

By Representative Bowen

1 A bill to be entitled
2 An act relating to career criminals; defining
3 the term "career criminal" for purposes of the
4 act; requiring that an offender who is
5 convicted as a habitual felony offender, a
6 habitual violent felony offender, a violent
7 career criminal, a three-time violent felony
8 offender, or a prison releasee reoffender
9 register with the sheriff of the county in
10 which the offender resides; specifying the
11 information to be provided to the sheriff;
12 providing for the registration of a career
13 criminal who is in the custody or control of,
14 or under the supervision of, the Department of
15 Corrections; providing for the registration of
16 a career criminal who is in the custody of a
17 local jail; requiring that a career criminal
18 register within a specified period with the
19 sheriff following the establishment of
20 permanent or temporary residence in the state;
21 requiring that the career criminal also
22 register in person at a driver's license office
23 of the Department of Highway Safety and Motor
24 Vehicles; requiring the sheriff to notify the
25 state attorney of the county and the police
26 chief of the municipality where the career
27 criminal maintains a residence; requiring that
28 the career criminal notify the sheriff before
29 he or she establishes residence in another
30 state; providing a penalty for providing false
31 location information; requiring that the

1 sheriff maintain information concerning career
2 criminals; providing that information
3 concerning career criminals is a public record;
4 authorizing the sheriff to disseminate such
5 information; providing a penalty for failure to
6 register as required, maintain such
7 registration, provide location information, or
8 comply with certain requirements; providing an
9 effective date.

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

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13 Section 1. Registration of career criminals;
14 penalty.--

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16 (1) As used in this section, the term "career
17 criminal" means any offender who is convicted as a habitual
18 felony offender, a habitual violent felony offender, a violent
19 career criminal, a three-time violent felony offender under s.
20 775.084, Florida Statutes, or a prison releasee reoffender
21 under s. 775.082(9), Florida Statutes.

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23 (2) This section does not apply to any person who has
24 been designated as a sexual predator under s. 775.21, Florida
25 Statutes, or who is required to register as a sexual offender
26 under s. 943.0435 or s. 944.607, Florida Statutes.

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28 (3) Each career criminal in this state shall register
29 with the sheriff of the county in which the career criminal
30 resides by providing the following information to the sheriff:

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(a) Name, social security number, age, race, sex, date
of birth, height, weight, hair and eye color, photograph,
address of legal residence and address of any current
temporary residence, within the state or out of state,

1 including a rural route address or a post office box, date and
2 place of any employment, date and place of each conviction,
3 fingerprints, and a brief description of the crime or crimes
4 committed by the offender. A post office box may not be
5 provided in lieu of a physical residential address. If the
6 place of residence of the career criminal is a motor vehicle,
7 trailer, mobile home, or manufactured home, as defined in
8 chapter 320, Florida Statutes, the career criminal shall also
9 provide to the sheriff written notice of: the vehicle
10 identification number; the license tag number; the
11 registration number; and a description, including color
12 scheme, of the motor vehicle, trailer, mobile home, or
13 manufactured home. If a career criminal's place of residence
14 is a vessel, live-aboard vessel, or houseboat, as defined in
15 chapter 327, Florida Statutes, the career criminal shall also
16 provide to the sheriff written notice of: the hull
17 identification number; the manufacturer's serial number; the
18 name of the vessel, live-aboard vessel, or houseboat; the
19 registration number; and a description, including color
20 scheme, of the vessel, live-aboard vessel, or houseboat.

21 (b) Any other information determined necessary by the
22 sheriff, including criminal and corrections records,
23 nonprivileged personnel records, and evidentiary genetic
24 markers when available.

