

Industries & Professional Activities Subcommittee

Wednesday, November 5, 2025
1:30 PM – 3:00 PM
Webster Hall (212 Knott)

Daniel Perez
Speaker

Mike Giallombardo
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Industries & Professional Activities Subcommittee

Start Date and Time:	Wednesday, November 05, 2025 01:30 PM
End Date and Time:	Wednesday, November 05, 2025 03:00 PM
Location:	Webster Hall (212 Knott)
Duration:	1.50 hrs

Consideration of the following bill(s):

HB 197 Employment Eligibility by Jacques, Michael

Update on enforcement of gaming laws, and operations to shut down illegal gaming by The Florida Gaming Control Commission

NOTICE FINALIZED on 10/28/2025 12:18PM by Marks.Amie

HB 197

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 197	**COMPANION BILL:** None
TITLE: Employment Eligibility	**LINKED BILLS:** None
SPONSOR(S): Jacques, Michael	**RELATED BILLS:** None

Committee References

Industries & Professional Activities ➤ Commerce

SUMMARY

Effect of the Bill:
The bill expands Florida's E-Verify employment eligibility verification requirements so that all private employers are required to use the E-Verify system, ensuring that every new hire is legally authorized to work in the United States, beginning on July 1, 2026.

Fiscal or Economic Impact:
Indeterminate. The bill may have an indeterminate fiscal impact on state government and the private sector.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill expands to all private employers the requirement to use the E-Verify system to verify each employee's employment eligibility, beginning on July 1, 2026. (Section 1)

The effective date of the bill is July 1, 2026. (Section 2)

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

Indeterminate. The bill may have an indeterminate fiscal impact on state agencies related to enforcement.

PRIVATE SECTOR:

Indeterminate. Businesses may have additional workload related to the use of the E-Verify system[1], and some may be subject to fines related to violations.

[1] E-Verify, *History and Milestones*, https://www.e-verify.gov/about-e-verify/history-and-milestones (last visited Oct. 23, 2025). In 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act, which, among other provisions, created various employment eligibility verification programs, including E-Verify. E-Verify is an Internet-based system through which an employer can verify that a newly hired employee is authorized to work in the United States. E-Verify is administered by DHS in partnership with the Social Security Administration. It is free for employers to use and provides an automated link to Government records to help employers confirm the employment eligibility of employees.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida E-Verify Law

E-Verify is a web-based system that allows enrolled employers to confirm the eligibility to work in the United States. Florida requires the use of the E-Verify system to verify a new employee's employment eligibility by:[2]

- **All public employers**.
- Private employers **with 25 or more employees**.

Each employer that is required, or who volunteers, to use the E-Verify system, must certify on its first return each calendar year to the tax service provider that it is in compliance with the E-Verify requirements when making contributions to or reimbursing the state's unemployment compensation or reemployment assistance system.[3]

The law provides requirements for employers when the system is unavailable,[4] requires employers to retain documentation of verifications,[5] and prohibits an employer from continuing to knowingly employ an unauthorized alien.[6]

If the E-Verify system is unavailable for the three business days after the first day a new employee begins working and the employer cannot access the system to verify the employee's employment eligibility, the employer must use the Employment Eligibility Verification Form (Form I-9) to verify employment eligibility. The employer must document the unavailability of the system by retaining: a screenshot each day that shows the employer's inability to access the system; a public announcement that the E-Verify system is not available; or any other communication or notice regarding the unavailability of the system.

The following entities may request, and an employer must provide, copies of any documentation relied upon by the employer for the verification of a new employee's employment eligibility:[7]

- The Department of Law Enforcement (FDLE);
- The Attorney General (AG);
- The state attorney in the circuit in which the new employee works;
- The statewide prosecutor; or
- The Department of Commerce (DC).

