

1 A bill to be entitled
 2 An act relating to restricting sheltering of sexual
 3 offenders and predators; creating s. 252.386, F.S.;
 4 prohibiting the sheltering of sexual offenders and
 5 designated sexual predators in public hurricane evacuation
 6 shelters; requiring each county to provide for sufficient
 7 separate and exclusive shelter space for such sexual
 8 offenders and predators; amending s. 775.21, F.S.;
 9 prohibiting sexual predators from seeking shelter in
 10 public hurricane evacuation shelters used by the general
 11 public; providing penalties; amending s. 943.0435, F.S.;
 12 prohibiting individuals subject to registration as sexual
 13 offenders from seeking shelter in public hurricane
 14 evacuation shelters used by the general public; providing
 15 penalties; providing a finding of important state
 16 interest; providing an effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

19
 20 Section 1. Section 252.386, Florida Statutes, is created
 21 to read:

22 252.386 Public shelter space; sexual offenders and
 23 predators.--

24 (1) A public hurricane evacuation shelter used by the
 25 general public shall not shelter an individual subject to
 26 registration as a sexual offender under s. 943.0435 or
 27 designated as a sexual predator under s. 775.21.

28 (2) Each county, under ss. 252.31-252.60, shall provide
 29 for sufficient separate and exclusive hurricane evacuation
 30 shelter space for such sexual offenders and predators.

31 Section 2. Paragraph (g) of subsection (6) and paragraph
 32 (a) of subsection (10) of section 775.21, Florida Statutes, are
 33 amended to read:

34 775.21 The Florida Sexual Predators Act.--

35 (6) REGISTRATION.--

36 (g)1. Each time a sexual predator's driver's license or
 37 identification card is subject to renewal, and, without regard
 38 to the status of the predator's driver's license or
 39 identification card, within 48 hours after any change of the
 40 predator's residence or change in the predator's name by reason
 41 of marriage or other legal process, the predator shall report in
 42 person to a driver's license office and shall be subject to the
 43 requirements specified in paragraph (f). The Department of
 44 Highway Safety and Motor Vehicles shall forward to the
 45 department and to the Department of Corrections all photographs
 46 and information provided by sexual predators. Notwithstanding
 47 the restrictions set forth in s. 322.142, the Department of
 48 Highway Safety and Motor Vehicles is authorized to release a
 49 reproduction of a color-photograph or digital-image license to
 50 the Department of Law Enforcement for purposes of public
 51 notification of sexual predators as provided in this section.

52 2. A sexual predator who vacates a permanent residence and
 53 fails to establish or maintain another permanent or temporary
 54 residence shall, within 48 hours after vacating the permanent
 55 residence, report in person to the department or the sheriff's

56 office of the county in which he or she is located. The sexual
57 predator shall specify the date upon which he or she intends to
58 or did vacate such residence. The sexual predator must provide
59 or update all of the registration information required under
60 paragraph (a). The sexual predator must provide an address for
61 the residence or other location that he or she is or will be
62 occupying during the time in which he or she fails to establish
63 or maintain a permanent or temporary residence.

64 3. A sexual predator who remains at a permanent residence
65 after reporting his or her intent to vacate such residence
66 shall, within 48 hours after the date upon which the predator
67 indicated he or she would or did vacate such residence, report
68 in person to the agency to which he or she reported pursuant to
69 subparagraph 2. for the purpose of reporting his or her address
70 at such residence. If the sheriff receives the report, the
71 sheriff shall promptly convey the information to the department.
72 An offender who makes a report as required under subparagraph 2.
73 but fails to make a report as required under this subparagraph
74 commits a felony of the second degree, punishable as provided in
75 s. 775.082, s. 775.083, or s. 775.084.

76 4. A sexual predator shall not seek shelter in a public
77 hurricane evacuation shelter used by the general public;
78 however, a sexual predator may seek shelter in a hurricane
79 evacuation shelter provided for such predators by a county under
80 s. 252.386.

81
82 The sheriff shall promptly provide to the department the
83 information received from the sexual predator.

84 (10) PENALTIES.--

85 (a) Except as otherwise specifically provided, a sexual
 86 predator who fails to register; who fails, after registration,
 87 to maintain, acquire, or renew a driver's license or
 88 identification card; who fails to provide required location
 89 information or change-of-name information; who fails to make a
 90 required report in connection with vacating a permanent
 91 residence; who fails to reregister as required; who fails to
 92 respond to any address verification correspondence from the
 93 department within 3 weeks of the date of the correspondence; who
 94 seeks shelter in a public hurricane evacuation shelter used by
 95 the general public; or who otherwise fails, by act or omission,
 96 to comply with the requirements of this section, commits a
 97 felony of the third degree, punishable as provided in s.
 98 775.082, s. 775.083, or s. 775.084.

99 Section 3. Paragraph (d) is added to subsection (4) of
 100 section 943.0435, Florida Statutes, to read:

101 943.0435 Sexual offenders required to register with the
 102 department; penalty.--

103 (4)

104 (d) A sexual offender shall not seek shelter in a public
 105 hurricane evacuation shelter used by the general public;
 106 however, a sexual offender may seek shelter in a hurricane
 107 evacuation shelter provided for such offenders by a county under
 108 s. 252.386.

109 (9)(a) A sexual offender who does not comply with the
 110 requirements of this section commits a felony of the third

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111 degree, punishable as provided in s. 775.082, s. 775.083, or s.
112 775.084.

113 Section 4. The Legislature finds that the provisions of
114 this act fulfill an important state interest.

115 Section 5. This act shall take effect January 1, 2007.