25 (4) If the career criminal is in the custody or
26 control of, or under the supervision of, the Department of
27 Corrections, or is in the custody of a private correctional
28 facility, the career criminal shall register with the sheriff
29 of the county in which the facility is located. The Department
30 of Corrections shall provide to the sheriff registration
31 information and the location of, and local telephone number

1 for, any office of the Department of Corrections which is
2 responsible for supervising the career criminal. In addition,
3 the Department of Corrections shall notify the sheriff if the
4 career criminal escapes or absconds from custody or
5 supervision or if the career criminal dies.

6 (5) If the career criminal is in the custody of a
7 local jail, the custodian of the local jail shall register the
8 career criminal and forward the registration information to
9 the sheriff. The custodian of the local jail shall also take a
10 digitized photograph of the career criminal while the career
11 criminal remains in custody and shall provide the digitized
12 photograph to the sheriff. The custodian shall notify the
13 sheriff if the career criminal escapes from custody or dies.

14 (6) If the career criminal is under federal
15 supervision, the federal agency responsible for supervising
16 the career criminal may forward to the sheriff any information
17 regarding the career criminal which is consistent with the
18 information provided by the Department of Corrections under
19 this section, and may indicate whether use of the information
20 is restricted to law enforcement purposes only or may be used
21 by the sheriff for purposes of public notification.

22 (7) If the career criminal is not in the custody or
23 control of, or under the supervision of, the Department of
24 Corrections, or is not in the custody of a private
25 correctional facility, and establishes or maintains a
26 residence in this state, the career criminal shall register in
27 person at the sheriff's office in the county in which the
28 career criminal establishes or maintains a residence, within
29 48 hours after establishing permanent or temporary residence
30 in this state. If a career criminal registers with the
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1 sheriff's office, the sheriff shall take a photograph and a
2 set of fingerprints of the career criminal.

3 (8) Within 48 hours after the registration required
4 under subsection (3) or subsection (7), a career criminal who
5 is not incarcerated and who resides in the community,
6 including a career criminal under the supervision of the
7 Department of Corrections, shall register in person at a
8 driver's license office of the Department of Highway Safety
9 and Motor Vehicles and shall present proof of registration. At
10 the driver's license office the career criminal shall:

11 (a) If otherwise qualified, secure a Florida driver's
12 license, renew a Florida driver's license, or secure an
13 identification card. The career criminal shall identify
14 himself or herself as a career criminal who is required to
15 comply with this section, provide the address of his or her
16 place of permanent or temporary residence, including a rural
17 route address or a post office box, and submit to the taking
18 of a photograph for use in issuing a driver's license, renewed
19 license, or identification card and for use by the sheriff in
20 maintaining current records of the career criminal. A post
21 office box may not be provided in lieu of a physical
22 residential address. If the career criminal's place of
23 residence is a motor vehicle, trailer, mobile home, or
24 manufactured home, as defined in chapter 320, Florida
25 Statutes, the career criminal shall also provide to the
26 Department of Highway Safety and Motor Vehicles the vehicle
27 identification number, the license tag number, the
28 registration number, and a description, including color
29 scheme, of the motor vehicle, trailer, mobile home, or
30 manufactured home. If a career criminal's place of residence
31 is a vessel, live-aboard vessel, or houseboat, as defined in

1 chapter 327, Florida Statutes, the career criminal shall also
2 provide to the Department of Highway Safety and Motor
3 Vehicles: the hull identification number; the manufacturer's
4 serial number; the name of the vessel, live-aboard vessel, or
5 houseboat; the registration number; and a description,
6 including color scheme, of the vessel, live-aboard vessel, or
7 houseboat.

8 (b) Pay the costs assessed by the Department of
9 Highway Safety and Motor Vehicles for issuing or renewing a
10 driver's license or identification card as required by this
11 section.

12 (c) Provide, upon request, any additional information
13 necessary to confirm the identity of the career criminal,
14 including a set of fingerprints.