These entities must rely upon the Federal Government to verify an employee's employment eligibility and may not independently make a final determination as to whether an employee is an unauthorized alien.[8]

An employer that uses the E-Verify system or, if that system is unavailable, the Form I-9, with respect to the employment of an unauthorized alien has established a rebuttable presumption and an affirmative defense that the employer has not violated the state prohibition on hiring unauthorized aliens,[9] with respect to such employment.[10]

The DC is responsible for the administration of compliance requirements, as follows:[11]

- If it determines that an employer failed to use the E-Verify system, the DC is required to:
    - Notify the employer of its determination; and

[2] S. 448.095(2)(a) and (b), F.S.
[3] S. 448.095(2)(b)3., F.S.
[4] S. 448.095(2)(c), F.S.
[5] S. 448.095(2)(d), F.S.
[6] S. 448.095(2)(e), F.S.
[7] S. 448.095(3)(a), F.S.
[8] S. 448.095(3)(b), F.S.
[9] S. 448.09, F.S.
[10] S. 448.095(4)(a), F.S.
[11] S. 448.095(6), F.S.

  - Provide the employer with 30 days to cure the noncompliance.
- If the DC determines that an employer failed to use the E-Verify system as required three times in any 24-month period, it must impose a fine of $1,000 per day until the employer provides proof of compliance.
- Noncompliance constitutes grounds for the suspension of all licenses issued by a licensing agency subject to chapter 120, F.S., until the noncompliance is cured.
- Fines must be deposited into the State Economic Enhancement and Development Trust Fund for use by the DC for employer outreach and public notice of the state's employment verification laws.

E-Verify Federal Law

To use the E-Verify system, an employer must open a "case" for the employee on the system and enter basic information from the employee's Form I-9 (name, address, SSN) into the case.[12] Then, the system checks the submitted information to records that are available to the U.S. Department of Homeland Security (DHS) and the U.S. Social Security Administration (SSA), and issues one of the following possible results to the employer:[13]

- **Employment Authorized** - The employee's information matched records available to the DHS and/or SSA.
- **E-Verify Needs More Time** - This case was referred to the DHS for further verification.
- **Tentative Non-confirmation (Mismatch)** - Information did not match records available to the DHS and/or SSA. Additional action is required.
- **Case in Continuance** - The employee has contacted the DHS or visited an SSA field office, but more time is needed to determine a final case result.
- **Close Case and Resubmit** – The DHS or SSA requires that the employer to close the case and create a new case for the employee. This result may be issued when the employee's United States passport, passport card, or driver's license information is incorrect.
- **Final Non-confirmation** - E-Verify cannot confirm the employee's employment eligibility after the employee contacted the DHS or SSA, the time for resolving the case expired, or the DHS closed the case without confirming the employee's employment eligibility for some other reason.

If the result is Tentative Non-confirmation, then the employer must notify the employee, who must take further action to verify his or her eligibility. If the result is E-Verify Needs More Time or Case in Continuance, then the E-Verify system needs more time to process the case.[14]

E-Verify Defenses for Employers

The Immigration Reform and Control Act (IRCA) provides sanctions to be imposed on employers who knowingly employ aliens who are not authorized to work.[15] Federal law contains no criminal sanction for working without authorization, although document fraud is a civil violation.[16] The United States Citizenship and Immigration Services (USCIS) enforces these provisions.[17]

According to the Immigration and Nationality Act (INA), an employer using E-Verify or the Form I-9, establishing good faith compliance with the law, has established an affirmative defense and a rebuttable presumption that the person or entity has not violated the federal law with respect to such hiring, recruiting, or referring.[18],[19]

[12] E-Verify, *Verification Process*, for details on how the system works, https://www.e-verify.gov/employers/verification-process (last visited Oct. 23, 2025). Before using E-Verify, an employer must enroll and sign a Memorandum of Understanding that provides the terms of agreement between the employer and the DHS. *See* E-Verify, *The E-Verify Memorandum of Understanding for Employers*, https://www.e-verify.gov/sites/default/files/everify/memos/MOUforEVerifyEmployer.pdf (last visited Oct. 23, 2025).
[13] *Id*.
[14] *Id.*
[15] 8 U.S.C. s. 1324a(a)(1)-(2).
[16] 8 U.S.C. s. 1324c.
[17] 8 U.S.C. s. 1324a.
[18] 8 U.S.C. s. 1324a(a)(3) and (b)(6).
[19] 8 U.S.C. s. 1324a notes, *Pilot Programs for Employment Eligibility Confirmation*.

