

1 A bill to be entitled
2 An act relating to immigration; creating ss. 125.0156
3 and 166.246, F.S.; prohibiting counties and
4 municipalities, respectively, from providing funds to
5 any person, entity, or organization to issue
6 identification documents to an individual who does not
7 provide proof of lawful presence in the United States;
8 creating s. 322.033, F.S.; specifying that certain
9 driver licenses and permits issued by other states
10 exclusively to unauthorized immigrants are not valid
11 in this state; requiring law enforcement officers and
12 authorized representatives of the Department of
13 Highway Safety and Motor Vehicles to cite a person
14 driving with a specified invalid license; requiring
15 the department to maintain a list on its website of
16 out-of-state classes of driver licenses that are
17 invalid in this state; amending s. 322.04, F.S.;
18 revising the circumstances under which certain persons
19 are exempt from obtaining a driver license; creating
20 s. 395.3027, F.S.; requiring certain hospitals to
21 collect patient immigration status data information on
22 admission or registration forms; requiring hospitals
23 to submit quarterly reports to the Agency for Health
24 Care Administration containing specified information;
25 requiring the agency to submit an annual report to the

26 Governor and the Legislature containing specified
27 information; authorizing the agency to adopt rules;
28 prohibiting rules requiring the disclosure of certain
29 information; amending s. 448.09, F.S.; requiring the
30 Department of Economic Opportunity to enter a certain
31 order and require repayment of certain economic
32 development incentives if the department finds or is
33 notified that an employer has knowingly employed an
34 unauthorized alien without verifying the employment
35 eligibility of such person; deleting provisions
36 relating to a first violation of specified provisions;
37 providing penalties, including a probationary period
38 and suspension and revocation of all licenses of
39 employers; deleting criminal penalties for second and
40 subsequent violations of specified provisions;
41 deleting a provision providing construction; providing
42 criminal penalties for certain aliens who knowingly
43 use false identification documents or who fraudulently
44 use identification documents of another person for the
45 purpose of obtaining employment; making technical
46 changes; amending s. 448.095, F.S.; revising
47 definitions; requiring an employer to verify a new
48 employee's employment eligibility within 3 business
49 days after the first day the new employee begins
50 working for pay; requiring public agencies to use the

51 E-Verify system to verify a new employee's employment
52 eligibility; requiring private employers with a
53 certain number of employees to use the E-Verify system
54 to verify a new employee's employment eligibility
55 beginning on a certain date; requiring employers to
56 certify use of the E-Verify system on unemployment
57 compensation or reemployment assistance system
58 returns; requiring employers to use a certain form if
59 the E-Verify system is unavailable; requiring
60 employers to retain specified documentation for a
61 certain number of years; prohibiting an employer from
62 continuing to employ an unauthorized alien after
63 obtaining knowledge that a person is or has become an
64 unauthorized alien; providing an exception;
65 authorizing specified persons or entities to request,
66 and requiring an employer to provide, copies of
67 specified documentation; creating a certain rebuttable
68 presumption that the employer has not violated
69 specified provisions with respect to the employment of
70 an unauthorized alien; establishing an affirmative
71 defense to an allegation that the employer has not
72 violated specified provisions with respect to the
73 employment of an unauthorized alien; requiring a
74 public agency to require in any contract that a
75 contractor or subcontractor register with and use the

76 E-Verify system; prohibiting a public agency,
77 contractor, or subcontractor from entering into a
78 contract unless each party to the contract registers
79 with and uses the E-Verify system; requiring the
80 termination of certain contracts under specified
81 conditions; authorizing a public agency, contractor,
82 or subcontractor to file a cause of action to
83 challenge a termination; specifying required
84 departmental action to ensure compliance with
85 specified provisions; requiring the department to
86 impose fines against employers under certain
87 circumstances; providing for the deposit of such
88 fines; providing construction; conforming provisions
89 to changes made by the act; amending s. 454.021, F.S.;
90 deleting a provision authorizing an unauthorized
91 immigrant to obtain a license to practice law in this
92 state under certain circumstances; providing
93 applicability; amending s. 787.07, F.S.; providing
94 criminal penalties for persons who knowingly and
95 willfully violate, or who reasonably should know and
96 violate, certain provisions relating to the
97 transporting into this state of individuals who
98 entered the United States unlawfully and without
99 inspection by the Federal Government; providing
100 criminal penalties for persons who transport minors

101 into this state in violation of certain provisions;
102 providing for enhanced criminal penalties; defining
103 the term "conviction"; providing circumstances that
104 give rise to a certain inference; requiring that
105 persons who violate certain provisions be held in
106 custody; making technical changes; amending s. 895.02,
107 F.S.; revising the definition of the term
108 "racketeering activity"; amending s. 908.104, F.S.;
109 specifying that a state entity, local governmental
110 entity, or law enforcement agency, or an employee, an
111 agent, or a representative of the entity or agency,
112 may not prohibit or in any way restrict a law
113 enforcement agency from sending the applicable
114 information obtained pursuant to certain provisions to
115 a federal immigration agency; amending s. 943.03,
116 F.S.; requiring the Department of Law Enforcement to
117 coordinate and direct the law enforcement, initial
118 emergency, and other initial responses in matters
119 dealing with the Federal Government in federal
120 immigration law enforcement and responses to
121 immigration enforcement incidents within or affecting
122 this state; amending s. 943.03101, F.S.; revising
123 legislative findings and determinations; amending s.
124 943.0311, F.S.; revising the required duties of the
125 Chief of Domestic Security; requiring the chief to

126 regularly coordinate random audits pursuant to
127 specified provisions and notify the Department of
128 Economic Opportunity of any violations; amending s.
129 943.0312, F.S.; revising legislative findings;
130 requiring that each task force cooperate with and
131 provide assistance to the Federal Government in the
132 enforcement of federal immigration laws within or
133 affecting this state in compliance with specified
134 provisions, in accordance with the state's domestic
135 security strategic goals and objectives; requiring the
136 Chief of Domestic Security to, in conjunction with
137 specified entities, identify appropriate equipment and
138 training needs, curricula, and materials related to
139 the effective response to immigration enforcement
140 incidents; requiring that each regional domestic
141 security task force, working in conjunction with
142 specified entities, work to ensure that hate-driven
143 acts against ethnic groups that may have been targeted
144 as a result of immigration enforcement incidents
145 within or affecting this state are appropriately
146 investigated and responded to; amending s. 943.0313,
147 F.S.; revising legislative findings; requiring the
148 Domestic Security Oversight Council to make
149 recommendations to the Governor and the Legislature
150 regarding the expenditure of funds and allocation of

151 resources related to cooperating with and providing
152 assistance to the Federal Government in the
153 enforcement of federal immigration laws; expanding the
154 list of persons whom the council may invite to attend
155 and participate in its meetings as ex officio,
156 nonvoting members; revising the duties of the council;
157 amending s. 943.325, F.S.; revising the definition of
158 the term "qualifying offender" to include certain
159 persons who are the subject of an immigration detainer
160 issued by a federal immigration agency; requiring
161 certain qualifying offenders to submit DNA samples at
162 a specified time; requiring law enforcement agencies
163 to immediately take DNA samples from certain
164 qualifying offenders under certain circumstances;
165 amending ss. 394.9082 and 409.996, F.S.; conforming
166 provisions to changes made by the act; providing an
167 appropriation; providing effective dates.