15 (9) Each time a career criminal's driver's license or
16 identification card is subject to renewal, and within 48 hours
17 after any change of the career criminal's residence or change
18 in the career criminal's name by reason of marriage or other
19 legal process, the career criminal shall report in person to a
20 driver's license office and is subject to the requirements
21 specified in subsection (8). The Department of Highway Safety
22 and Motor Vehicles shall forward to the sheriff and to the
23 Department of Corrections all photographs and information
24 provided by career criminals. Notwithstanding the restrictions
25 set forth in s. 322.142, Florida Statutes, the Department of
26 Highway Safety and Motor Vehicles may release a reproduction
27 of a color photographic or digital imaged license to the
28 sheriff for purposes of public notification concerning career
29 criminals.

30 (10) If a career criminal registers with the sheriff,
31 the sheriff shall, within 48 hours, notify the state attorney

1 of the county and, if applicable, the police chief of the
2 municipality where the career criminal maintains a residence.

3 (11) A career criminal who intends to establish
4 residence in another state or jurisdiction shall report in
5 person to the sheriff of the county of current residence
6 within 48 hours before the date he or she intends to leave
7 this state to establish residence in another state or
8 jurisdiction. The career criminal shall provide to the sheriff
9 the address, municipality, county, and state of intended
10 residence. The sheriff shall notify the statewide law
11 enforcement agency, or a comparable agency, in the intended
12 state or jurisdiction of residence of the career criminal's
13 intended residence. The failure of a career criminal to
14 provide his or her intended place of residence is punishable
15 as provided in subsection (14).

16 (12) A career criminal who indicates his or her intent
17 to reside in another state or jurisdiction and later decides
18 to remain in this state shall, within 48 hours after the date
19 upon which the career criminal indicated he or she would leave
20 this state, report in person to the sheriff of the county of
21 current residence his or her intent to remain in this state. A
22 career criminal who reports his or her intent to reside in
23 another state or jurisdiction, but who remains in this state
24 without reporting to the sheriff in the manner required by
25 this subsection, commits a felony of the second degree,
26 punishable as provided in s. 775.082, s. 775.083, or s.
27 775.084, Florida Statutes.

28 (13) The sheriff's registration list of career
29 criminals is a public record. The sheriff may disseminate this
30 public information by any means considered appropriate,
31 including operating a toll-free telephone number for this

1 purpose. When the sheriff provides information regarding a
2 registered career criminal to the public, the sheriff shall
3 advise the person making the inquiry that positive
4 identification of a person believed to be a career criminal
5 cannot be established unless a fingerprint comparison is made.

6 (14) Except as otherwise specifically provided in this
7 section, a career criminal who fails to register; fails, after
8 registration, to maintain, acquire, or renew a driver's
9 license or identification card; fails to provide required
10 location information or change-of-name information; or
11 otherwise fails, by act or omission, to comply with the
12 requirements of this section commits a felony of the third
13 degree, punishable as provided in s. 775.082, s. 775.083, or
14 s. 775.084, Florida Statutes.

15 Section 2. This act shall take effect October 1, 2002.

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18 HOUSE SUMMARY

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20 Provides that an offender convicted as a habitual felony
21 offender, a habitual violent felony offender, a violent
22 career criminal, a three-time violent felony offender, or
23 a prison releasee reoffender is a career criminal, and
24 requires such offender to register with the sheriff of
25 the county in which the offender resides. Requires each
26 local sheriff to provide for the registration of career
27 criminals who are in the custody or control of, or under
28 the supervision of, the Department of Corrections.
29 Requires that a career criminal also register in person
30 at a driver's license office of the Department of Highway
31 Safety and Motor Vehicles. Requires the sheriff to notify
the state attorney of the county and the police chief of
the municipality where the career criminal maintains a
residence. Provides a second degree felony penalty for
reporting false location information. Specifies that
information concerning a career criminal is a public
record and authorizes the sheriff to disseminate such
information. Provides a third degree felony penalty for
failing to register as required, maintain such
registration, provide location information, or comply
with specified requirements. See bill for details.