

WELCOME

2023 New Florida Immigration Law Informational Session HB1617 / SB1718



DISCLAIMER

The views and opinions expressed in this presentation are those of the speakers and do not necessarily reflect the views or positions of any entities they represent, and the information provided does not, and is not intended to, constitute legal advice.

Anyone who is unclear on whether provisions of this law apply to them should consult with a licensed, skilled immigration attorney.



Q&A



Today's Speakers



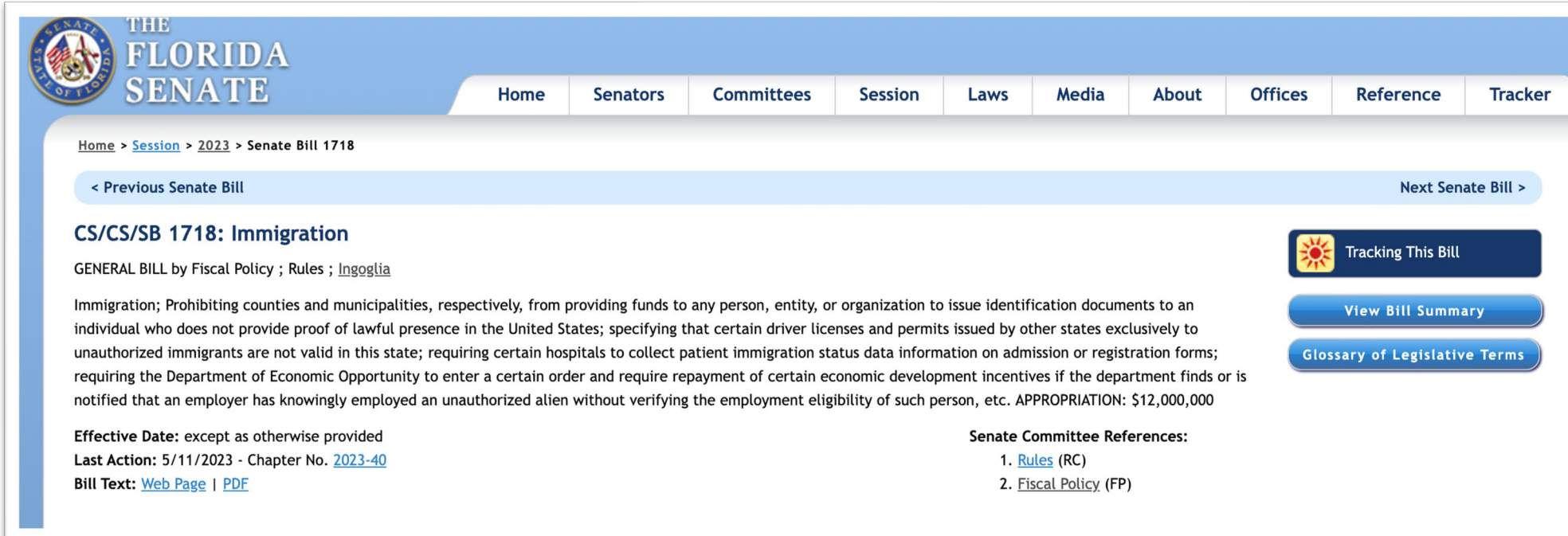
Alexis Tsoukalas, Florida Policy Institute



Jared Nordlund, UnidosUS

Law Overview: SB 1718

- Most sweeping anti-immigrant law in recent memory
 - Advocacy improved, but still harmful
- Passed during 2023 regular session, signed by Governor May 10th
- 20 sections covering a dozen+ policy areas; we're only covering 5 key ones with greatest potential impact



The screenshot shows the Florida Senate website page for Senate Bill 1718. The page header includes the Florida Senate logo and a navigation menu with links for Home, Senators, Committees, Session, Laws, Media, About, Offices, Reference, and Tracker. The main content area displays the bill title "CS/CS/SB 1718: Immigration" and its classification as a "GENERAL BILL by Fiscal Policy ; Rules ; Ingoglia". A detailed description of the bill's provisions is provided, including its effective date and last action. The page also features a "Tracking This Bill" button, a "View Bill Summary" button, and a "Glossary of Legislative Terms" button. A "Senate Committee References" section lists "Rules (RC)" and "Fiscal Policy (FP)".