168

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

170

171 Section 1. Section 125.0156, Florida Statutes, is created
172 to read:

173 125.0156 Restriction on providing funds for identification
174 documents.—A county may not provide funds to any person, entity,
175 or organization for the purpose of issuing an identification

176 card or document to an individual who does not provide proof of
 177 lawful presence in the United States.

178 Section 2. Section 166.246, Florida Statutes, is created
 179 to read:

180 166.246 Restriction on providing funds for identification
 181 documents.—A municipality may not provide funds to any person,
 182 entity, or organization for the purpose of issuing an
 183 identification card or document to an individual who does not
 184 provide proof of lawful presence in the United States.

185 Section 3. Section 322.033, Florida Statutes, is created
 186 to read:

187 322.033 Unauthorized aliens; invalid out-of-state driver
 188 licenses.—

189 (1) If a driver license is of a class of licenses issued
 190 by another state exclusively to undocumented immigrants who are
 191 unable to prove lawful presence in the United States when the
 192 licenses are issued, the driver license, or other permit
 193 purporting to authorize the holder to operate a motor vehicle on
 194 public roadways, is invalid in this state and does not authorize
 195 the holder to operate a motor vehicle in this state. Such
 196 classes of licenses include licenses that are issued exclusively
 197 to undocumented immigrants or licenses that are substantially
 198 the same as licenses issued to citizens, residents, or those
 199 lawfully present in the United States but have markings
 200 establishing that the license holder did not exercise the option

201 of providing proof of lawful presence.

202 (2) A law enforcement officer or other authorized
 203 representative of the department who stops a person driving with
 204 an invalid license as described in subsection (1) and driving
 205 without a valid license shall issue a citation to the driver for
 206 driving without a license in violation of s. 322.03.

207 (3) The department, to facilitate the enforcement of this
 208 section and to aid in providing notice to the public and
 209 visitors of invalid licenses, shall maintain on its website a
 210 list of out-of-state classes of driver licenses that are invalid
 211 in this state.

212 Section 4. Section 322.04, Florida Statutes, is amended to
 213 read:

214 322.04 Persons exempt from obtaining driver license.—

215 (1) The following persons are exempt from obtaining a
 216 driver license:

217 (a) Any employee of the United States Government, while
 218 operating a noncommercial motor vehicle owned by or leased to
 219 the United States Government and being operated on official
 220 business.

221 (b) Any person while driving or operating any road
 222 machine, farm tractor, or implement of husbandry temporarily
 223 operated or moved on a highway.

224 (c) A nonresident who is at least 16 years of age and who
 225 has in his or her immediate possession a valid noncommercial

226 driver license issued to the nonresident in his or her home
 227 state or country operating a motor vehicle of the type for which
 228 a Class E driver license is required in this state, if the
 229 nonresident's license is not invalid under s. 322.033 relating
 230 to proof of the licensee's lawful presence in the United States.

231 (d) A nonresident who is at least 18 years of age and who
 232 has in his or her immediate possession a valid noncommercial
 233 driver license issued to the nonresident in his or her home
 234 state or country operating a motor vehicle, other than a
 235 commercial motor vehicle, in this state, if the nonresident's
 236 license is not invalid under s. 322.033 relating to proof of the
 237 licensee's lawful presence in the United States.

238 (e) Any person operating a golf cart, as defined in s.
 239 320.01, which is operated in accordance with the provisions of
 240 s. 316.212.

241 (2) This section does not apply to any person to whom s.
 242 322.031 applies.

243 (3) Any person working for a firm under contract to the
 244 United States Government whose residence is outside this state
 245 and whose main point of employment is outside this state may
 246 drive a noncommercial vehicle on the public roads of this state
 247 for periods up to 60 days while in this state on temporary duty,
 248 if the person has a valid driver license from the state of the
 249 person's residence and if the license is not invalid under s.
 250 322.033 relating to proof of the licensee's lawful presence in

251 the United States.

252 Section 5. Section 395.3027, Florida Statutes, is created
 253 to read:

254 395.3027 Patient immigration status data collection.—

255 (1) Each hospital that accepts Medicaid must include a
 256 provision on its patient admission or registration forms for the
 257 patient or the patient's representative to state or indicate
 258 whether the patient is a United States citizen or lawfully
 259 present in the United States or is not lawfully present in the
 260 United States. The inquiry must be followed by a statement that
 261 the response will not affect patient care or result in a report
 262 of the patient's immigration status to immigration authorities.

263 (2) Each hospital must submit a quarterly report to the
 264 agency within 30 days after the end of each calendar quarter
 265 which reports the number of hospital admissions or emergency
 266 department visits within the previous quarter which were made by
 267 a patient who indicated that he or she was a citizen of the
 268 United States or lawfully present in the United States, was not
 269 lawfully present in the United States, or declined to answer.

270 (3) By March 1 of each year, the agency shall submit a
 271 report to the Governor, the President of the Senate, and the
 272 Speaker of the House of Representatives which includes the total
 273 number of hospital admissions and emergency department visits
 274 for the previous calendar year for which the patient or
 275 patient's representative reported that the patient was a citizen

276 of the United States or lawfully present in the United States,
277 was not lawfully present in the United States, or declined to
278 answer. The report must also describe information relating to
279 the costs of uncompensated care for aliens who are not lawfully
280 present in the United States, the impact of uncompensated care
281 on the cost or ability of hospitals to provide services to the
282 public, hospital funding needs, and other related information.

283 (4) The agency may adopt rules relating to the format and
284 information to be contained in quarterly reports and the
285 acceptable formats for hospitals to use in requesting
286 information regarding a patient's immigration status on hospital
287 admission or registration forms. The rules may not require the
288 disclosure of patient names or any other personal identifying
289 information to the agency.

290 Section 6. Effective July 1, 2024, section 448.09, Florida
291 Statutes, is amended to read:

292 448.09 Unauthorized aliens; employment prohibited.—

293 (1) It is ~~shall be~~ unlawful for any person to knowingly ~~to~~
294 employ, hire, recruit, or refer, either for herself or himself
295 or on behalf of another, for private or public employment within
296 this ~~the~~ state, an alien who is not duly authorized to work by
297 the immigration laws of the United States, ~~or~~ the Attorney
298 General of the United States, or the United States Secretary of
299 Homeland Security.

300 (2) If the Department of Economic Opportunity finds or is

301 notified by an entity specified in s. 448.095(3)(a) that an
302 employer has knowingly employed an unauthorized alien without
303 verifying the employment eligibility of such person, the
304 department must enter an order pursuant to chapter 120 making
305 such determination and require repayment of any economic
306 development incentive pursuant to s. 288.061(6) ~~The first~~
307 ~~violation of subsection (1) shall be a noncriminal violation as~~
308 ~~defined in s. 775.08(3) and, upon conviction, shall be~~
309 ~~punishable as provided in s. 775.082(5) by a civil fine of not~~
310 ~~more than \$500, regardless of the number of aliens with respect~~
311 ~~to whom the violation occurred.~~

312 (3) For a violation of this section, the department shall
313 place the employer on probation for a 1-year period and require
314 that the employer report quarterly to the department to
315 demonstrate compliance with the requirements of subsection (1)
316 and s. 448.095.

317 (4) Any violation of this section which takes place within
318 24 months after a previous violation constitutes grounds for the
319 suspension or revocation of all licenses issued by a licensing
320 agency subject to chapter 120. The department shall take the
321 following actions for a violation involving:

322 (a) One to 10 unauthorized aliens, suspension of all
323 applicable licenses held by a private employer for up to 30 days
324 by the respective agencies that issued them.

