

By Senator Haridopolos

26-1627-06

See HB

1 A bill to be entitled

2 An act relating to sexual predators and

3 offenders; amending s. 322.141, F.S.; requiring

4 distinctive markings for driver's licenses and

5 identification cards issued to persons who are

6 designated as sexual predators or subject to

7 registration as sexual offenders; amending s.

8 322.212, F.S.; prohibiting the alteration of

9 sexual predator or sexual offender markings on

10 driver's licenses or identification cards, for

11 which there are criminal penalties; amending s.

12 775.21, F.S.; requiring sexual predators to

13 obtain a distinctive driver's license or

14 identification card; requiring sexual predators

15 to carry such a license or card in public and

16 present it upon request by certain persons;

17 providing criminal penalties for violations;

18 amending s. 943.0435, F.S.; requiring sexual

19 offenders to obtain a distinctive driver's

20 license or identification card; requiring

21 offenders to carry such a license or card in

22 public and present it upon request by certain

23 persons; providing criminal penalties for

24 violations; amending s. 921.0022, F.S.;

25 including offenses relating to the possession

26 and presentation of driver's licenses and

27 identification cards by sexual predators and

28 offenders within the offense severity ranking

29 chart of the Criminal Punishment Code; amending

30 s. 1012.465, F.S.; deleting references to

31 contractual personnel; providing definitions;

1 requiring contractual personnel working on
2 school grounds during instructional hours to be
3 subject to a check of Florida driver's licenses
4 or identification cards for the purposes of
5 ascertaining their sexual offender and sexual
6 predator status; providing duties for such
7 personnel; providing an exception; providing an
8 effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Section 322.141, Florida Statutes, is
13 amended to read:

14 322.141 Color or markings of certain licenses or
15 identification cards.--

16 (1) All licenses originally issued or reissued by the
17 department to persons under the age of 21 years for the
18 operation of motor vehicles shall have markings or color which
19 shall be obviously separate and distinct from all other
20 licenses issued by the department for the operation of motor
21 vehicles.

22 (2)(a) All licenses for the operation of motor
23 vehicles originally issued or reissued by the department to
24 persons who have insulin-dependent diabetes may, at the
25 request of the applicant, have distinctive markings separate
26 and distinct from all other licenses issued by the department.

27 (b) At the time of application for original license or
28 reissue, the department shall require such proof as it deems
29 appropriate that a person has insulin-dependent diabetes.

30 (3) All licenses for the operation of motor vehicles
31 or identification cards originally issued or reissued by the

1 department to persons who are designated as sexual predators
2 under s. 775.21 or subject to registration as sexual offenders
3 under s. 943.0435 shall have on the front of the license the
4 following:

5 (a) For a person designated as a sexual predator under
6 s. 775.21, the marking "775.21, F.S."

7 (b) For a person subject to registration as a sexual
8 offender under s. 943.0435, the marking "943.0435, F.S."

9 Section 2. Paragraph (c) is added to subsection (5) of
10 section 322.212, Florida Statutes, to read:

11 322.212 Unauthorized possession of, and other unlawful
12 acts in relation to, driver's license or identification
13 card.--

14 (5)

15 (c) It is unlawful for any person to have in his or
16 her possession a driver's license or identification card upon
17 which the sexual predator or sexual offender markings required
18 by s. 322.141 have been altered.

19 Section 3. Paragraph (f) of subsection (6) of section
20 775.21, Florida Statutes, is amended, paragraph (m) is added
21 to that subsection, and paragraph (h) is added to subsection
22 (10) of that section, to read:

23 775.21 The Florida Sexual Predators Act.--

24 (6) REGISTRATION.--

25 (f) Within 48 hours after the registration required
26 under paragraph (a) or paragraph (e), a sexual predator who is
27 not incarcerated and who resides in the community, including a
28 sexual predator under the supervision of the Department of
29 Corrections, shall register in person at a driver's license
30 office of the Department of Highway Safety and Motor Vehicles
31

1 and shall present proof of registration. At the driver's
2 license office the sexual predator shall:

