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A bill to be entitled  
 An act relating to sexual offenders; amending s. 947.1405, F.S.; prohibiting certain sexual offenders subject to conditional release supervision from living within a specified distance of certain places where children congregate; creating s. 794.065, F.S.; prohibiting persons convicted of certain sex crimes from residing within 1,000 feet of a school, day care center, park, or playground; amending s. 1006.22, F.S.; requiring district school boards to notify the Department of Corrections regarding school bus stop locations; 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 commission 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 commission determines that imposing a curfew would endanger



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30 the victim, the commission may consider alternative sanctions.

31 2. If the victim was under the age of 18, a prohibition on  
32 living within 1,000 feet of a school, day care center, park,  
33 playground, designated public school bus stop, or other place  
34 where children regularly congregate. A school bus stop may not  
35 be established or relocated within a distance of less than 1,000  
36 feet from the existing residence of a releasee.

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

43 4. A prohibition on any contact with the victim, directly  
44 or indirectly, including through a third person, unless approved  
45 by the victim, the offender's therapist, and the sentencing  
46 court.

47 5. If the victim was under the age of 18, a prohibition  
48 against direct contact or association with children under the  
49 age of 18 until all of the following conditions are met:

50 a. Successful completion of a sex offender treatment  
51 program.

52 b. The adult person who is legally responsible for the  
53 welfare of the child has been advised of the nature of the  
54 crime.

55 c. Such adult person is present during all contact or  
56 association with the child.

57 d. Such adult person has been approved by the commission.

58 6. If the victim was under age 18, a prohibition on



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59 working for pay or as a volunteer at any school, day care  
60 center, park, playground, or other place where children  
61 regularly congregate, as prescribed by the commission.

62 7. Unless otherwise indicated in the treatment plan  
63 provided by the sexual offender treatment program, a prohibition  
64 on viewing, owning, or possessing any obscene, pornographic, or  
65 sexually stimulating visual or auditory material, including  
66 telephone, electronic media, computer programs, or computer  
67 services that are relevant to the offender's deviant behavior  
68 pattern.

69 8. A requirement that the releasee must submit two  
70 specimens of blood to the Florida Department of Law Enforcement  
71 to be registered with the DNA database.

72 9. A requirement that the releasee make restitution to the  
73 victim, as determined by the sentencing court or the commission,  
74 for all necessary medical and related professional services  
75 relating to physical, psychiatric, and psychological care.

76 10. Submission to a warrantless search by the community  
77 control or probation officer of the probationer's or community  
78 controllee's person, residence, or vehicle.

79 Section 2. Section 794.065, Florida Statutes, is created  
80 to read:

81 794.065 Unlawful place of residence for persons convicted  
82 of certain sex offenses.--

83 (1) It is unlawful for any person who has been convicted  
84 of a violation of s. 794.011, s. 794.05, s. 800.04, s. 827.071,  
85 or s. 847.0145, regardless of whether adjudication has been  
86 withheld, in which the victim of the offense was less than 16  
87 years of age, to reside within 1,000 feet of any school, day



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88 care center, park, or playground. A person who violates this  
 89 section and whose conviction for s. 794.011, s. 794.05, s.  
 90 800.04, s. 827.071, or s. 847.0145 was classified as a felony of  
 91 the first degree or higher commits a felony of the third degree,  
 92 punishable as provided in s. 775.082 or s. 775.083. A person  
 93 who violates this section and whose conviction for s. 794.011,  
 94 s. 794.05, s. 800.04, s. 827.071, or s. 847.0145 was classified  
 95 as a felony of the second or third degree commits a misdemeanor  
 96 of the first degree, punishable as provided in s. 775.082 or s.  
 97 775.083.

98 (2) This section shall apply to any person convicted of a  
 99 violation of s. 794.011, s. 794.05, s. 800.04, s. 827.071, or s.  
 100 847.0145 for offenses that occur on or after October 1, 2003.

101 Section 3. Paragraph (c) of subsection (12) of section  
 102 1006.22, Florida Statutes, is amended to read:

103 1006.22 Safety and health of students being  
 104 transported.--Maximum regard for safety and adequate protection  
 105 of health are primary requirements that must be observed by  
 106 district school boards in routing buses, appointing drivers, and  
 107 providing and operating equipment, in accordance with all  
 108 requirements of law and rules of the State Board of Education in  
 109 providing transportation pursuant to s. 1006.21:

110 (12)

111 (c) Each district school board shall establish school bus  
 112 stops, or provide by district school board rule for the  
 113 establishment of school bus stops, as necessary at the most  
 114 reasonably safe locations available. Each district school board  
 115 shall provide to the Department of Corrections the location of  
 116 such school bus stops. Where unusual traffic hazards exist at



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117 school bus stops on roads maintained by the state outside of  
118 municipalities, the Department of Transportation, in concurrence  
119 and cooperation with and upon request of the district school  
120 board, shall place signs at such bus stops warning motorists of  
121 the location of the stops.

122 Section 4. This act shall take effect October 1, 2003.