325 (b) Eleven to 50 unauthorized aliens, suspension of all

326 applicable licenses held by a private employer for up to 60 days
 327 by the respective agencies that issued them.

328 (c) More than 50 unauthorized aliens, revocation of all
 329 applicable licenses held by a private employer by the respective
 330 agencies that issued them ~~Any person who has been previously~~
 331 ~~convicted for a violation of subsection (1) and who thereafter~~
 332 ~~violates subsection (1), shall be guilty of a misdemeanor of the~~
 333 ~~second degree, punishable as provided in s. 775.082 or s.~~
 334 ~~775.083. Any such subsequent violation of this section shall~~
 335 ~~constitute a separate offense with respect to each unauthorized~~
 336 ~~alien.~~

337 (5) An alien who is not duly authorized to work by the
 338 immigration laws of the United States, the Attorney General of
 339 the United States, or the United States Secretary of the
 340 Department of Homeland Security and who knowingly uses a false
 341 identification document or who fraudulently uses an
 342 identification document of another person for the purpose of
 343 obtaining employment commits a felony of the third degree,
 344 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

345 Section 7. Effective upon becoming a law, section 448.095,
 346 Florida Statutes, is amended to read:

347 (Substantial rewording of section. See
 348 s. 448.095, F.S., for present text.)
 349 448.095 Employment eligibility.-

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

351 (a) "Contractor" means a person or an entity that has
352 entered or is attempting to enter into a contract with a public
353 agency to provide labor, supplies, or services to such agency in
354 exchange for salary, wages, or other remuneration.

355 (b) "Employee" means an individual filling a permanent
356 position who performs labor or services under the control or
357 direction of an employer that has the power or right to control
358 and direct the employee in the material details of how the work
359 is to be performed in exchange for salary, wages, or other
360 remuneration. An individual hired for casual labor, as defined
361 in s. 443.036, which is to be performed entirely within a
362 private residence is not an employee of an occupant or owner of
363 a private residence. An independent contractor, as defined in
364 federal laws or regulations, hired to perform a specified
365 portion of labor or services is not an employee.

366 (c) "E-Verify system" means an Internet-based system
367 operated by the United States Department of Homeland Security
368 which allows participating employers to electronically verify
369 the employment eligibility of new employees.

370 (d) "Public agency" means any office, department, agency,
371 division, subdivision, political subdivision, board, bureau,
372 commission, authority, district, public body, body politic,
373 state, county, city, town, village, municipality, or any other
374 separate unit of government created or established pursuant to
375 law, and any other public or private agency, person,

376 partnership, corporation, or business entity acting on behalf of
377 any public agency.

378 (e) "Subcontractor" means a person or an entity that
379 provides labor, supplies, or services to or for a contractor or
380 another subcontractor in exchange for salary, wages, or other
381 remuneration.

382 (f) "Unauthorized alien" means an individual who is not
383 authorized under federal law to be employed in the United
384 States, as described in 8 U.S.C. s. 1324a(h) (3). The term must
385 be interpreted consistently with that section and any applicable
386 federal rules or regulations.

387 (2) EMPLOYMENT VERIFICATION.—

388 (a) An employer shall verify each new employee's
389 employment eligibility within 3 business days after the first
390 day that the new employee begins working for pay as required
391 under 8 C.F.R. s. 274a.

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

395 2. Beginning on July 1, 2023, a private employer with 25
396 or more employees shall use the E-Verify system to verify a new
397 employee's employment eligibility as required under paragraph
398 (a).

399 3. Each employer required to use the E-Verify system under
400 this paragraph must certify on its first return each calendar

401 year to the tax service provider that it is in compliance with
402 this section when making contributions to or reimbursing the
403 state's unemployment compensation or reemployment assistance
404 system. An employer that voluntarily uses the E-Verify system
405 may also make such a certification on its first return each
406 calendar year in order to document such use.

407 (c) If the E-Verify system is unavailable for 3 business
408 days after the first day that the new employee begins working
409 for pay and an employer cannot access the system to verify a new
410 employee's employment eligibility, the employer must use the
411 Employment Eligibility Verification form (Form I-9) to verify
412 employment eligibility. The unavailability of the E-Verify
413 system does not bar the employer from using the rebuttable
414 presumption established in paragraph (4) (a). An employer must
415 document the unavailability of the E-Verify system by retaining
416 a screenshot from each day which shows the employer's lack of
417 access to the system, a public announcement that the E-Verify
418 system is not available, or any other communication or notice
419 recorded by the employer regarding the unavailability of the
420 system.

421 (d) The employer must retain a copy of the documentation
422 provided and any official verification generated, if applicable,
423 for at least 3 years.

424 (e) An employer may not continue to employ an unauthorized
425 alien after obtaining knowledge that a person is or has become

426 an unauthorized alien.

427 (f) An employee leasing company licensed under part XI of
428 chapter 468 which enters into a written agreement or
429 understanding with a client company which places the primary
430 obligation for compliance with this section upon the client
431 company is not required to verify employment eligibility of any
432 new employees of the client company. In the absence of a written
433 agreement or understanding, the employee leasing company is
434 responsible for compliance with this section. Such employee
435 leasing company shall, at all times, remain an employer as
436 otherwise defined in federal laws or regulations.

437 (3) ENFORCEMENT.—

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

443 1. The Department of Law Enforcement;

444 2. The Attorney General;

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

447 4. The statewide prosecutor; or

448 5. The Department of Economic Opportunity.

449 (b) A person or an entity that makes a request under
450 paragraph (a) must rely upon the Federal Government to verify an

451 employee's employment eligibility and may not independently make
452 a final determination as to whether an employee is an
453 unauthorized alien.

454 (4) DEFENSES.—

455 (a) An employer that uses the E-Verify system or, if that
456 system is unavailable, the Employment Eligibility Verification
457 form (Form I-9) as provided in paragraph (2)(c), with respect to
458 the employment of an unauthorized alien has established a
459 rebuttable presumption that the employer has not violated s.
460 448.09 with respect to such employment.

461 (b) An employer that uses the same documentation that is
462 required by the United States Citizenship and Immigration
463 Services on its Employment Eligibility Verification form (Form
464 I-9) with respect to the employment of an unauthorized alien,
465 has established an affirmative defense that the employer has not
466 violated s. 448.09 with respect to such employment.

467 (5) PUBLIC AGENCY CONTRACTING.—

468 (a) A public agency must require in any contract that the
469 contractor, and any subcontractor thereof, register with and use
470 the E-Verify system to verify the work authorization status of
471 all new employees of the contractor or subcontractor. A public
472 agency or a contractor or subcontractor thereof may not enter
473 into a contract unless each party to the contract registers with
474 and uses the E-Verify system.

475 (b) If a contractor enters into a contract with a

476 subcontractor, the subcontractor must provide the contractor
477 with an affidavit stating that the subcontractor does not
478 employ, contract with, or subcontract with an unauthorized
479 alien. The contractor shall maintain a copy of such affidavit
480 for the duration of the contract.

481 (c)1. A public agency, contractor, or subcontractor who
482 has a good faith belief that a person or an entity with which it
483 is contracting has knowingly violated s. 448.09 (1) shall
484 terminate the contract with the person or entity.

485 2. A public agency that has a good faith belief that a
486 subcontractor knowingly violated this subsection, but the
487 contractor otherwise complied with this subsection, shall
488 promptly notify the contractor and order the contractor to
489 immediately terminate the contract with the subcontractor.