3 1. If otherwise qualified, secure a Florida driver's
4 license, renew a Florida driver's license, or secure an
5 identification card. The sexual predator shall identify
6 himself or herself as a sexual predator who is required to
7 comply with this section, provide his or her place of
8 permanent or temporary residence, including a rural route
9 address and a post office box, and submit to the taking of a
10 photograph for use in issuing a driver's license, renewed
11 license, or identification card, and for use by the department
12 in maintaining current records of sexual predators. A post
13 office box shall not be provided in lieu of a physical
14 residential address. If the sexual predator's place of
15 residence is a motor vehicle, trailer, mobile home, or
16 manufactured home, as defined in chapter 320, the sexual
17 predator shall also provide to the Department of Highway
18 Safety and Motor Vehicles the vehicle identification number;
19 the license tag number; the registration number; and a
20 description, including color scheme, of the motor vehicle,
21 trailer, mobile home, or manufactured home. If a sexual
22 predator's place of residence is a vessel, live-aboard vessel,
23 or houseboat, as defined in chapter 327, the sexual predator
24 shall also provide to the Department of Highway Safety and
25 Motor Vehicles the hull identification number; the
26 manufacturer's serial number; the name of the vessel,
27 live-aboard vessel, or houseboat; the registration number; and
28 a description, including color scheme, of the vessel,
29 live-aboard vessel, or houseboat.

30 2. Pay the costs assessed by the Department of Highway
31 Safety and Motor Vehicles for issuing or renewing a driver's

1 license or identification card as required by this section.

2 The driver's license or identification card issued shall
3 comply with s. 322.141(3).

4 3. Provide, upon request, any additional information
5 necessary to confirm the identity of the sexual predator,
6 including a set of fingerprints.

7 (m) A sexual predator shall carry the driver's license
8 or identification card issued under paragraph (f) on his or
9 her person at all times while in public. A sexual predator in
10 public must present his or her driver's license or
11 identification card when requested by any employee of the
12 department or any law enforcement officer.

13

14 The sheriff shall promptly provide to the department the
15 information received from the sexual predator.

16 (10) PENALTIES.--

17 (h) A sexual predator who fails to carry or present a
18 driver's license or identification card in violation of
19 paragraph (6)(m) commits:

20 1. For a first or second offense, a misdemeanor of the
21 first degree, punishable as provided in s. 775.082 or s.
22 775.083.

23 2. For a third or subsequent offense, a felony of the
24 third degree, punishable as provided in s. 775.082, s.
25 775.083, or s. 775.084.

26 Section 4. Subsection (3) and paragraph (a) of
27 subsection (9) of section 943.0435, Florida Statutes, are
28 amended to read:

29 943.0435 Sexual offenders required to register with
30 the department; penalty.--

31

1 (3) Within 48 hours after the report required under
2 subsection (2), a sexual offender shall report in person at a
3 driver's license office of the Department of Highway Safety
4 and Motor Vehicles, unless a driver's license or
5 identification card that complies with the requirements of s.
6 322.141(3) was previously secured or updated under s. 944.607.
7 At the driver's license office the sexual offender shall:

8 (a) If otherwise qualified, secure a Florida driver's
9 license, renew a Florida driver's license, or secure an
10 identification card. The sexual offender shall identify
11 himself or herself as a sexual offender who is required to
12 comply with this section and shall provide proof that the
13 sexual offender reported as required in subsection (2). The
14 sexual offender shall provide any of the information specified
15 in subsection (2), if requested. The sexual offender shall
16 submit to the taking of a photograph for use in issuing a
17 driver's license, renewed license, or identification card, and
18 for use by the department in maintaining current records of
19 sexual offenders.

20 (b) Pay the costs assessed by the Department of
21 Highway Safety and Motor Vehicles for issuing or renewing a
22 driver's license or identification card as required by this
23 section. The driver's license or identification card issued
24 shall comply with s. 322.141(3).

25 (c) Provide, upon request, any additional information
26 necessary to confirm the identity of the sexual offender,
27 including a set of fingerprints.

28
29 A sexual offender shall carry the driver's license or
30 identification card issued under this subsection on his or her
31 person at all times while in public. A sexual offender in

1 public must present his or her driver's license or
2 identification card when requested by any employee of the
3 department or any law enforcement officer.

4 (9)(a)1. Except as provided in subparagraph 2., a
5 sexual offender who does not comply with the requirements of
6 this section commits a felony of the third degree, punishable
7 as provided in s. 775.082, s. 775.083, or s. 775.084.

