enforcement must provide administrative support to the State Board of Immigration Enforcement.

Section 17. Section 908.1032, Florida Statutes, is created to read:

908.1032 State Immigration Enforcement Council.—The State Immigration Enforcement Council, an advisory council as defined in s. 20.03, is created within the State Board of Immigration Enforcement for the purpose of advising the board.

(1) The council must be composed of eight members. The Governor, Attorney General, Chief Financial Officer, and Commissioner of Agriculture each must appoint one police chief. The President of the Senate and the Speaker of the House of Representatives must each appoint two sheriffs. The State Board of Immigration Enforcement must unanimously elect a sheriff from among the council's membership to serve as chair.

(2)(a) Members shall be appointed to terms of 4 years. Any vacancy shall be filled within 2 weeks after such a vacancy by appointment by the original appointing authority for the unexpired portion of the term. For the purpose of providing staggered terms, the initial appointments by the Cabinet shall be for a term of 2 years.

(b) Membership on 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.

(3) The first meeting of the council shall be held no later than April 1, 2025. Thereafter, 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) The council shall:

(a) Assist the State Board of Immigration Enforcement on issues related to immigration enforcement, provided such requests are made after unanimous approval of the board.

(b) Recommend to the board program participation expenses related to 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357, which should be reimbursable under the Local Law Enforcement Immigration Grant Program established in s. 908.1033 and funding criteria for the program.

(c) Request guidance from the United States Immigration and Customs Enforcement for training opportunities and strategies to further 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357, program participation in the state and advise the board on new training activities that could be considered for reimbursement under the Local Law Enforcement Immigration Grant Program.

(d) Advise the board on the efforts of local law enforcement agencies related to the enforcement of federal immigration laws within the state.

(e) Provide recommendations on the financial resources necessary to aid local law enforcement agencies, and any other resources necessary to facilitate the training of such agencies, in the cooperation and coordination with the Federal Government in the enforcement of federal immigration laws.

(f) 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.
4. The United States Drug Enforcement Administration's Special Operations Unit.

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

(h) Upon unanimous approval of the board, assist in the collection of data from law enforcement agencies as required under s. 908.1031(3)(e).

(5) The Department of Law Enforcement must provide administrative support to the State Immigration Enforcement Council.

Section 18. Section 908.1033, Florida Statutes, is created to read:

908.1033 Local Law Enforcement Immigration Grant Program.—

(1) The Local Law Enforcement Immigration Grant Program is created within the State Board of Immigration Enforcement 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 in the enforcement of federal immigration laws. The board shall award any funds specifically appropriated for the program to reimburse expenses or issue bonus payments as provided in this section.

(2) A local law enforcement agency may apply to the State Board of Immigration Enforcement for reimbursement of expenses incurred in its cooperation and coordination with federal immigration agencies in the enforcement of federal immigration laws. Reimbursements may be requested for the following eligible expenses:

(a) Subletting detention beds to the United States Immigration and Customs Enforcement.

(b) Equipment, travel, and lodging related to 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357, program.

(c) Training programs, including certified apprenticeship programs, related to supporting the enforcement of federal immigration laws.

(d) Hardware or software essential to assisting the Federal Government in its enforcement of federal immigration laws.

(3)(a) A local law enforcement agency may apply to the State Board of Immigration Enforcement to provide bonus payments for the agency's local law enforcement officers who participate in United States Department of Homeland Security at-large task force operations. The local law enforcement agency may apply for a bonus of up to \$1,000 for each local law enforcement officer employed within that agency. The local law enforcement agency must certify to the board that the local law enforcement officer participated in one or more operations and provide any information required by the board. Eligible participation does not include operations occurring solely at state correctional facilities or county detention facilities.

(b) The bonus payment shall be adjusted to include 7.65 percent for the officers' share of Federal Insurance Contribution Act tax on the bonus.

(4)(a) Grants shall be awarded on a first-come, first-served basis based on the date the State Board of Immigration Enforcement received each completed application. The board shall establish application procedures and

eligibility requirements to request reimbursement of eligible expenses or to provide bonus payments, after considering recommendations of the State Immigration Enforcement Council related to funding criteria.

(b) Upon receiving a submitted application, the executive director of the board shall review the application to ensure that it is complete. At least quarterly, the executive director shall complete the review and make a recommendation to the board for approval or denial of the application.

(c) A grant application recommended for approval by the executive director must be unanimously approved by the board or by the executive director if authorized by the board in rule. Upon approval, the board must provide notification in writing to the chair and vice chair of the Legislative Budget Commission at least 14 days before a grant may be issued to a local law enforcement agency under the program. Notwithstanding s. 216.177(2)(b), the chair or vice chair of the Legislative Budget Commission may timely object in writing, which shall void such action until the Legislative Budget Commission or the Legislature addresses the issue.