RECENT LEGISLATION:

YEAR	BILL #	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2025	HB 955	Jacques, Michael	The bill passed the House, but died in the Senate.
2023	CS/HB 1617	Michael, Jacques	The bill became effective July 1, 2023, except as otherwise provided

U.S. Department of Homeland Security, E-Verify

Florida Department of Commerce, E-Verify Compliance

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee			Anstead	Bunnell
Commerce Committee				

A bill to be entitled

An act relating to employment eligibility; amending s. 448.095, F.S.; requiring that all private employers, rather than only those employing more than a specified number of employees, use the E-Verify system to verify a new employee's employment eligibility beginning on a specified date; providing an effective date.

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

Section 1. Paragraph (b) of subsection (2) of section 448.095, Florida Statutes, is amended to read:

448.095 Employment eligibility.—

(2) EMPLOYMENT VERIFICATION.—

(b)1. A public agency shall use the E-Verify system to verify a new employee's employment eligibility as required under paragraph (a).

2. Beginning on July 1, 2026 ~~2023~~, a private employer ~~with 25 or more employees~~ shall use the E-Verify system to verify a new employee's employment eligibility as required under paragraph (a).

3. Each employer ~~required to use the E-Verify system under this paragraph~~ must certify on its first return each calendar year to the tax service provider that it is in compliance with this section when making contributions to or reimbursing the

state's unemployment compensation or reemployment assistance system. ~~An employer that voluntarily uses the E-Verify system may also make such a certification on its first return each calendar year in order to document such use.~~

Section 2. This act shall take effect July 1, 2026.

