

1                                   A bill to be entitled  
 2           An act relating to violation of state immigration law;  
 3           amending s. 908.11, F.S.; requiring the Department of  
 4           Law Enforcement to impose a fine for certain  
 5           violations; requiring the moneys be used for a  
 6           specified purpose; creating s. 908.13, F.S., defining  
 7           the term "unauthorized alien"; authorizing the  
 8           department to develop a program to compensate certain  
 9           persons; providing requirements to receive  
 10          compensation; requiring the department to develop  
 11          rules; creating s. 908.14, F.S.; defining the term  
 12          "unauthorized alien"; creating a cause of action  
 13          against certain local governmental entities and law  
 14          enforcement agencies; requiring the plaintiff to prove  
 15          certain elements by a preponderance of the evidence;  
 16          providing that the state waives sovereign immunity for  
 17          liability in certain circumstances; amending s.  
 18          768.28, F.S.; conforming provisions to changes made by  
 19          the act; providing an effective date.

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

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 23           **Section 1. Subsection (3) is added to section 908.11,**  
 24           **Florida Statutes, to read:**

25           908.11   Immigration enforcement assistance agreements;

26 reporting requirement.—

27 (3) The Department of Law Enforcement must impose a fine  
28 of \$10,000 for each violation of this section. The department  
29 must use the moneys collected from these fines to provide  
30 compensation to victims of unauthorized aliens pursuant to s.  
31 908.13.

32 **Section 2. Section 908.13, Florida Statutes, is created to**  
33 **read:**

34 908.13 Compensation for victims of unauthorized aliens.—

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

37 (2) The Department of Law Enforcement is authorized to  
38 develop a program to compensate residents who have suffered a  
39 harm caused by an unauthorized alien.

40 (3) In order to be eligible for compensation under this  
41 section:

42 (a) The act or omission which caused the harm must have  
43 occurred in this state on or after July 1, 2025.

44 (b) The preponderance of the evidence must show that an  
45 unauthorized alien materially contributed to the harm for which  
46 compensation is sought.

47 (c) The person seeking compensation must complete a form  
48 prescribed by the Department of Law Enforcement.

49 (4) The Department of Law Enforcement shall develop rules  
50 to administer this section.

51           **Section 3. Section 908.14, Florida Statutes, is created to**  
52 **read:**

53           908.14 Cause of action for wrongful death caused by an  
54 unauthorized alien.—

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

57           (2) The estate of a person killed by an unauthorized alien  
58 has a cause of action against:

59           (a) A local governmental entity or law enforcement agency  
60 that has a sanctuary policy in violation of s. 908.103.

61           (b) A law enforcement agency in violation of s. 908.11 or  
62 in violation of the agreement required under that section.

63           (3) A plaintiff must show by a preponderance of the  
64 evidence that a failure to cooperate or fully comply with  
65 federal immigration authorities or with an immigration detainer  
66 allowed an unauthorized alien to have materially contributed to  
67 the decedent's death.

68           (4) Notwithstanding s. 768.28, and in accordance with s.  
69 13, Article X of the State Constitution, the state waives  
70 sovereign immunity for liability for torts under this section.

71           **Section 4. Subsection (21) is added to section 768.28,**  
72 **Florida Statutes, to read:**

73           768.28 Waiver of sovereign immunity in tort actions;  
74 recovery limits; civil liability for damages caused during a  
75 riot; limitation on attorney fees; statute of limitations;

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76 | exclusions; indemnification; risk management programs.—

77 |       (21) This section does not apply to actions brought under  
78 | s. 908.14.

79 |       **Section 5.** This act shall take effect July 1, 2025.