490 3. A contract terminated under this paragraph is not a
491 breach of contract and may not be considered as such. If a
492 public agency terminates a contract with a contractor under this
493 paragraph, the contractor may not be awarded a public contract
494 for at least 1 year after the date on which the contract was
495 terminated. A contractor is liable for any additional costs
496 incurred by a public agency as a result of the termination of a
497 contract.

498 (d) A public agency, contractor, or subcontractor may file
499 a cause of action with a circuit or county court to challenge a
500 termination under paragraph (c) no later than 20 calendar days

501 after the date on which the contract was terminated.

502 (6) COMPLIANCE.—

503 (a) In addition to the requirements under s. 288.061(6),
 504 beginning on July 1, 2024, if the Department of Economic
 505 Opportunity determines that an employer failed to use the E-
 506 Verify system to verify the employment eligibility of employees
 507 as required under this section, the department must notify the
 508 employer of the department's determination of noncompliance and
 509 provide the employer with 30 days to cure the noncompliance.

510 (b) If the Department of Economic Opportunity determines
 511 that an employer failed to use the E-Verify system as required
 512 under this section three times in any 24-month period, the
 513 department must impose a fine of \$1,000 per day until the
 514 employer provides sufficient proof to the department that the
 515 noncompliance is cured. Noncompliance constitutes grounds for
 516 the suspension of all licenses issued by a licensing agency
 517 subject to chapter 120 until the noncompliance is cured.

518 (c) Fines collected under this subsection must be
 519 deposited into the State Economic Enhancement and Development
 520 Trust Fund for use by the department for employer outreach and
 521 public notice of the state's employment verification laws.

522 (7) CONSTRUCTION.—

523 (a) This section must be enforced without regard to race,
 524 color, or national origin and must be construed in a manner so
 525 as to be fully consistent with any applicable federal laws or

526 regulations.

527 (b) The requirements to use the E-Verify system under this
528 section do not apply in any federal fiscal year in which the
529 system is not funded by the Federal Government.

530 (c) This section shall expire 60 days after the E-Verify
531 system is no longer a pilot program, and the Federal Government
532 requires the use of the E-Verify system by all employers in the
533 United States.

534 Section 8. Effective November 1, 2028, subsection (3) of
535 section 454.021, Florida Statutes, is amended to read:

536 454.021 Attorneys; admission to practice law; Supreme
537 Court to govern and regulate.—

538 ~~(3) Upon certification by the Florida Board of Bar~~
539 ~~Examiners that an applicant who is an unauthorized immigrant who~~
540 ~~was brought to the United States as a minor; has been present in~~
541 ~~the United States for more than 10 years; has received~~
542 ~~documented employment authorization from the United States~~
543 ~~Citizenship and Immigration Services (USCIS); has been issued a~~
544 ~~social security number; if a male, has registered with the~~
545 ~~Selective Service System if required to do so under the Military~~
546 ~~Selective Service Act, 50 U.S.C. App. 453; and has fulfilled all~~
547 ~~requirements for admission to practice law in this state, the~~
548 ~~Supreme Court of Florida may admit that applicant as an attorney~~
549 ~~at law authorized to practice in this state and may direct an~~
550 ~~order be entered upon the court's records to that effect.~~

551 Section 9. The repeal of s. 454.021(3), Florida Statutes,
 552 by this act does not affect the validity of any license to
 553 practice law issued pursuant to that subsection before November
 554 1, 2028.

555 Section 10. Section 787.07, Florida Statutes, is amended
 556 to read:

557 787.07 Human smuggling.—

558 (1) Except as provided in subsections (3), (4), and (5), a
 559 person who knowingly and willfully transports into this state an
 560 individual whom ~~who~~ the person knows, or reasonably should know,
 561 has entered ~~is illegally entering~~ the United States in violation
 562 of law and has not been inspected by the Federal Government
 563 since his or her unlawful entry from another country commits a
 564 felony of the third degree, punishable as provided in s.
 565 775.082, s. 775.083, or s. 775.084.

566 (2) A person commits a separate offense for each
 567 individual he or she transports into this state in violation of
 568 this section.

569 (3) A person who transports a minor into this state in
 570 violation of subsection (1) commits a felony of the second
 571 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 572 775.084.

573 (4) A person who commits five or more separate offenses
 574 under this section during a single episode commits a felony of
 575 the second degree, punishable as provided in s. 775.082, s.

576 775.083, or s. 775.084.

577 (5) (a) A person with a prior conviction under this section
 578 who commits a subsequent violation of this section commits a
 579 felony of the second degree, punishable as provided in s.
 580 775.082, s. 775.083, or s. 775.084.

581 (b) As used in paragraph (a), the term "conviction" means
 582 a determination of guilt that is the result of a plea agreement
 583 or a trial, regardless of whether adjudication is withheld or a
 584 plea of nolo contendere is entered.

585 (6) Proof that a person knowingly and willfully presented
 586 false identification or gave false information to a law
 587 enforcement officer who is conducting an investigation for a
 588 violation of this section gives rise to an inference that such
 589 person was aware that the individual had entered the United
 590 States in violation of the law and had not been inspected by the
 591 Federal Government since his or her unlawful entry.

592 (7) A person who is arrested for a violation of this
 593 section must be held in custody until brought before the court
 594 for admittance to pretrial release in accordance with chapter
 595 903.

596 Section 11. Paragraph (a) of subsection (8) of section
 597 895.02, Florida Statutes, is amended to read:

598 895.02 Definitions.—As used in ss. 895.01–895.08, the
 599 term:

600 (8) "Racketeering activity" means to commit, to attempt to

601 | commit, to conspire to commit, or to solicit, coerce, or
 602 | intimidate another person to commit:

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

606 | 1. Section 210.18, relating to evasion of payment of
 607 | cigarette taxes.

608 | 2. Section 316.1935, relating to fleeing or attempting to
 609 | elude a law enforcement officer and aggravated fleeing or
 610 | eluding.

611 | 3. Chapter 379, relating to the illegal sale, purchase,
 612 | collection, harvest, capture, or possession of wild animal life,
 613 | freshwater aquatic life, or marine life, and related crimes.

614 | 4. Section 403.727(3)(b), relating to environmental
 615 | control.

616 | 5. Section 409.920 or s. 409.9201, relating to Medicaid
 617 | fraud.

618 | 6. Section 414.39, relating to public assistance fraud.

619 | 7. Section 440.105 or s. 440.106, relating to workers'
 620 | compensation.

621 | 8. Section 443.071(4), relating to creation of a
 622 | fictitious employer scheme to commit reemployment assistance
 623 | fraud.

624 | 9. Section 465.0161, relating to distribution of medicinal
 625 | drugs without a permit as an Internet pharmacy.

- 626 10. Section 499.0051, relating to crimes involving
 627 contraband, adulterated, or misbranded drugs.
- 628 11. Part IV of chapter 501, relating to telemarketing.
- 629 12. Chapter 517, relating to sale of securities and
 630 investor protection.
- 631 13. Section 550.235 or s. 550.3551, relating to dogracing
 632 and horseracing.
- 633 14. Chapter 550, relating to jai alai frontons.
- 634 15. Section 551.109, relating to slot machine gaming.
- 635 16. Chapter 552, relating to the manufacture,
 636 distribution, and use of explosives.
- 637 17. Chapter 560, relating to money transmitters, if the
 638 violation is punishable as a felony.
- 639 18. Chapter 562, relating to beverage law enforcement.
- 640 19. Section 624.401, relating to transacting insurance
 641 without a certificate of authority, s. 624.437(4)(c)1., relating
 642 to operating an unauthorized multiple-employer welfare
 643 arrangement, or s. 626.902(1)(b), relating to representing or
 644 aiding an unauthorized insurer.
- 645 20. Section 655.50, relating to reports of currency
 646 transactions, when such violation is punishable as a felony.
- 647 21. Chapter 687, relating to interest and usurious
 648 practices.
- 649 22. Section 721.08, s. 721.09, or s. 721.13, relating to
 650 real estate timeshare plans.