FGCC

Florida Gaming Control Commission

Overview and Law Enforcement Mission

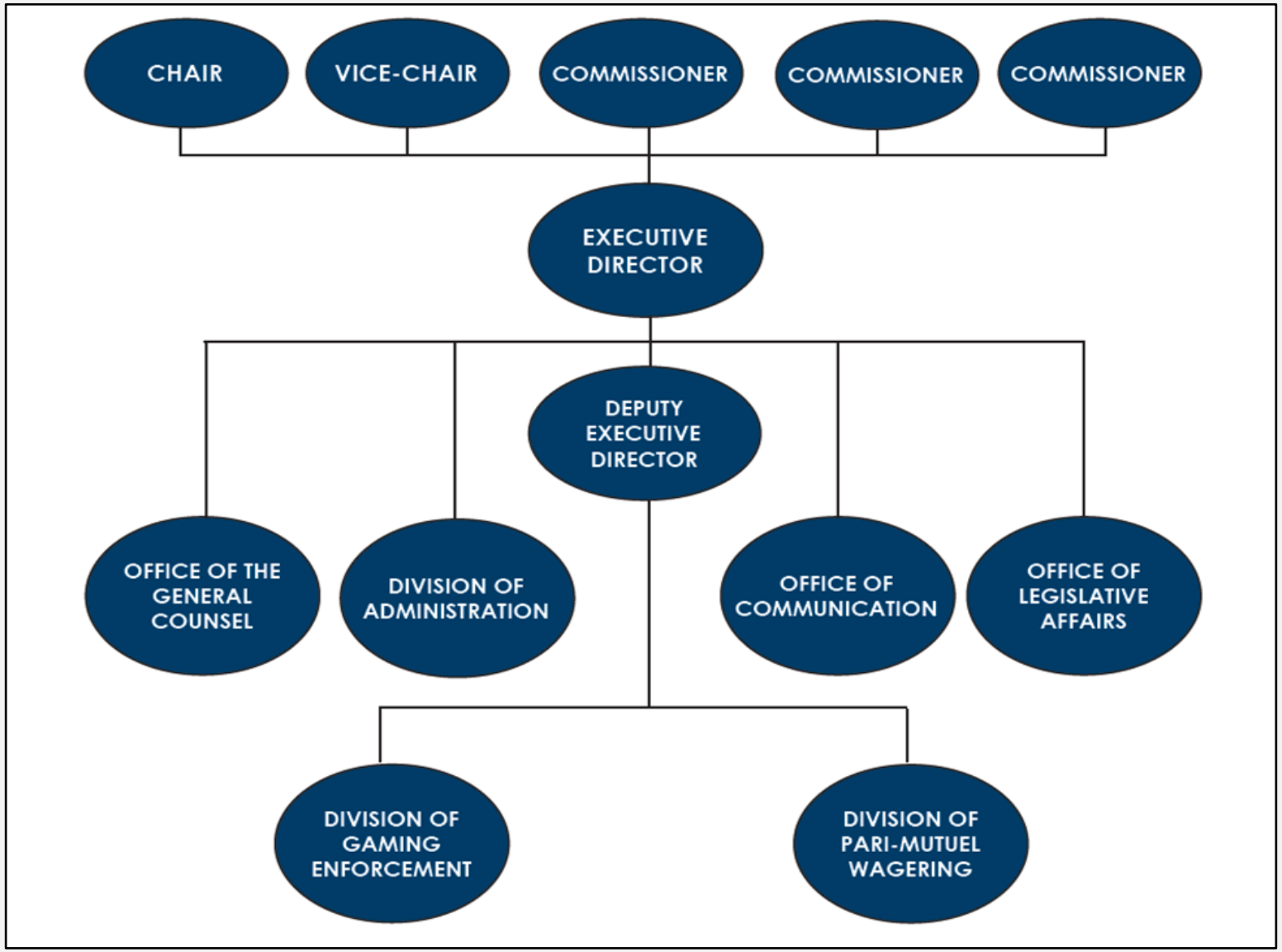
House Industries & Professional Activities Subcommittee

Alana Zimmer, Executive Director
November 5, 2025

About the Commission

- The Florida Gaming Control Commission (FGCC) was established in 2021.
- The agency is overseen by a five-member commission appointed by the Governor.
- FGCC employs 197 Full-Time Employees.
- Within its Division of Gaming Enforcement, FGCC has:
  - 31 Full-Time Employees; including
  - 19 Sworn Law Enforcement Personnel.