8 2. A sexual offender who fails to carry or present a
9 driver's license or identification card in violation of
10 subsection (3) commits:

11 a. For a first or second offense, a misdemeanor of the
12 first degree, punishable as provided in s. 775.082 or s.
13 775.083.

14 b. For a third or subsequent offense, a felony of the
15 third degree, punishable as provided in s. 775.082, s.
16 775.083, or s. 775.084.

17 Section 5. Paragraph (g) of subsection (3) of section
18 921.0022, Florida Statutes, is amended to read:

19 921.0022 Criminal Punishment Code; offense severity
20 ranking chart.--

21 (3) OFFENSE SEVERITY RANKING CHART

23 Florida	Felony	
24 Statute	Degree	Description
		(g) LEVEL 7
28 316.027(1)(b)	2nd	Accident involving death, failure 29 to stop; leaving scene.
30 316.193(3)(c)2.	3rd	DUI resulting in serious bodily 31 injury.

1	316.1935(3)(b)	1st	Causing serious bodily injury or
2			death to another person; driving
3			at high speed or with wanton
4			disregard for safety while
5			fleeing or attempting to elude
6			law enforcement officer who is in
7			a patrol vehicle with siren and
8			lights activated.
9	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
10			bodily injury.
11	402.319(2)	2nd	Misrepresentation and negligence
12			or intentional act resulting in
13			great bodily harm, permanent
14			disfiguration, permanent
15			disability, or death.
16	409.920(2)	3rd	Medicaid provider fraud.
17	456.065(2)	3rd	Practicing a health care
18			profession without a license.
19	456.065(2)	2nd	Practicing a health care
20			profession without a license
21			which results in serious bodily
22			injury.
23	458.327(1)	3rd	Practicing medicine without a
24			license.
25	459.013(1)	3rd	Practicing osteopathic medicine
26			without a license.
27	460.411(1)	3rd	Practicing chiropractic medicine
28			without a license.
29	461.012(1)	3rd	Practicing podiatric medicine
30			without a license.
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1	462.17	3rd	Practicing naturopathy without a
2			license.
3	463.015(1)	3rd	Practicing optometry without a
4			license.
5	464.016(1)	3rd	Practicing nursing without a
6			license.
7	465.015(2)	3rd	Practicing pharmacy without a
8			license.
9	466.026(1)	3rd	Practicing dentistry or dental
10			hygiene without a license.
11	467.201	3rd	Practicing midwifery without a
12			license.
13	468.366	3rd	Delivering respiratory care
14			services without a license.
15	483.828(1)	3rd	Practicing as clinical laboratory
16			personnel without a license.
17	483.901(9)	3rd	Practicing medical physics
18			without a license.
19	484.013(1)(c)	3rd	Preparing or dispensing optical
20			devices without a prescription.
21	484.053	3rd	Dispensing hearing aids without a
22			license.
23	494.0018(2)	1st	Conviction of any violation of
24			ss. 494.001-494.0077 in which the
25			total money and property
26			unlawfully obtained exceeded
27			\$50,000 and there were five or
28			more victims.
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1	560.123(8)(b)1.	3rd	Failure to report currency or
2			payment instruments exceeding
3			\$300 but less than \$20,000 by
4			money transmitter.
5	560.125(5)(a)	3rd	Money transmitter business by
6			unauthorized person, currency or
7			payment instruments exceeding
8			\$300 but less than \$20,000.
9	655.50(10)(b)1.	3rd	Failure to report financial
10			transactions exceeding \$300 but
11			less than \$20,000 by financial
12			institution.
13	775.21(10)(a)	3rd	Sexual predator; failure to
14			register; failure to renew
15			driver's license or
16			identification card; other
17			registration violations.
18	775.21(10)(b)	3rd	Sexual predator working where
19			children regularly congregate.
20	775.21(10)(g)	3rd	Failure to report or providing
21			false information about a sexual
22			predator; harbor or conceal a
23			sexual predator.
24	<u>775.21(10)(h)2.</u>	<u>3rd</u>	<u>Failure of sexual predator to</u>
25			<u>carry or present driver's license</u>
26			<u>or identification card.</u>
27	782.051(3)	2nd	Attempted felony murder of a
28			person by a person other than the
29			perpetrator or the perpetrator of
30			an attempted felony.
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1	782.07(1)	2nd	Killing of a human being by the
2			act, procurement, or culpable
3			negligence of another
4			(manslaughter).
5	782.071	2nd	Killing of human being or viable
6			fetus by the operation of a motor
7			vehicle in a reckless manner
8			(vehicular homicide).
9	782.072	2nd	Killing of a human being by the
10			operation of a vessel in a
11			reckless manner (vessel
12			homicide).
13	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
14			causing great bodily harm or
15			disfigurement.
16	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
17			weapon.
18	784.045(1)(b)	2nd	Aggravated battery; perpetrator
19			aware victim pregnant.
20	784.048(4)	3rd	Aggravated stalking; violation of
21			injunction or court order.
22	784.048(7)	3rd	Aggravated stalking; violation of
23			court order.
24	784.07(2)(d)	1st	Aggravated battery on law
25			enforcement officer.
26	784.074(1)(a)	1st	Aggravated battery on sexually
27			violent predators facility staff.
28	784.08(2)(a)	1st	Aggravated battery on a person 65
29			years of age or older.
30	784.081(1)	1st	Aggravated battery on specified
31			official or employee.