(5) The total amount of grants awarded may not exceed funding appropriated for the grant program. In order to efficiently and effectively disburse the funds, the State Board of Immigration Enforcement may 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.

(6) Local law enforcement agencies shall assist the State Board of Immigration Enforcement with the collection of any data necessary to determine bonus payment amounts and to distribute the bonus payments and shall otherwise provide the board with any information or assistance needed to fulfill the requirements of this section.

(7) The State Board of Immigration Enforcement shall adopt rules to implement this section. The rules shall establish procedures to implement and carry out this section, including a process for reviewing and taking action on the grant applications in bulk or as part of a consent calendar. The rules shall include application requirements and establish supporting documentation necessary for the board to make decisions. The rules may allow for the executive director to approve grants of up to \$25,000 without board approval.

Section 19. Subsections (3), (4), and (5) through (8) of section 908.104, Florida Statutes, are renumbered as subsections (4), (5), and (7) through (10), respectively, subsection (1) and present subsections (5), (6), and (8) are amended, and new subsections (3) and (6) are added to that section, to read:

908.104 Cooperation with federal immigration authorities.—

(1) Consistent with all duties created in state and federal law, state and local law enforcement agencies and any official responsible for directing or supervising such 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.

(3) A state entity, local governmental entity, or law enforcement agency, may not prohibit or in any way restrict a law enforcement officer from executing or assisting in the execution of a lawful judicial warrant.

(6) 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.

~~(7)(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 ~~coöperation~~ in the investigation or prosecution of such the offense.

~~(8)(6)~~ A state entity, local governmental entity, or law enforcement agency that, pursuant to subsection ~~(7)~~ ~~(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.

~~(10)(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 20. Paragraph (d) is added to subsection (1) of section 908.105, Florida Statutes, 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:

(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 Attorney General 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 21. Subsection (1) of section 908.107, Florida Statutes, is amended to read:

908.107 Enforcement.—

(1) 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, including potential suspension from office, 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.

Section 22. 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 State Board of Immigration Enforcement 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 State Board of Immigration Enforcement Department of Law Enforcement quarterly of the status of such written agreement and any reason for noncompliance with this section, if applicable.

Section 23. Section 908.13, Florida Statutes, is created to read:

908.13 Unauthorized Alien Transport Program.—

(1) As used in this section, the term “unauthorized alien” has the same meaning as in s. 908.111.

(2) 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 unauthorized aliens, consistent with federal law. In order for the division to provide such transport, all of the following requirements must be met:

(a) The United States Immigration and Customs Enforcement must specifically request assistance from the division with the transport of unauthorized aliens pursuant to specific federal legal authority.

(b) The United States Immigration and Customs Enforcement must reimburse the state for the actual cost of assisting with the transport of unauthorized aliens.

(c) The transport must occur under the direct control and supervision of the United States Immigration and Customs Enforcement.

(3) The section is repealed June 30, 2027.

Section 24. 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
<u>104.155</u>	<u>3rd</u>	<u>Unqualified noncitizen electors voting; aiding or soliciting noncitizen electors in voting.</u>
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.
499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
499.0051(5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
517.07(1)	3rd	Failure to register securities.
517.12(1)	3rd	Failure of dealer or associated person of a dealer of securities to register.
784.031	3rd	Battery by strangulation.
784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
784.075	3rd	Battery on detention or commitment facility staff.
784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
784.081(3)	3rd	Battery on specified official or employee.
784.082(3)	3rd	Battery by detained person on visitor or other detainee.
784.083(3)	3rd	Battery on code inspector.
784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.

Florida Statute	Felony Degree	Description
787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
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.
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.
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.
810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
810.06	3rd	Burglary; possession of tools.
810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
810.145(3)(b)	3rd	Digital voyeurism dissemination.
812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
812.014 (2)(c)4. & 6.-10.	3rd	Grand theft, 3rd degree; specified items.
812.014(2)(d)2.	3rd	Grand theft, 3rd degree; \$750 or more taken from dwelling or its unenclosed curtilage.

Florida Statute	Felony Degree	Description
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.
812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
817.505(4)(a)	3rd	Patient brokering.
817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
817.568(2)(a)	3rd	Fraudulent use of personal identification information.
817.5695(3)(c)	3rd	Exploitation of person 65 years of age or older, value less than \$10,000.
817.625(2)(a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
817.625(2)(c)	3rd	Possess, sell, or deliver skimming device.
828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
836.14(2)	3rd	Person who commits theft of a sexually explicit image with intent to promote it.
836.14(3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.
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.
839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
843.021	3rd	Possession of a concealed handcuff key by a person in custody.

Florida Statute	Felony Degree	Description
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 estreatment 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.
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).
914.14(2)	3rd	Witnesses accepting bribes.
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 telephone or other portable communication device introduced into county detention facility.

Section 25. 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 26. Students receiving a fee waiver pursuant to s. 1009.26(12), Florida Statutes, must be reevaluated for eligibility beginning July 1, 2025.