Organization Structure



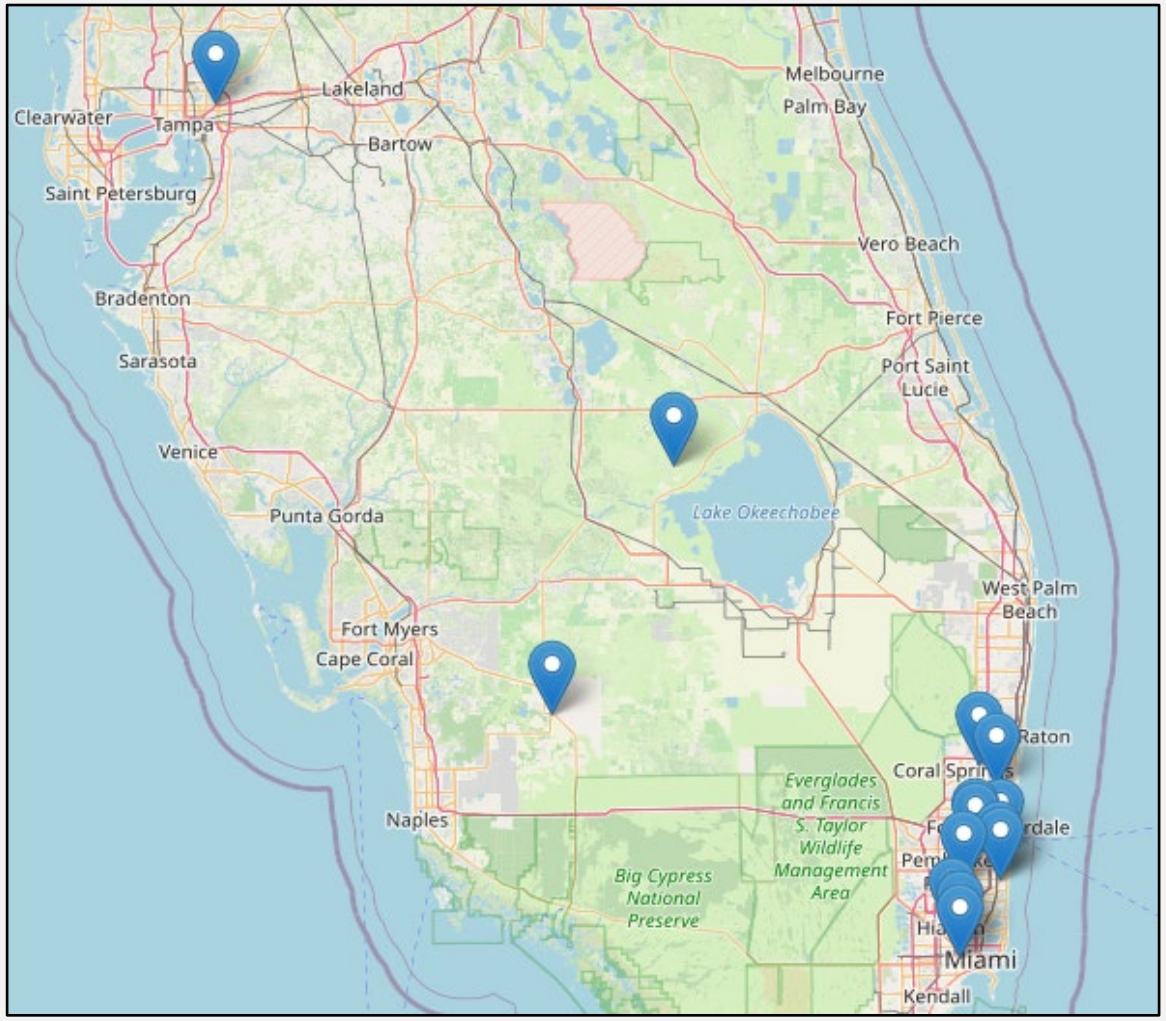
FGCC Mission

The mission of the Florida Gaming Control Commission is to preserve and protect the integrity of gaming activities through fair regulation, licensing, effective criminal investigation, and enforcement.