THE FLORIDA SENATE

Home > Session > 2023 > Senate Bill 1718

< Previous Senate Bill Next Senate Bill >

CS/CS/SB 1718: Immigration

GENERAL BILL by Fiscal Policy ; Rules ; Ingoglia

Immigration; Prohibiting counties and municipalities, respectively, from providing funds to any person, entity, or organization to issue identification documents to an individual who does not provide proof of lawful presence in the United States; specifying that certain driver licenses and permits issued by other states exclusively to unauthorized immigrants are not valid in this state; requiring certain hospitals to collect patient immigration status data information on admission or registration forms; requiring the Department of Economic Opportunity to enter a certain order and require repayment of certain economic development incentives if the department finds or is notified that an employer has knowingly employed an unauthorized alien without verifying the employment eligibility of such person, etc. APPROPRIATION: \$12,000,000

Effective Date: except as otherwise provided

Last Action: 5/11/2023 - Chapter No. [2023-40](#)

Bill Text: [Web Page](#) | [PDF](#)

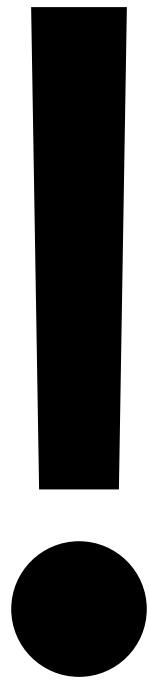
Tracking This Bill

View Bill Summary

Glossary of Legislative Terms

Senate Committee References:

1. [Rules \(RC\)](#)
2. [Fiscal Policy \(FP\)](#)



IMPORTANT!

The immigration law
does not go into
effect until
July 1, 2023*.

**Two provisions—not discussed today—go into effect in 2024 and later.*

Key Law Sections

Local Funding of Community IDs

Out-of-State Driver's Licenses

Hospital Data Collection

E-Verify System

Human Smuggling

Local Funding of Community IDs



What does the law do?

- ✓ Prevents Counties and Cities from funding community identification cards that could be issued to someone who does not provide proof of "lawful presence" in the United States.
 - ✓ e.g., undocumented immigrants



What doesn't the law do?

- Does not invalidate current or future community IDs
 - only prevents local governments from funding them
- Does not prevent Counties or Cities from creating community ID programs

Out-of-State Driver's Licenses



What does the law do?

- ✓ Invalidates out-of-state driver's licenses issued to undocumented immigrants and others who did not prove "lawful presence" to obtain it.
 - ✓ 19 states, Puerto Rico, & D.C. do so
 - ✓ State will list invalid licenses online
- ✓ Punishment—can't drive in Florida, citations issued.



What doesn't the law do?

- Does not prevent undocumented immigrants from getting driver's licenses in other states that offer them.
- May not impact all 19 states and D.C. because only invalid if:
 - Distinguishing marking present or
 - License is type only undocumented immigrants can get.

Hospital Data Collection



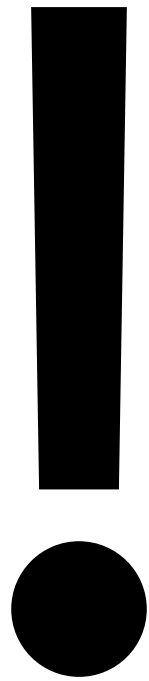
What does the law do?

- ✓ Impacts all hospitals that accept Medicaid in Florida (320+).
- ✓ These hospitals must:
 - Include immigration status question on intake form.
 - Submit quarterly report to State with:
 - # ER visits/hospital admissions by immigration status.
 - Total cost of care by immigration status.



What doesn't the law do?

- Does not impact free clinics, primary care providers, medical specialists; only hospitals that accept Medicaid.
- Does not allow hospitals to refuse care to anyone based on their immigration status.
- Does not require patients to answer immigration status question to receive care (can decline to answer).
- Does not include personally identifiable information in reports to state (aggregate data only).



IMPORTANT!

Patients do not need to provide their immigration status to hospitals to receive care.

Floridians are encouraged to *decline to answer* when asked—whether an immigrant or not.

E-Verify



What does the law do?

