



Governor Ron DeSantis
Office of the Governor
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

RE: Time to Terminate Executive Order 23-03

Dear Governor DeSantis,

We write to urge you to rescind Executive Order 23-03, originally issued on January 6, 2023, and end the “state of emergency” that is now in its third year, thanks to repeated extensions. The “emergency” it claims to address no longer exists, and continuing this order today represents a misuse of executive authority and a misdirection of state resources.

The state of emergency refers to “President Biden” four separate times to justify its issuance, but as of January 2025, President Trump has resumed office. Moreover, the data points in the initial Executive Order citing border crossings are no longer relevant, meaning that the foundational arguments made in EO 23-03 are not only politically motivated — they are now factually outdated.

It is also important to emphasize that immigration is governed by federal law, not state law. In fact, a U.S. District Court recently halted enforcement of Florida’s anti-immigrant law SB 4-C, ruling it unconstitutional for violating the Supremacy Clause. States cannot enforce immigration law on their own terms, nor should they create emergency orders to do so.

All of this would be troubling at any time, but it’s especially reckless now.

Florida is in the midst of hurricane season and families are struggling economically to get by. Our Division of Emergency Management should be laser-focused on storm preparation, coastal resilience, disaster recovery, and public safety, not tied up in enforcing a two-year-old immigration order built on politics, not policy. At this point, even no-bid contracts and invoices that fall under this EO are now being shielded from the public. This is even more reason for the EO to end.



We also want to remind you that, at any time, the Legislature may terminate a state of emergency or any specific order, proclamation, or rule thereunder by concurrent resolution. As lawmakers, we have a statutory responsibility and obligation to ensure our co-equal branches of government operate with transparency and reason.

Florida families deserve real solutions to real emergencies. We urge you to allow EO 23-03 to expire or formally rescind it so we can direct our time, attention, and resources toward protecting lives and livelihoods this hurricane season and beyond.

Sincerely,

State Representative Angie Nixon
State Representative Dr. Anna V. Eskamani
State Representative Ashley Gantt
State Senator Barbara Sharief
State Senator Carlos Guillermo Smith
State Representative Daryl Campbell
State Representative Dianne Hart
State Representative Dotie Joseph
State Representative Fentrice Driskell
State Representative Johanna Lopez
State Representative Kelly Skidmore
State Senator Kristen Arrington
State Representative LaVon Bracy Davis
State Representative Leonard Spencer
State Senator Lori Berman
State Representative Lindsay Cross
State Representative Michele K. Rayner
State Representative Mitch Rosenwald
State Representative Rita Harris
State Senator Rosalind Osgood
State Senator Shevrin Jones
State Senator Tina Polsky