Legal Slot Facility Locations

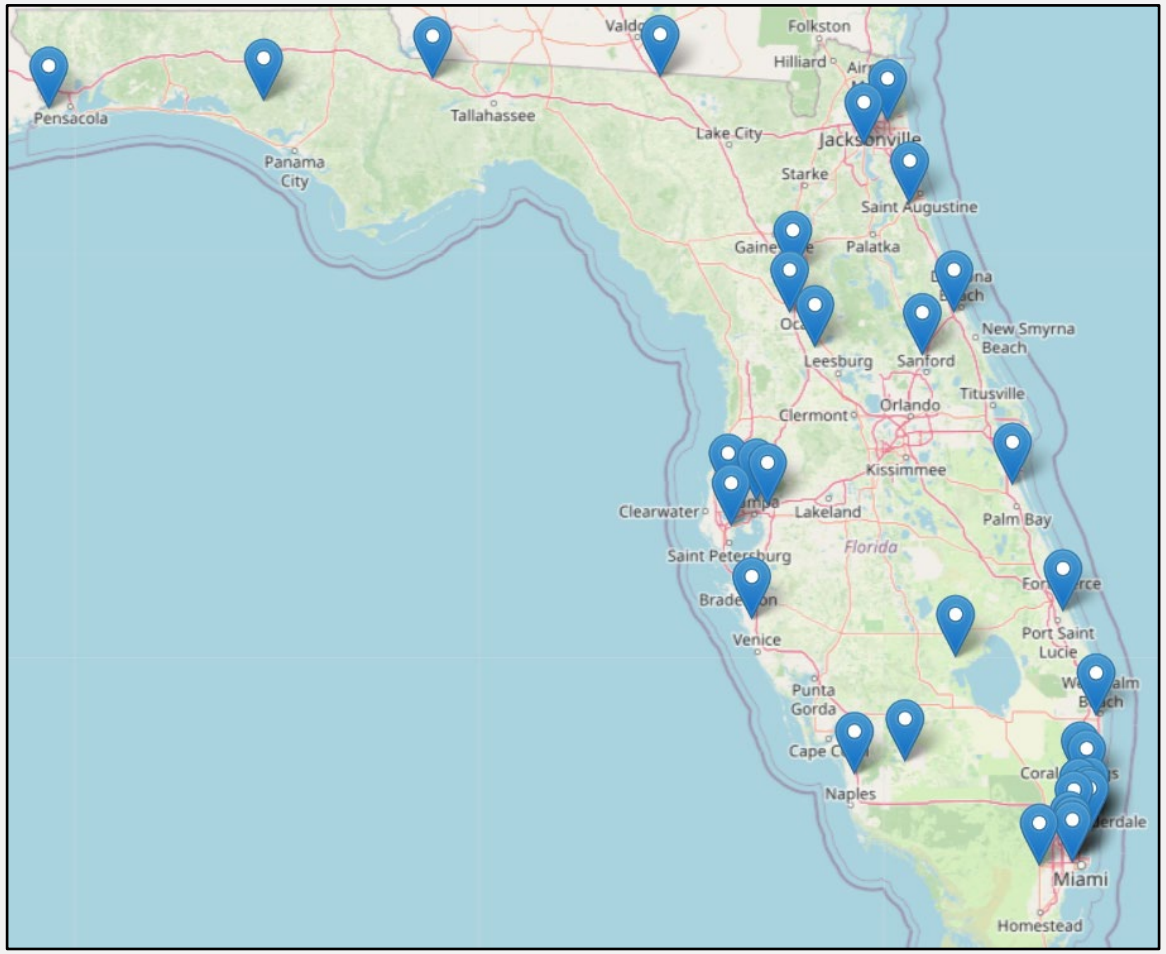
- Eight State Licensed Slot Facilities in Miami-Dade (4) and Broward (4) Counties

- Seven Seminole Tribal locations, identified in the Compact, in Glades (1), Hendry (1), Hillsborough (1), Collier (1), and Broward (3) Counties.



Legal Cardroom Locations

- 28 Pari-mutuel Permitholders have a Cardroom Operating License for FY 2025-2026.
- Counties that have a State Licensed Cardroom are Brevard (1), Broward (4), Clay (1), Duval (1), Escambia (1), Gadsden (1), Hamilton (1), Hillsborough (2), Lee (1), Marion (3), Miami-Dade (4), Palm Beach (1), Pinellas (1), Sarasota (1), St. Lucie (1), St. Johns (1), Volusia (2), Washington (1) Counties.
- Seven Seminole Tribal locations, identified in the Compact, in Glades (1), Hendry (1), Hillsborough (1), Collier (1), and Broward (3) Counties.



2021 Gaming Compact

- The 2021 Gaming Compact between the Seminole Tribe of Florida and the State of Florida was executed by Governor Ron DeSantis for a 30-year term valid through July 31, 2051.

- The Compact provides the Seminole Tribe exclusivity to certain gaming activities, such as sports betting and banked games (e.g., blackjack, roulette, and craps), on Tribal lands in exchange for revenue sharing payments to the State of Florida.

- The FGCC is the State Compliance Agency, authorized to carry out the state's oversight responsibilities under the Compact.