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

655 24. Section 777.03, relating to commission of crimes by
656 accessories after the fact.

657 25. Chapter 782, relating to homicide.

658 26. Chapter 784, relating to assault and battery.

659 27. Chapter 787, relating to kidnapping, human smuggling,
660 or human trafficking.

661 28. Chapter 790, relating to weapons and firearms.

662 29. Chapter 794, relating to sexual battery, but only if
663 such crime was committed with the intent to benefit, promote, or
664 further the interests of a criminal gang, or for the purpose of
665 increasing a criminal gang member's own standing or position
666 within a criminal gang.

667 30. Former s. 796.03, former s. 796.035, s. 796.04, s.
668 796.05, or s. 796.07, relating to prostitution.

669 31. Chapter 806, relating to arson and criminal mischief.

670 32. Chapter 810, relating to burglary and trespass.

671 33. Chapter 812, relating to theft, robbery, and related
672 crimes.

673 34. Chapter 815, relating to computer-related crimes.

674 35. Chapter 817, relating to fraudulent practices, false
675 pretenses, fraud generally, credit card crimes, and patient

676 | brokering.

677 | 36. Chapter 825, relating to abuse, neglect, or

678 | exploitation of an elderly person or disabled adult.

679 | 37. Section 827.071, relating to commercial sexual

680 | exploitation of children.

681 | 38. Section 828.122, relating to fighting or baiting

682 | animals.

683 | 39. Chapter 831, relating to forgery and counterfeiting.

684 | 40. Chapter 832, relating to issuance of worthless checks

685 | and drafts.

686 | 41. Section 836.05, relating to extortion.

687 | 42. Chapter 837, relating to perjury.

688 | 43. Chapter 838, relating to bribery and misuse of public

689 | office.

690 | 44. Chapter 843, relating to obstruction of justice.

691 | 45. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or

692 | s. 847.07, relating to obscene literature and profanity.

693 | 46. Chapter 849, relating to gambling, lottery, gambling

694 | or gaming devices, slot machines, or any of the provisions

695 | within that chapter.

696 | 47. Chapter 874, relating to criminal gangs.

697 | 48. Chapter 893, relating to drug abuse prevention and

698 | control.

699 | 49. Chapter 896, relating to offenses related to financial

700 | transactions.

701 50. Sections 914.22 and 914.23, relating to tampering with
 702 or harassing a witness, victim, or informant, and retaliation
 703 against a witness, victim, or informant.

704 51. Sections 918.12 and 918.13, relating to tampering with
 705 jurors and evidence.

706 Section 12. Paragraph (f) is added to subsection (2) of
 707 section 908.104, Florida Statutes, to read:

708 908.104 Cooperation with federal immigration authorities.—

709 (2) Except as otherwise expressly prohibited by federal
 710 law, a state entity, local governmental entity, or law
 711 enforcement agency, or an employee, an agent, or a
 712 representative of the entity or agency, may not prohibit or in
 713 any way restrict a law enforcement agency from taking any of the
 714 following actions with respect to information regarding a
 715 person's immigration status:

716 (f) Sending the applicable information obtained pursuant
 717 to enforcement of s. 448.095 to a federal immigration agency.

718 Section 13. Subsection (14) of section 943.03, Florida
 719 Statutes, is amended to read:

720 943.03 Department of Law Enforcement.—

721 (14) The department, with respect to counter-terrorism
 722 efforts, responses to acts of terrorism within or affecting this
 723 state, coordinating with and providing assistance to the Federal
 724 Government in the enforcement of federal immigration laws,
 725 responses to immigration enforcement incidents within or

726 affecting this state, and other matters related to the domestic
 727 security of Florida as it relates to terrorism and immigration
 728 enforcement incidents, shall coordinate and direct the law
 729 enforcement, initial emergency, and other initial responses. The
 730 department shall work closely with the Division of Emergency
 731 Management, other federal, state, and local law enforcement
 732 agencies, fire and rescue agencies, first-responder agencies,
 733 and others involved in preparation against acts of terrorism in
 734 or affecting this state, immigration enforcement incidents
 735 within or affecting this state, and in the response to such acts
 736 or incidents. The executive director of the department, or
 737 another member of the department designated by the director,
 738 shall serve as Chief of Domestic Security for the purpose of
 739 directing and coordinating such efforts. The department and
 740 Chief of Domestic Security shall use the regional domestic
 741 security task forces as established in this chapter to assist in
 742 such efforts.

743 Section 14. Section 943.03101, Florida Statutes, is
 744 amended to read:

745 943.03101 Counter-terrorism and immigration enforcement
 746 coordination.—The Legislature finds that with respect to
 747 counter-terrorism efforts, ~~and~~ initial responses to acts of
 748 terrorism within or affecting this state, coordinating with and
 749 providing assistance to the Federal Government in the
 750 enforcement of federal immigration laws, and responses to

751 immigration enforcement incidents within or affecting this
752 state, specialized efforts of emergency management which are
753 unique to such situations are required and that these efforts
754 intrinsically involve very close coordination of federal, state,
755 and local law enforcement agencies with the efforts of all
756 others involved in emergency-response efforts. In order to best
757 provide this specialized effort, the Legislature has determined
758 that such efforts should be coordinated by and through the
759 Department of Law Enforcement, working closely with the Division
760 of Emergency Management and others involved in preparation
761 against acts of terrorism in or affecting this state,
762 immigration enforcement incidents within or affecting this
763 state, and in the initial response to such acts, in accordance
764 with the state comprehensive emergency management plan prepared
765 pursuant to s. 252.35(2) (a).

766 Section 15. Present subsections (2) through (7) of section
767 943.0311, Florida Statutes, are redesignated as subsections (3)
768 through (8), respectively, a new subsection (2) is added to that
769 section, and subsection (1) and present subsection (3) of that
770 section are amended, to read:

771 943.0311 Chief of Domestic Security; duties of the
772 department with respect to domestic security.—

773 (1) The executive director of the department, or a member
774 of the department designated by the executive director, shall
775 serve as the Chief of Domestic Security. The Chief of Domestic

776 Security shall:

777 (a) Coordinate the efforts of the department in the
 778 ongoing assessment of this state's vulnerability to, and ability
 779 to detect, prevent, prepare for, respond to, and recover from,
 780 acts of terrorism within or affecting this state and immigration
 781 enforcement incidents within or affecting this state.

782 (b) Prepare recommendations for the Governor, the
 783 President of the Senate, and the Speaker of the House of
 784 Representatives, which are based upon ongoing assessments to
 785 limit the vulnerability of the state to terrorism and
 786 immigration enforcement incidents.

787 (c) Coordinate the collection of proposals to limit the
 788 vulnerability of the state to terrorism and immigration
 789 enforcement incidents.

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

792 (e) Use public or private resources to perform the duties
 793 assigned to the department under this section.

