

CHAPTER 11Q-1
LOCAL LAW ENFORCEMENT IMMIGRATION GRANT PROGRAM

11Q-1.001	Definitions
11Q-9.002	Funds Availability and Eligibility
11Q-9.003	Eligible Purposes
11Q-9.004	Application and Award Procedures
11Q-9.005	Forms and Instructions

11Q-1.001 Definitions.

As used in these rules, except where the context clearly indicates a different meaning, the following terms shall have the meaning indicated:

- (1) “Board” means the State Board of Immigration Enforcement.
- (2) “Council” means the State Immigration Enforcement Council.
- (3) “Department” means the Florida Department of Law Enforcement.
- (4) “Eligible Application” is an application for Act funds, which meets the requirements of rules 11D-9.001, 11D-9.002, 11D-9.005 and 11D-9.006, F.A.C.
- (5) “Executive Director” means the Executive Director of the State Board of Immigration Enforcement.
- (6) “Grant program” means the Local Law Enforcement Grant Program.
- (7) “Local law enforcement agency” means a law enforcement agency of any county, municipality, or other political subdivision of the state, as well as any chief correctional officers operating county detention facilities.
- (8) “Local law enforcement officer” means any law enforcement officer, as defined in s. 943.10, Florida Statutes, if that officer is elected, appointed, or employed by any county, municipality, or other political subdivision of the state.

Rulemaking Authority 908.1033(7) FS. Law Implemented 908.1033 FS. History—New __-__-__.

11Q-1.002 Funds Availability and Eligibility.

- (1) The amount of funds available shall be that amount appropriated each state fiscal year to the Board by the legislature.
- (2) The Board shall attempt to obligate all of the funds available in the current state fiscal year. Funds will be disbursed on a first-come, first-served basis according to the date of receipt if an application is deemed eligible as provided in 11Q-1.004. Funds allocated through the grant program may not exceed annual legislative appropriations, nor may funds be reallocated for the grant program except as authorized by the legislature.
- (3) A local law enforcement agency may be eligible for reimbursement of costs through the grant program only for purposes provided in 11Q-1.003 and only if the local law enforcement agency certifies compliance with all applicable statutory obligations found in Chapter 908, Florida Statutes.
- (4) A local law enforcement agency may not submit an application or receive grants for any activity for which the agency has received, or expects to receive, federal or other funding.

Rulemaking Authority 908.1033(7) FS. Law Implemented 908.1033 FS. History—New __-__-__.

11Q-1.003 Eligible Purposes and Programs.

- (1) A local law enforcement agency may apply to the Board for reimbursement of the following expenses:
 - (a) Detention beds sublet to the United States Immigration and Customs Enforcement for a temporary period;
 - (b) Equipment, travel, and lodging related to participation in a program under section 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357;
 - (c) Training programs, including certified apprenticeship programs, related to supporting the enforcement of federal immigration laws;
 - (d) Hardware or software essential to assisting the Federal Government in its enforcement of federal immigration laws;

- (e) A bonus of up to \$1,000 for each local law enforcement officer employed by a local law enforcement agency who participated in at least one United States Department of Homeland Security task force operation under section 287(g) of the Immigration and Nationality Act, as found at 8 U.S.C. s. 1357. The bonus shall include an additional 7.65% for the officer's share of Federal Insurance Contribution Act tax on the bonus. A local law enforcement agency may not apply for more than one bonus for any particular local law enforcement officer; or
- (f) Other expenses incurred in cooperation and coordination with federal immigration agencies in the enforcement of federal immigration laws.
- (2) All reimbursements with grant funds must be reasonably priced based on current market review at the time of the expense, and must be necessary for the operations and success of immigration enforcement. All costs must be allowable, reasonable, and necessary in accordance with Department of Financial Services, Chief Financial Officer Memorandum No. 1, available at https://www.myfloridacfo.com/docs-sf/accounting-and-auditing-libraries/state-agencies/cfo-memos/cfo-memo-no-01---contract-and-grant-reviews-and-related-payment-processing-requirements.pdf?sfvrsn=1a73801c_3.

Rulemaking Authority 908.1033(7) FS. Law Implemented 908.1033 FS. History—New __ - __ - __.

11Q-1.004 Application and Award Procedures.

- (1) Each fiscal year in which funds are appropriated for the grant program by the legislature, the Board shall release a funding solicitation to notify local law enforcement agencies of the availability of funds and eligibility criteria.
- (2) A local law enforcement agency that seeks reimbursement for eligible expenses or for bonus payments pursuant to 11Q-1.003 shall submit a completed application via the Department's electronic grants management system. A local law enforcement agency shall submit an application aggregating estimated costs among all eligible purposes identified in 11Q-1.003 for the current state fiscal year.
- (3) Upon receipt of a grant application, the Executive Director shall review the application for completeness and compliance with eligibility requirements set out in 11Q-1.002 and 11Q-1.003. Incomplete applications, or those from local law enforcement agencies that fail to attest to meeting the requirements provided in 11Q-1.002(3), F.A.C., shall be denied but may have the opportunity to resubmit a complete application. Any application denied for failing to meet eligibility requirements according to the Executive Director will be submitted to the Board for review and oversight.
- (4) The Executive Director shall approve a grant application request up to \$25,000 if the application meets eligibility requirements set out in 11Q-1.002 and 11Q-1.003.
- (5) For any grant application from a local law enforcement agency requesting funds more than \$25,000, upon a review for completeness and eligibility, the Executive Director shall submit the application to the Board with a recommendation to either approve or deny the application.
- (6) The Board shall review an application and approve or deny it during its next scheduled public meeting after receipt from the Executive Director. The Board may approve or deny applications en masse on a consent agenda of Board meetings.
- (7) Upon approval, the Board must provide notification in writing to the chair and vice chair of the Legislative Budget Commission at least 14 days before a grant may be issued to a local law enforcement agency.
- (8) The Executive Director shall notify a local law enforcement agency of the final result of its application in writing within 30 days of a determination of incompleteness or ineligibility, or upon a determination of the Board.

Rulemaking Authority 908.1033(7) FS. Law Implemented 908.1033 FS. History—New __ - __ - __.

11Q-1.005 Reimbursement Procedures for Awarded Grants.

- (1) Upon notification of an approved grant application, a local law enforcement agency may submit reimbursement requests to the Board monthly through the Department's electronic grant management system. Reimbursement requests must be complete for an agency to receive grant funds for eligible expenses.
- (2) To receive grant funds for providing beds to the United States Immigration and Customs Enforcement, a law enforcement agency must provide an accounting of the bed days used for immigration enforcement as identified by client ID (i.e., number, last name, or other identifier), date assigned to bed, date departed, and a calculation of the total number of days with associated cost as supporting documentation. This information shall be aggregated on a monthly basis.

