

## Committee on Criminal Justice

### **CS/CS/HB 1455 — Sexual Offenses by Persons Previously Convicted of Sexual Offenses**

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Baker and others (CS/SB 716 by Criminal Justice Committee and Senator Martin)

The bill creates s. 794.0116, F.S., to provide mandatory minimum sentences for a person who has previously been convicted of an offense listed in the sexual offender registry statute and who is convicted of committing a subsequent specified sexual offense. A person sentenced to a mandatory minimum term of imprisonment under the bill is generally not eligible for gain-time or any form of discretionary early release.

Specifically, a court must sentence a person who was previously convicted of or had adjudication withheld for an offense specified in the sexual offender statute to a mandatory minimum term of imprisonment of:

- 10 years if a person commits:
  - Lewd and lascivious molestation of a victim less than 16 years of age under s. 800.04(5), F.S.;
  - Lewd and lascivious molestation of an elderly or disabled person under s. 825.1025(3), F.S.;
  - Possession of child pornography under s. 827.071(5)(a), F.S.;
  - Computer pornography, prohibited computer usage, or traveling to meet a minor under s. 847.0135, F.S.; or
  - Transmitting child pornography under s. 847.0137, F.S.
- 15 years if a person possesses, with the intent to promote, any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, includes child pornography, in violation of s. 827.071(4), F.S.
- 20 years if a person commits:
  - Use of a child in a sexual performance under s. 827.071(2), F.S.;
  - Promoting a sexual performance by a child under s. 827.071(3), F.S.; or
  - Selling or buying of minors under s. 847.0145, F.S.

If the mandatory minimum term of imprisonment imposed exceeds the maximum sentence authorized under law, the mandatory minimum term of imprisonment must be imposed. If the mandatory minimum term of imprisonment required to be imposed is less than the sentence that could be imposed, the court must impose a sentence that includes the mandatory minimum term of imprisonment required under the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

*Vote: Senate 37-0; House 112-0*