1	784.082(1)	1st	Aggravated battery by detained
2			person on visitor or other
3			detainee.
4	784.083(1)	1st	Aggravated battery on code
5			inspector.
6	790.07(4)	1st	Specified weapons violation
7			subsequent to previous conviction
8			of s. 790.07(1) or (2).
9	790.16(1)	1st	Discharge of a machine gun under
10			specified circumstances.
11	790.165(2)	2nd	Manufacture, sell, possess, or
12			deliver hoax bomb.
13	790.165(3)	2nd	Possessing, displaying, or
14			threatening to use any hoax bomb
15			while committing or attempting to
16			commit a felony.
17	790.166(3)	2nd	Possessing, selling, using, or
18			attempting to use a hoax weapon
19			of mass destruction.
20	790.166(4)	2nd	Possessing, displaying, or
21			threatening to use a hoax weapon
22			of mass destruction while
23			committing or attempting to
24			commit a felony.
25	796.03	2nd	Procuring any person under 16
26			years for prostitution.
27	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
28			victim less than 12 years of age;
29			offender less than 18 years.
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1	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
2			victim 12 years of age or older
3			but less than 16 years; offender
4			18 years or older.
5	806.01(2)	2nd	Maliciously damage structure by
6			fire or explosive.
7	810.02(3)(a)	2nd	Burglary of occupied dwelling;
8			unarmed; no assault or battery.
9	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
10			unarmed; no assault or battery.
11	810.02(3)(d)	2nd	Burglary of occupied conveyance;
12			unarmed; no assault or battery.
13	812.014(2)(a)1.	1st	Property stolen, valued at
14			\$100,000 or more; property stolen
15			while causing other property
16			damage; 1st degree grand theft.
17	812.014(2)(b)2.	2nd	Property stolen, cargo valued at
18			less than \$50,000, grand theft in
19			2nd degree.
20	812.014(2)(b)3.	2nd	Property stolen, emergency
21			medical equipment; 2nd degree
22			grand theft.
23	812.0145(2)(a)	1st	Theft from person 65 years of age
24			or older; \$50,000 or more.
25	812.019(2)	1st	Stolen property; initiates,
26			organizes, plans, etc., the theft
27			of property and traffics in
28			stolen property.
29	812.131(2)(a)	2nd	Robbery by sudden snatching.
30	812.133(2)(b)	1st	Carjacking; no firearm, deadly
31			weapon, or other weapon.