- ✓ Requires all employers with 25 or more employees to use the federal E-Verify system to verify a newly hired employee can work in the United States.
- ✓ Creates penalties for business that fail to use the E-Verify system.



What doesn't the law do?

- Does not impact employees hired before July 1, 2023.
- Does not impact workers hired for temporary positions.
- Does not impact private businesses with 24 or fewer employees.
- Does not impact staffing companies if their client company agrees (in writing) to verify new hires itself.

What are the impacts of E-Verify?



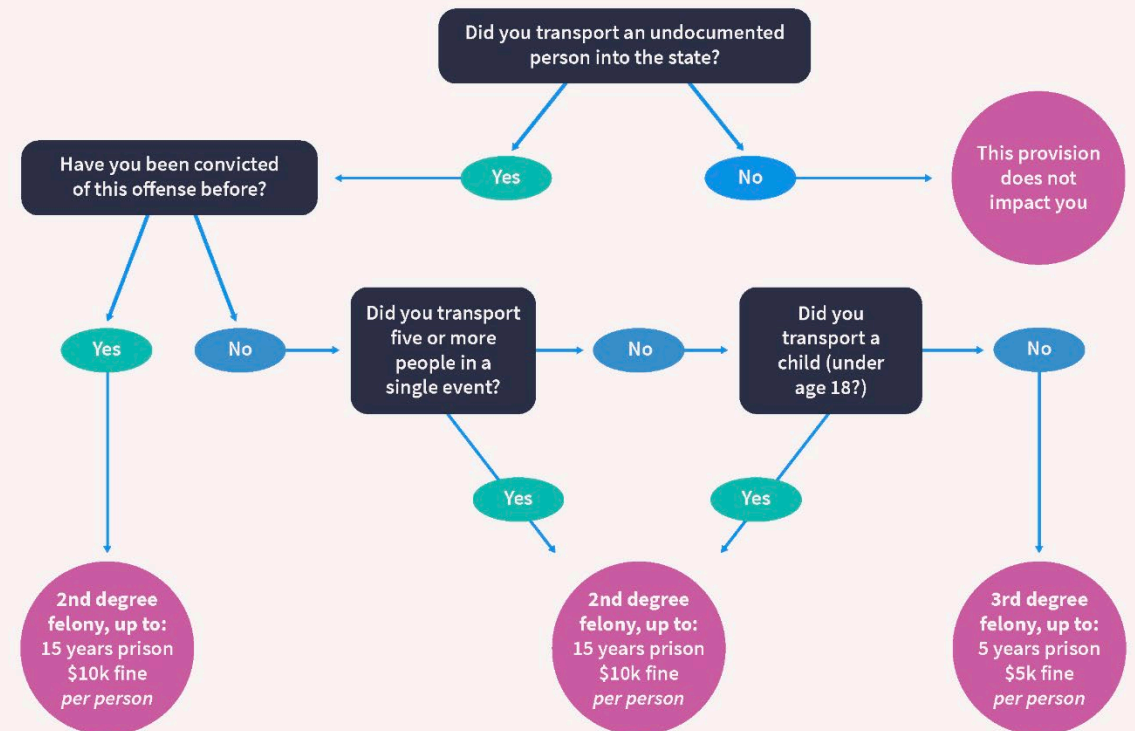
- ✓ Employers may be fined or lose their business licenses.
- ✓ Florida Policy Institute [analysis](#):
 - ✓ Florida's economy could lose c. \$12.6B in economic activity in one year.
 - ✓ Local governments could lose c. \$923M in taxes collected.
 - ✓ Industries like construction, agriculture, hospitality, retail, & other services (e.g., domestic work) could lose 10% of workforce, causing higher prices and supply issues for everyone.
- ✓ Selective enforcement will fall unfairly on Hispanic-owned businesses.

Human Smuggling

What does the bill do?

- ✓ Subjects anyone who transports someone *into the state* when they knew (or should have known) they were undocumented to felony charges.
- ✓ More on nuance of who could be impacted [here](#).

What Charges Do Floridians Face Under SB 1718*?





What doesn't the law do?

- Does not ban transporting undocumented immigrants *within the* state (e.g., to/from school, work, errands, church, medical provider, etc.)
- Does not ban housing or living with undocumented immigrants

Questions?

After the presentation, you may contact:

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