794 (2) The chief shall regularly coordinate random audits
 795 pursuant to s. 448.095 to ensure compliance and enforcement and
 796 shall notify the Department of Economic Opportunity of any
 797 violations.

798 (4)~~(3)~~ The chief shall report to the Governor, the
 799 President of the Senate, and the Speaker of the House of
 800 Representatives by November 1 of each year suggestions for

801 specific and significant security enhancements of any building,
 802 facility, or structure owned or leased by a state agency, state
 803 university, or community college or any entity that has
 804 conducted an assessment under subsection (6) ~~(5)~~. The chief may
 805 utilize the assessments provided under subsection (6) ~~(5)~~ in
 806 making his or her suggestions. The report shall suggest
 807 strategies to maximize federal funds in support of building or
 808 facility security if such funds are available.

809 Section 16. Section 943.0312, Florida Statutes, is amended
 810 to read:

811 943.0312 Regional domestic security task forces.—The
 812 Legislature finds that there is a need to develop and implement
 813 a statewide strategy to address prevention, preparation,
 814 protection, response, and recovery efforts by federal, state,
 815 and local law enforcement agencies, emergency management
 816 agencies, fire and rescue departments, first-responder
 817 personnel, and others in dealing with potential or actual
 818 terrorist acts within or affecting this state and potential or
 819 actual immigration enforcement incidents within or affecting
 820 this state.

821 (1) To assist the department and the Chief of Domestic
 822 Security in performing their roles and duties in this regard,
 823 the department shall establish a regional domestic security task
 824 force in each of the department's operational regions. The task
 825 forces shall serve in an advisory capacity to the department and

826 the Chief of Domestic Security and shall provide support to the
827 department in its performance of functions pertaining to
828 domestic security.

829 (a) Subject to annual appropriation, the department shall
830 provide dedicated employees to support the function of each
831 regional domestic security task force.

832 (b) Each task force shall be co-chaired by the
833 department's special agent in charge of the operational region
834 in which the task force is located and by a local sheriff or
835 chief of police from within the operational region.

836 (c) Each task force membership may also include
837 representatives of state and local law enforcement agencies,
838 fire and rescue departments, or first-responder personnel;
839 representatives of emergency management agencies and health,
840 medical, and hospital agencies; representatives of local
841 emergency planning committees; and other persons as deemed
842 appropriate and necessary by the task force co-chairs.

843 (d) The co-chairs of each task force may appoint
844 subcommittees and subcommittee chairs as necessary in order to
845 address issues related to the various disciplines represented on
846 the task force, except that subcommittee chairs for emergency
847 management shall be appointed with the approval of the director
848 of the Division of Emergency Management. A subcommittee chair
849 shall serve at the pleasure of the co-chairs.

850 (2) In accordance with the state's domestic security

851 strategic goals and objectives, each task force shall coordinate
852 efforts to counter terrorism~~7~~, as defined by s. 775.30~~7~~, and
853 cooperate with and provide assistance to the Federal Government
854 in the enforcement of federal immigration laws within or
855 affecting this state in compliance with chapter 908, among
856 local, state, and federal resources to ensure that such efforts
857 are not fragmented or unnecessarily duplicated; coordinate
858 training for local and state personnel to counter terrorism as
859 defined in ~~by~~ s. 775.30; and cooperate with and provide
860 assistance to the Federal Government in the enforcement of
861 federal immigration laws within or affecting this state in
862 compliance with chapter 908; coordinate the collection and
863 dissemination of investigative and intelligence information; and
864 facilitate responses to terrorist incidents within or affecting
865 each region and immigration enforcement incidents within or
866 affecting each region. With the approval of the Chief of
867 Domestic Security, the task forces may incorporate other
868 objectives reasonably related to the goals of enhancing the
869 state's domestic security and ability to detect, prevent, and
870 respond to acts of terrorism within or affecting this state or
871 immigration enforcement incidents within or affecting this
872 state. Each task force shall take into account the variety of
873 conditions and resources present within its region.

874 (3) The Chief of Domestic Security, in conjunction with
875 the Division of Emergency Management, the regional domestic

876 security task forces, and the various state entities responsible
877 for establishing training standards applicable to state law
878 enforcement officers and fire, emergency, and first-responder
879 personnel shall identify appropriate equipment and training
880 needs, curricula, and materials related to the effective
881 response to suspected or actual acts of terrorism, immigration
882 enforcement incidents, or incidents involving real or hoax
883 weapons of mass destruction as defined in s. 790.166.
884 Recommendations for funding for purchases of equipment, delivery
885 of training, implementation of, or revision to basic or
886 continued training required for state licensure or
887 certification, or other related responses shall be made by the
888 Chief of Domestic Security to the Domestic Security Oversight
889 Council, the Executive Office of the Governor, the President of
890 the Senate, and the Speaker of the House of Representatives as
891 necessary to ensure that the needs of this state with regard to
892 the preparing, equipping, training, and exercising of response
893 personnel are identified and addressed. In making such
894 recommendations, the Chief of Domestic Security and the Division
895 of Emergency Management shall identify all funding sources that
896 may be available to fund such efforts.

897 (4) Each regional domestic security task force, working in
898 conjunction with the department, the Office of the Attorney
899 General, and other public or private entities, shall work to
900 ensure that hate-driven acts against ethnic groups that may have

CS/HB 1617

2023

901 | been targeted as a result of acts of terrorism in or affecting
902 | this state, or as a result of immigration enforcement incidents
903 | within or affecting this state, are appropriately investigated
904 | and responded to.

905 | (5) Members of each regional domestic security task force
906 | may not receive any pay other than their salaries normally
907 | received from their employers, but are entitled to reimbursement
908 | for per diem and travel expenses in accordance with s. 112.061.

909 | (6) Subject to annual appropriation, the department shall
910 | provide staff and administrative support for the regional
911 | domestic security task forces.

912 | Section 17. Section 943.0313, Florida Statutes, is amended
913 | to read:

914 | 943.0313 Domestic Security Oversight Council.—The
915 | Legislature finds that there exists a need to provide executive
916 | direction and leadership with respect to terrorism and
917 | immigration enforcement incident prevention, preparation,
918 | protection, response, and recovery efforts by state and local
919 | agencies in this state. In recognition of this need, the
920 | Domestic Security Oversight Council is hereby created. The
921 | council shall serve as an advisory council pursuant to s.
922 | 20.03(7) to provide guidance to the state's regional domestic
923 | security task forces and other domestic security working groups
924 | and to make recommendations to the Governor and the Legislature
925 | regarding the expenditure of funds and allocation of resources

926 | related to counter-terrorism and cooperating with and providing
 927 | assistance to the Federal Government in the enforcement of
 928 | federal immigration laws and domestic security efforts.

929 | (1) MEMBERSHIP.—

930 | (a) The Domestic Security Oversight Council shall consist
 931 | of the following voting members:

932 | 1. The executive director of the Department of Law
 933 | Enforcement.

934 | 2. The director of the Division of Emergency Management.

935 | 3. The Attorney General.

936 | 4. The Commissioner of Agriculture.

937 | 5. The State Surgeon General.

938 | 6. The Commissioner of Education.

939 | 7. The State Fire Marshal.

940 | 8. The adjutant general of the Florida National Guard.

941 | 9. The state chief information officer.

942 | 10. Each sheriff or chief of police who serves as a co-
 943 | chair of a regional domestic security task force pursuant to s.
 944 | 943.0312(1)(b).

