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Section 1. Subsection (6) of section 908.102, Florida Statutes, is amended 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:

- (a) Complying with an immigration detainer;
- (b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;
- (c) Providing a federal immigration agency access to an inmate for interview;
- (d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357 as required by s. 908.11; ~~or~~
- (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.

51 Section 2. Section 908.11, Florida Statutes, is created to  
 52 read:

53 908.11 Immigration enforcement assistance agreements;  
 54 reporting requirement.—

55 (1) By January 1, 2023, each law enforcement agency  
 56 operating a county detention facility must enter into a written  
 57 agreement with the United States Immigration and Customs  
 58 Enforcement to participate in the immigration program  
 59 established under s. 287(g) of the Immigration and Nationality  
 60 Act, 8 U.S.C. s. 1357. This subsection does not require a law  
 61 enforcement agency to participate in a particular program model.

62 (2) Beginning no later than October 1, 2022, and until the  
 63 law enforcement agency enters into the written agreement  
 64 required under subsection (1), each law enforcement agency  
 65 operating a county detention facility must notify the Department  
 66 of Law Enforcement quarterly of the status of such written  
 67 agreement and any reason for noncompliance with this section, if  
 68 applicable.

69 Section 3. Section 908.111, Florida Statutes, is created  
 70 to read:

71 908.111 Prohibition against governmental entity contracts  
 72 with common carriers; required termination provisions.—

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

74 (a) "Common carrier" means a person, firm, or corporation  
 75 that undertakes for hire, as a regular business, to transport

76 persons or commodities from place to place offering his or her  
77 services to all such as may choose to employ the common carrier  
78 and pay his or her charges.

79 (b) "Governmental entity" means an agency of the state, a  
80 regional or a local government created by the State Constitution  
81 or by general or special act, a county or municipality, or any  
82 other entity that independently exercises governmental  
83 authority.

84 (c) "Unauthorized alien" means a person who is not  
85 authorized under federal law to be employed in the United  
86 States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall  
87 be interpreted consistently with that section and any applicable  
88 federal rules or regulations.

89 (2) A governmental entity may not execute, amend, or renew  
90 a contract with a common carrier if the carrier is willfully  
91 providing any service in furtherance of transporting an  
92 unauthorized alien into the State of Florida knowing that the  
93 unauthorized alien entered into or remains in the United States  
94 in violation of law.

95 (3) A contract between a governmental entity and a common  
96 carrier which is executed, amended, or renewed on or after  
97 October 1, 2022, including a grant agreement or economic  
98 incentive program payment agreement, must include:

99 (a) An attestation by the common carrier, verified as  
100 provided in s. 92.525, that the common carrier is not willfully

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101 providing and will not willfully provide any service during the  
102 contract term in furtherance of transporting an unauthorized  
103 alien into the state knowing that the unauthorized alien entered  
104 into or remains in the United States in violation of law. A  
105 governmental entity is deemed to be in compliance with  
106 subsection (2) upon receipt of the common carrier's attestation.

107 (b) A provision for termination for cause of the contract,  
108 grant agreement, or economic incentive program payment agreement  
109 if a common carrier, despite the attestation, is found to be  
110 willfully providing any service in furtherance of transporting  
111 an unauthorized alien into the state knowing the unauthorized  
112 alien entered into or remains in the United States in violation  
113 of law.

114 (4) The Department of Management Services shall develop by  
115 rule a common carrier attestation form no later than August 30,  
116 2022.

117 Section 4. This act shall take effect upon becoming a law.