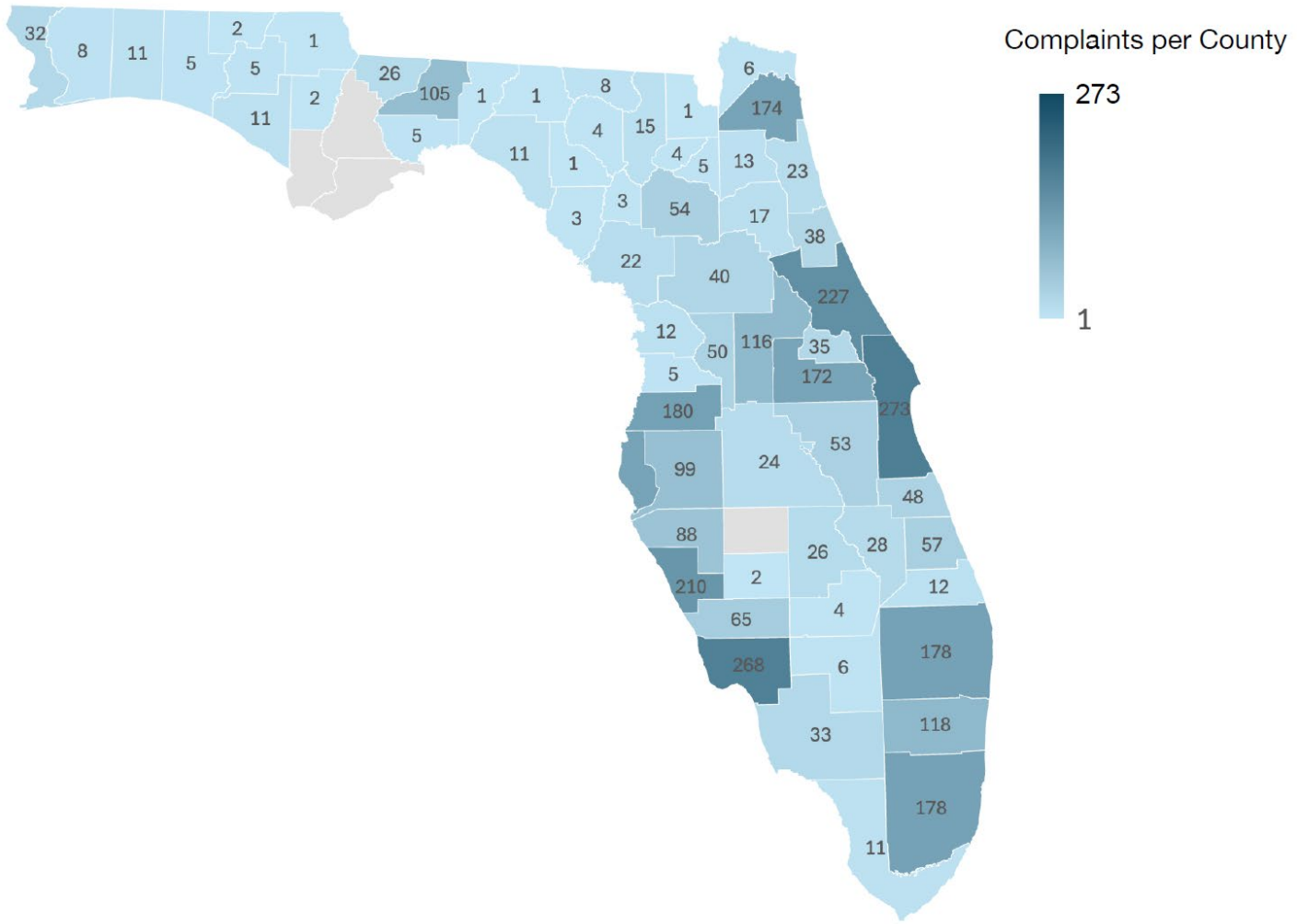
- The Compact provides for a cessation of payments under the following conditions:
  - Florida law or Florida Constitution is amended to allow the operation of regulated gaming or other casino-style gaming at any location under the jurisdiction of the state that was not in operation as of January 1, 2021, or to allow the operation of new forms of regulated gaming or other casino-style gaming not in operation as of January 1, 2021;
  - A court decision or administrative ruling expands regulated gaming or other casino-style gaming and the Florida Legislature does not pass legislation to reverse such decision or ruling; or
  - The Florida Constitution is amended to authorize regulated gaming or other casino-style gaming at any location less than 100 straight line miles from a Tribal facility.