Section 27. Section 1 of chapter 2023-3, Laws of Florida, is repealed.

Section 28. (1) The State Board of Immigration Enforcement within the Department of Law Enforcement is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing provisions related to the Local Law Enforcement Immigration Grant Program created by this act. 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 29. 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 State Board of Immigration Enforcement within the Department of Law Enforcement 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 30. (1) For the 2024-2025 fiscal year, the sums of \$680,046 in recurring funds and \$250,026,781 in nonrecurring funds are appropriated from the General Revenue Fund to the State Board of Immigration

Enforcement within the Department of Law Enforcement to implement this act.

(2) From the recurring general revenue funds, \$680,046 shall be allocated to the State Board of Immigration Enforcement budget entity in specific appropriations categories: \$478,235 in Salaries and Benefits, \$30,053 in Expenses, \$150,000 in Contracted Services, \$10,000 in Operating Capital Outlay, \$10,000 in Lease/Purchase of Equipment, and \$1,758 in Transfer to the Department of Management Services/Statewide Human Resources Contract. These funds shall be released immediately upon this act becoming a law.

(3) From the nonrecurring general revenue funds, \$26,781 shall be allocated to the State Board of Immigration Enforcement budget entity in the Expenses category. These funds shall be released immediately upon this act becoming a law.

(4) The Department of Law Enforcement is authorized to establish 5.00 full-time equivalent positions with associated salary rate of 325,928 in the State Board of Immigration Enforcement budget entity for the purpose of implementing this act. The following specific positions, classifications, and pay plans are authorized: one Executive Director, class code 9900, pay plan 09; one Senior Management Analyst Supervisor–SES, class code 2228, pay plan 08; two Governmental Analyst II, class code 2225, pay plan 01; and one Administrative Assistant II, class code 0712, pay plan 01.

(5) From the nonrecurring general revenue funds, \$250,000,000 shall be allocated to specific appropriation special category Local Law Enforcement Immigration Grant Program in the State Board of Immigration Enforcement budget entity to implement the Local Law Enforcement Immigration Grant Program. The funds shall be released as provided in s. 908.1033, Florida Statutes, created by this act. The unexpended balance of nonrecurring funds remaining on June 30, 2025, shall revert and is appropriated to the department for Fiscal Year 2025-2026 for the same purposes.

Section 31. (1) For the 2024-2025 fiscal year, the sums of \$12,553,547 in recurring funds and \$35,570,178 in nonrecurring funds are appropriated from the General Revenue Fund to the Department of Agriculture and Consumer Services to enhance interdiction activities and protect the borders of this state.

(2)(a) From the recurring general revenue funds, the sum of \$12,553,547 shall be allocated to the Agricultural Law Enforcement budget entity in specific appropriations categories: \$8,574,036 in Salaries and Benefits, \$3,449,999 in Expenses, \$500,000 in Contracted Services, and \$29,512 in Transfer to the Department of Management Services/Statewide Human Resources Contract.

(b) These funds shall be released immediately upon this act becoming a law.

(3)(a) From the nonrecurring general revenue funds, the sum of \$35,570,178 shall be allocated to the Agricultural Law Enforcement budget entity in specific appropriations categories: \$327,754 in Operating Capital Outlay, \$25,000,000 in Fixed Capital Outlay – Facilities Construction and Major Renovations, \$10,029,160 in Acquisition of Motor Vehicles, and \$213,264 in Acquisition of Boats, Motors, and Trailers.

(b) These funds shall be released immediately upon this act becoming a law. The unexpended balance of nonrecurring general revenue funds appropriated to the Department of Agriculture and Consumer Services remaining on June 30, 2025, shall revert and is appropriated to the department for Fiscal Year 2025-2026 for the same purposes.

(4) The Department of Agriculture and Consumer Services is authorized to establish 84.00 full-time equivalent positions with associated salary rate of 5,064,250 in the Agricultural Law Enforcement budget entity to expand law enforcement coverage of interdiction stations and improve border security. The following specific positions, classifications, and pay plans are authorized: one Law Enforcement Major, class code 8630, pay plan 08; one Law Enforcement Captain, class code 8632, pay plan 08; eight Law Enforcement Lieutenants, class code 8522, pay plan 01; 47 Law Enforcement Officers, class code 8515, pay plan 01; 21 Law Enforcement Investigator I, class code 8540, pay plan 01; two Administrative Assistant III, class code 0714, pay plan 01; one senior attorney, class code 7738, pay plan 08; one Crime Intelligence Analyst I, class code 8433, pay plan 01; one Human Resource Specialist/HR-SES, class code 0190, pay plan 08; and one Purchasing Analyst, class code 0830, pay plan 01.

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

Section 33. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor February 13, 2025.

Filed in Office Secretary of State February 13, 2025.