

By Senator Crist

13-1155-01

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A bill to be entitled

An act relating to sexual offenders; amending s. 947.1405, F.S.; prohibiting sexual offenders subject to conditional release supervision from living within a specified distance of certain places where children congregate; providing an effective date.

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

Section 1. Paragraph (a) of subsection (7) of section 947.1405, Florida Statutes, is amended to read:

947.1405 Conditional release program.--

(7)(a) Any inmate who is convicted of a crime committed on or after October 1, 1995, or who has been previously convicted of a crime committed on or after October 1, 1995, in violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and is subject to conditional release supervision, shall have, in addition to any other conditions imposed, the following special conditions imposed by the commission:

1. A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and such alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.

2. If the victim was under the age of 18, a prohibition on living within 1 mile ~~1,000 feet~~ of a school, day care center, park, playground, school bus stop, or other place where children regularly congregate.

1           3. Active participation in and successful completion  
2 of a sex offender treatment program with therapists  
3 specifically trained to treat sex offenders, at the releasee's  
4 own expense. If a specially trained therapist is not available  
5 within a 50-mile radius of the releasee's residence, the  
6 offender shall participate in other appropriate therapy.

7           4. A prohibition on any contact with the victim,  
8 directly or indirectly, including through a third person,  
9 unless approved by the victim, the offender's therapist, and  
10 the sentencing court.

11           5. If the victim was under the age of 18, a  
12 prohibition, until successful completion of a sex offender  
13 treatment program, on unsupervised contact with a child under  
14 the age of 18, unless authorized by the commission without  
15 another adult present who is responsible for the child's  
16 welfare, has been advised of the crime, and is approved by the  
17 commission.

18           6. If the victim was under age 18, a prohibition on  
19 working for pay or as a volunteer at any school, day care  
20 center, park, playground, or other place where children  
21 regularly congregate, as prescribed by the commission.

22           7. Unless otherwise indicated in the treatment plan  
23 provided by the sexual offender treatment program, a  
24 prohibition on viewing, owning, or possessing any obscene,  
25 pornographic, or sexually stimulating visual or auditory  
26 material, including telephone, electronic media, computer  
27 programs, or computer services that are relevant to the  
28 offender's deviant behavior pattern.

29           8. A requirement that the releasee must submit two  
30 specimens of blood to the Florida Department of Law  
31 Enforcement to be registered with the DNA database.

1           9. A requirement that the releasee make restitution to  
2 the victim, as determined by the sentencing court or the  
3 commission, for all necessary medical and related professional  
4 services relating to physical, psychiatric, and psychological  
5 care.

6           10. Submission to a warrantless search by the  
7 community control or probation officer of the probationer's or  
8 community controllee's person, residence, or vehicle.

9           Section 2. This act shall take effect July 1, 2001.

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HOUSE SUMMARY

Prohibits sexual offenders subject to conditional release supervision from living within a specified distance of certain places where children congregate.