Illegal Casinos Are Harmful

Illegal casinos are harmful, as they:

- Exploit consumers with rigged, unregulated gambling devices;
- Threaten small businesses;
- Destabilize communities;
- Associate with organized crime organizations;
- Foster environments that proliferate other types of crime such as theft and nuisance activity; and
- Undercut state and education revenues generated by lawful, regulated gaming facilities.

Reports of Illegal Activity FY 2024-2025



Darker areas indicate higher reports of illegal activity.

Reports include illegal casinos, slot machines, illegal poker, illegal bingo, illegal raffles, alleged sweepstakes, and others.

Illegal Casinos











Successes

Since the creation of the Commission, Special Agents have conducted 116 operations and 54 joint investigative operations with local, state, and federal partners, resulting in:

- 4,275 illegal slot machines seized;
- 113 illegal casinos or businesses raided;
- $11.2 million in illegally obtained proceeds seized;
- 168 arrests;
- 5 confiscated weapons; and
- 55 dogs rescued in connection with the shutdown of an illegal dog-fighting ring.

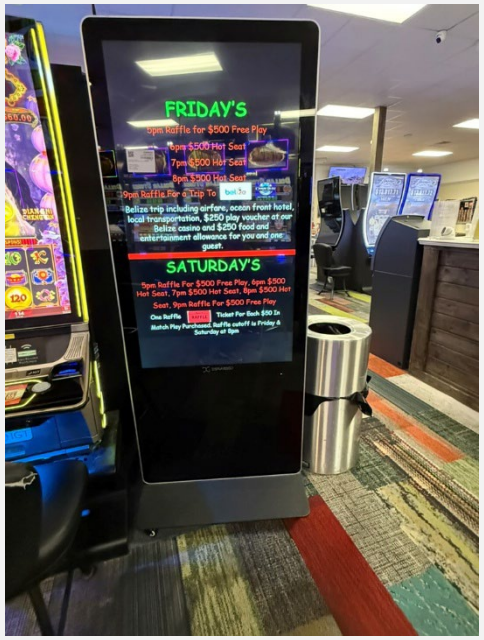
FGCC has dedicated efforts to destroying seized illegal slot machines.

- This promotes public safety and the welfare of the state's residents by removing illegal slot machines from circulation and reducing the total number of machines that must be stored by the Commission; providing a cost savings in warehousing.

The Commission has also created educational materials made available to the public, law enforcement, and prosecutors on how to recognize illegal gambling.

Il Villagio (The Villages)









191 Slot Machines Seized

$650,000 Cash Seized

1 Gold Bar Seized

6 Arrests - Possession of Slot Machines

2 Arrests - RICO

3 Arrests - Money Laundering



Challenges and Looking Forward

Barriers to Success

While FGCC has seen increasing success with combating illegal gambling, to improve its posture:

- There must be stronger disincentives. Criminal penalties must be increased to balance the severity of the offenses with the conduct.
  - **Suggested Fix:** Increasing the misdemeanor criminal penalties associated with illegal gambling to felonies.
- Additional resources and personnel are needed for the Commission's Division of Gaming Enforcement to better meet the widespread and growing challenge.
  - **Suggested Fix:** Additional Division of Gaming Enforcement agent squads.

Looking Forward

FGCC will continue to:

- Aggressively pursue illegal gambling that hurts Florida citizens and jeopardizes public safety.
- Provide resources and expertise on gaming regulation and enforcement.
- Ensure the preservation and integrity of licensed gaming activities.
- Build investigative relationships with law enforcement partners.

Thank you

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