945 | 11. Each of the department's special agents in charge who
 946 | serve as a co-chair of a regional domestic security task force.

947 | 12. Two representatives of the Florida Fire Chiefs
 948 | Association.

949 | 13. One representative of the Florida Police Chiefs
 950 | Association.

951 14. One representative of the Florida Prosecuting
 952 Attorneys Association.

953 15. The chair of the Statewide Domestic Security
 954 Intelligence Committee.

955 16. One representative of the Florida Hospital
 956 Association.

957 17. One representative of the Emergency Medical Services
 958 Advisory Council.

959 18. One representative of the Florida Emergency
 960 Preparedness Association.

961 19. One representative of the Florida Seaport
 962 Transportation and Economic Development Council.

963 (b) In addition to the members designated in paragraph
 964 (a), the council may invite other ex officio, nonvoting members
 965 to attend and participate in council meetings. Those nonvoting
 966 members may include, but need not be limited to:

967 1. The executive director of the Department of Highway
 968 Safety and Motor Vehicles.

969 2. The Secretary of Health Care Administration.

970 3. The Secretary of Environmental Protection.

971 4. The director of the Division of Law Enforcement within
 972 the Fish and Wildlife Conservation Commission.

973 5. A representative of the Commission on Human Relations.

974 6. A representative of the United States Coast Guard.

975 7. A United States Attorney from a federal judicial

976 circuit within this state.

977 8. A special agent in charge from an office of the Federal
978 Bureau of Investigation within this state.

979 9. A representative of the United States Department of
980 Homeland Security.

981 10. A representative of United States Immigration and
982 Customs Enforcement.

983 11. A representative of United States Customs and Border
984 Protection.

985 (2) ORGANIZATION.—

986 (a) The Legislature finds that the council serves a
987 legitimate state, county, and municipal purpose and that service
988 on the council is consistent with a member's principal service
989 in public office or employment. Membership on the council does
990 not disqualify a member from holding any other public office or
991 being employed by a public entity, except that a member of the
992 Legislature may not serve on the council.

993 (b) The executive director of the Department of Law
994 Enforcement shall serve as chair of the council, and the
995 director of the Division of Emergency Management shall serve as
996 vice chair of the council. In the absence of the chair, the vice
997 chair shall serve as chair. In the absence of the vice chair,
998 the chair may name any member of the council to perform the
999 duties of the chair if such substitution does not extend beyond
1000 a defined meeting, duty, or period of time.

1001 (c) Any absent voting member of the council may be
1002 represented by a designee empowered to act on any issue before
1003 the council to the same extent that the designating member is
1004 empowered. If a co-chair of a regional domestic security task
1005 force is absent from a council meeting, the co-chair shall
1006 appoint a subcommittee chair of that task force as the designee.

1007 (d) The council shall establish bylaws for its general
1008 governance.

1009 (e) Any member of the council serving by reason of the
1010 office or employment held by the member shall cease to serve on
1011 the council at such time as he or she ceases to hold the office
1012 or employment which was the basis for appointment to the
1013 council.

1014 (f) Representatives from agencies or organizations other
1015 than those designated by title shall be chosen by the entity.
1016 Except for those individuals designated by title, council
1017 members shall be certified annually to the chair by the
1018 organization they represent.

1019 (g) Members of the council or their designees shall serve
1020 without compensation but are entitled to reimbursement for per
1021 diem and travel expenses pursuant to s. 112.061.

1022 (h) The department shall provide the council with the
1023 staff support necessary to assist in the performance of its
1024 duties.

1025 (3) MEETINGS.—The council must meet at least semiannually.

1026 Additional meetings may be held as necessary. A majority of the
 1027 members of the council constitutes a quorum.

1028 (4) EXECUTIVE COMMITTEE.—

1029 (a) The council shall establish an executive committee
 1030 consisting of the following members:

1031 1. The executive director of the Department of Law
 1032 Enforcement.

1033 2. The director of the Division of Emergency Management.

1034 3. The Attorney General.

1035 4. The Commissioner of Agriculture.

1036 5. The State Surgeon General.

1037 6. The Commissioner of Education.

1038 7. The State Fire Marshal.

1039 (b) The executive director of the Department of Law
 1040 Enforcement shall serve as the chair of the executive committee,
 1041 and the director of the Division of Emergency Management shall
 1042 serve as the vice chair of the executive committee.

1043 (c) The executive committee shall approve all matters
 1044 brought before the council prior to consideration. When
 1045 expedited action of the council is deemed necessary by the chair
 1046 or vice chair, the executive committee may act on behalf of the
 1047 council.

1048 (5) DUTIES OF THE COUNCIL.—

1049 (a) The Domestic Security Oversight Council shall serve as
 1050 an advisory council to the Governor, the Legislature, and the

1051 Chief of Domestic Security. The council shall:

1052 1. Review the development, maintenance, and operation of a
1053 comprehensive multidisciplinary domestic security strategy that
1054 will guide the state's prevention, preparedness, protection,
1055 response, and recovery efforts against terrorist attacks and
1056 immigration enforcement incidents and make appropriate
1057 recommendations to ensure the implementation of that strategy.

1058 2. Review the development of integrated funding plans to
1059 support specific projects, goals, and objectives necessary to
1060 the state's domestic security strategy and make appropriate
1061 recommendations to implement those plans.

1062 3. Review and recommend approval of prioritized
1063 recommendations from regional domestic security task forces and
1064 state working groups on the use of available funding to ensure
1065 the use of such funds in a manner that best promotes the goals
1066 of statewide, regional, and local domestic security through
1067 coordinated planning and implementation strategies.

1068 4. Review and recommend approval of statewide policies and
1069 operational protocols that support the domestic security efforts
1070 of the regional domestic security task forces and state
1071 agencies.

1072 5. Review the overall statewide effectiveness of domestic
1073 security efforts, ~~and~~ counter-terrorism efforts, and efforts of
1074 coordinating with and providing assistance to the Federal
1075 Government in the enforcement of federal immigration laws in

1076 | order to provide suggestions to improve or enhance those
 1077 | efforts.

1078 | 6. Review the efforts of any agency or entity involved in
 1079 | state or local domestic security efforts, ~~and~~ counter-terrorism
 1080 | efforts, and efforts of coordination with and providing
 1081 | assistance to the Federal Government in the enforcement of
 1082 | federal immigration laws that requests assistance or that
 1083 | appears to need such review in order to provide suggestions to
 1084 | improve or enhance those efforts.

1085 | 7. Review efforts within the state to better secure state
 1086 | and local infrastructure against terrorist attack or immigration
 1087 | enforcement incidents and make recommendations to enhance the
 1088 | effectiveness of such efforts.

1089 | 8. Review and recommend legislative initiatives related to
 1090 | the state's domestic security and provide endorsement or
 1091 | recommendations to enhance the effectiveness of such efforts.

1092 | 9. Review statewide or multiagency mobilizations and
 1093 | responses to major domestic security incidents and recommend
 1094 | suggestions for training, improvement of response efforts, or
 1095 | improvement of coordination or for other strategies that may be
 1096 | derived as necessary from such reviews.

1097 | 10. Conduct any additional review or inquiry or make
 1098 | recommendations to the Governor and Legislature in support of
 1099 | other initiatives, as may be necessary, to fulfill the function
 1100 | of general oversight of the state's domestic security efforts,

1101 ~~and counter-terrorism efforts,~~ and efforts of coordinating with
1102 and providing assistance to the Federal Government in the
1103 enforcement of federal immigration laws and to promote increased
1104 security.

