

## **SB 1040 – Reentry Into this State by Certain Persons (Identical HB 751)**

This bill creates s. 877.28, F.S., adding an **unranked, 3rd degree felony** (Level 1 by default) as a penalty for when “a person who, pursuant to 8 U.S.C. ss. 1151 et seq., is denied admission to; is excluded, deported, or removed from; or departs the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters or is at any time found in this state.”

In FY 17-18, the incarceration rate for an unranked, 3<sup>rd</sup> degree felony was 8.7%. However, current administration and practice involving U.S. Immigration and Customs Enforcement (ICE) would make it unlikely that such persons would end up in a state prison.

**CONFERENCE ADOPTED ESTIMATE: No Impact**

**Requested by: House**