1105 11. Promote and preserve intergovernmental cooperation and
1106 consensus among state and local agencies, the Federal
1107 Government, private entities, other states, and other nations,
1108 as appropriate, under the guidance of the Governor.

1109 (b) The Domestic Security Oversight Council shall make an
1110 annual funding recommendation to the Governor and Legislature
1111 which shall prioritize funding requests based on allocations
1112 from all available sources for implementing the state's domestic
1113 security strategy. This recommendation must include the
1114 prioritized recommendations of each of the regional domestic
1115 security task forces and the various working groups that
1116 participate in the prioritization process for funding
1117 allocations. The recommendation must reflect the consideration
1118 of strategic priorities and allocations that best serve the
1119 state's overall domestic security needs. The recommendation
1120 shall be transmitted to the Governor and the Legislature by
1121 December 31 of each year. If additional funds become available,
1122 or reallocation of funding is required beyond current spending
1123 authorizations, the council may make recommendations to the
1124 Governor for consideration by the Legislative Budget Commission.

1125 (6) REPORTS.—The council shall report annually on its

1126 activities, on or before December 31 of each calendar year, to
 1127 the Governor, the President of the Senate, the Speaker of the
 1128 House of Representatives, and the chairs of the committees
 1129 having principal jurisdiction over domestic security in the
 1130 Senate and the House of Representatives.

1131 (7) AGENCY DESIGNATION.—For purposes of this section, the
 1132 Domestic Security Oversight Council shall be considered a
 1133 criminal justice agency within the definition of s. 119.011(4).

1134 Section 18. Paragraph (g) of subsection (2) and paragraph
 1135 (a) of subsection (3) of section 943.325, Florida Statutes, are
 1136 amended, and paragraph (f) is added to subsection (7) of that
 1137 section, to read:

1138 943.325 DNA database.—

1139 (2) DEFINITIONS.—As used in this section, the term:

1140 (g) "Qualifying offender" means any person, including
 1141 juveniles and adults, who is:

1142 1.a. Committed to a county jail;

1143 b. Committed to or under the supervision of the Department
 1144 of Corrections, including persons incarcerated in a private
 1145 correctional institution operated under contract pursuant to s.
 1146 944.105;

1147 c. Committed to or under the supervision of the Department
 1148 of Juvenile Justice;

1149 d. Transferred to this state under the Interstate Compact
 1150 on Juveniles, part XIII of chapter 985; or

1151 e. Accepted under Article IV of the Interstate Corrections
 1152 Compact, part III of chapter 941; and who is:

1153 2.a. Convicted of any felony offense or attempted felony
 1154 offense in this state or of a similar offense in another
 1155 jurisdiction;

1156 b. Convicted of a misdemeanor violation of s. 784.048, s.
 1157 810.14, s. 847.011, s. 847.013, s. 847.0135, or s. 877.26, or an
 1158 offense that was found, pursuant to s. 874.04, to have been
 1159 committed for the purpose of benefiting, promoting, or
 1160 furthering the interests of a criminal gang as defined in s.
 1161 874.03; ~~or~~

1162 c. Arrested for any felony offense or attempted felony
 1163 offense in this state; or

1164 d. In the custody of a law enforcement agency and is
 1165 subject to an immigration detainer issued by a federal
 1166 immigration agency.

1167 (3) COLLECTION OF SAMPLES.—

1168 (a) Each qualifying offender shall submit a DNA sample at
 1169 the time he or she is booked into a jail, correctional facility,
 1170 or juvenile facility. A person who becomes a qualifying offender
 1171 solely because of the issuance of an immigration detainer by a
 1172 federal immigration agency must submit a DNA sample when the law
 1173 enforcement agency having custody of the offender receives the
 1174 detainer.

1175 (7) COLLECTION OF DNA SAMPLES FROM OFFENDERS.—

1176 (f) A law enforcement agency having custody of a person
 1177 who becomes a qualifying offender solely because of the issuance
 1178 of an immigration detainer by a federal immigration agency shall
 1179 ensure that a DNA sample is taken from the offender immediately
 1180 after the agency receives the detainer and shall secure and
 1181 transmit the sample to the department in a timely manner.

1182 Section 19. Paragraph (m) of subsection (3) of section
 1183 394.9082, Florida Statutes, is amended to read:

1184 394.9082 Behavioral health managing entities.—

1185 (3) DEPARTMENT DUTIES.—The department shall:

1186 (m) Collect and publish, and update annually, all of the
 1187 following information on its website for each managing entity:

1188 1. All compensation earned or awarded, whether paid or
 1189 accrued, regardless of contingency, by position, for any
 1190 employee, and any other person compensated through a contract
 1191 for services whose services include those commonly associated
 1192 with a chief executive, chief administrator, or other chief
 1193 officer of a business or corporation, who receives compensation
 1194 from state-appropriated funds in excess of 150 percent of the
 1195 annual salary paid to the secretary of the department. For
 1196 purposes of this paragraph, the term "employee" means a person
 1197 filling an authorized and established position who performs
 1198 labor or services for a public or private employer in exchange
 1199 for salary, wages, or other remuneration ~~has the same meaning as~~
 1200 ~~in s. 448.095(1).~~

1201 2. The most recent 3 years of the Return of Organization
 1202 Exempt from Income Tax, Internal Revenue Service Form 990 and
 1203 related documents filed with the Internal Revenue Service,
 1204 auditor reports, and annual reports for each managing entity or
 1205 affiliated entity.

1206 Section 20. Paragraph (a) of subsection (4) of section
 1207 409.996, Florida Statutes, is amended to read:

1208 409.996 Duties of the Department of Children and
 1209 Families.—The department shall contract for the delivery,
 1210 administration, or management of care for children in the child
 1211 protection and child welfare system. In doing so, the department
 1212 retains responsibility for the quality of contracted services
 1213 and programs and shall ensure that, at a minimum, services are
 1214 delivered in accordance with applicable federal and state
 1215 statutes and regulations and the performance standards and
 1216 metrics specified in the strategic plan created under s.
 1217 20.19(1).

1218 (4) (a) The department shall collect and publish on its
 1219 website, and annually update, all of the following information
 1220 for each lead agency under contract with the department:

1221 1. All compensation earned or awarded, whether paid or
 1222 accrued, regardless of contingency, by position, for any
 1223 employee, and any other person who is compensated through a
 1224 contract for services whose services include those commonly
 1225 associated with a chief executive, chief administrator, or other

1226 chief officer of a business or corporation, who receives
 1227 compensation from state-appropriated funds in excess of 150
 1228 percent of the annual salary paid to the secretary of the
 1229 department. For purposes of this paragraph, the term "employee"
 1230 means a person filling an authorized and established position
 1231 who performs labor or services for a public or private employer
 1232 in exchange for salary, wages, or other remuneration ~~has the~~
 1233 ~~same meaning as in s. 448.095.~~

1234 2. All findings of the review under subsection (3).

1235 Section 21. For the 2023-2024 fiscal year, the
 1236 nonrecurring sum of \$12 million from the General Revenue Fund is
 1237 appropriated to the Division of Emergency Management within the
 1238 Executive Office of the Governor for the Unauthorized Alien
 1239 Transport Program.

1240 Section 22. Except as otherwise expressly provided in this
 1241 act and except for this section, which shall take effect upon
 1242 becoming a law, this act shall take effect July 1, 2023.