1	817.234(8)(a)	2nd	Solicitation of motor vehicle
2			accident victims with intent to
3			defraud.
4	817.234(9)	2nd	Organizing, planning, or
5			participating in an intentional
6			motor vehicle collision.
7	817.234(11)(c)	1st	Insurance fraud; property value
8			\$100,000 or more.
9	817.2341(2)(b)&		
10	(3)(b)	1st	Making false entries of material
11			fact or false statements
12			regarding property values
13			relating to the solvency of an
14			insuring entity which are a
15			significant cause of the
16			insolvency of that entity.
17	825.102(3)(b)	2nd	Neglecting an elderly person or
18			disabled adult causing great
19			bodily harm, disability, or
20			disfigurement.
21	825.103(2)(b)	2nd	Exploiting an elderly person or
22			disabled adult and property is
23			valued at \$20,000 or more, but
24			less than \$100,000.
25	827.03(3)(b)	2nd	Neglect of a child causing great
26			bodily harm, disability, or
27			disfigurement.
28	827.04(3)	3rd	Impregnation of a child under 16
29			years of age by person 21 years
30			of age or older.
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1	837.05(2)	3rd	Giving false information about
2			alleged capital felony to a law
3			enforcement officer.
4	838.015	2nd	Bribery.
5	838.016	2nd	Unlawful compensation or reward
6			for official behavior.
7	838.021(3)(a)	2nd	Unlawful harm to a public
8			servant.
9	838.22	2nd	Bid tampering.
10	847.0135(3)	3rd	Solicitation of a child, via a
11			computer service, to commit an
12			unlawful sex act.
13	872.06	2nd	Abuse of a dead human body.
14	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
15			cocaine (or other drug prohibited
16			under s. 893.03(1)(a), (1)(b),
17			(1)(d), (2)(a), (2)(b), or
18			(2)(c)4.) within 1,000 feet of a
19			child care facility, school, or
20			state, county, or municipal park
21			or publicly owned recreational
22			facility or community center.
23	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
24			cocaine or other drug prohibited
25			under s. 893.03(1)(a), (1)(b),
26			(1)(d), (2)(a), (2)(b), or
27			(2)(c)4., within 1,000 feet of
28			property used for religious
29			services or a specified business
30			site.
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1	893.13(4)(a)	1st	Deliver to minor cocaine (or
2			other s. 893.03(1)(a), (1)(b),
3			(1)(d), (2)(a), (2)(b), or
4			(2)(c)4. drugs).
5	893.135(1)(a)1.	1st	Trafficking in cannabis, more
6			than 25 lbs., less than 2,000
7			lbs.
8	893.135		
9	(1)(b)1.a.	1st	Trafficking in cocaine, more than
10			28 grams, less than 200 grams.
11	893.135		
12	(1)(c)1.a.	1st	Trafficking in illegal drugs,
13			more than 4 grams, less than 14
14			grams.
15	893.135		
16	(1)(d)1.	1st	Trafficking in phencyclidine,
17			more than 28 grams, less than 200
18			grams.
19	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
20			than 200 grams, less than 5
21			kilograms.
22	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
23			than 14 grams, less than 28
24			grams.
25	893.135		
26	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
27			grams or more, less than 14
28			grams.
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1	893.135		
2	(1)(h)1.a.	1st	Trafficking in
3			gamma-hydroxybutyric acid (GHB),
4			1 kilogram or more, less than 5
5			kilograms.
6	893.135		
7	(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1
8			kilogram or more, less than 5
9			kilograms.
10	893.135		
11	(1)(k)2.a.	1st	Trafficking in Phenethylamines,
12			10 grams or more, less than 200
13			grams.
14	896.101(5)(a)	3rd	Money laundering, financial
15			transactions exceeding \$300 but
16			less than \$20,000.
17	896.104(4)(a)1.	3rd	Structuring transactions to evade
18			reporting or registration
19			requirements, financial
20			transactions exceeding \$300 but
21			less than \$20,000.
22	943.0435(4)(c)	2nd	Sexual offender vacating
23			permanent residence; failure to
24			comply with reporting
25			requirements.
26	943.0435(8)	2nd	Sexual offender; remains in state
27			after indicating intent to leave;
28			failure to comply with reporting
29			requirements.
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1 943.0435(9)(a) 3rd Sexual offender; failure to
2 comply with reporting
3 requirements.
4 943.0435(9)(a)2.b. 3rd Failure of a sexual offender to
5 carry or present driver's license
6 or identification card.
7 943.0435(13) 3rd Failure to report or providing
8 false information about a sexual
9 offender; harbor or conceal a
10 sexual offender.
11 943.0435(14) 3rd Sexual offender; failure to
12 report and reregister; failure to
13 respond to address verification.
14 944.607(9) 3rd Sexual offender; failure to
15 comply with reporting
16 requirements.
17 944.607(10)(a) 3rd Sexual offender; failure to
18 submit to the taking of a
19 digitized photograph.
20 944.607(12) 3rd Failure to report or providing
21 false information about a sexual
22 offender; harbor or conceal a
23 sexual offender.
24 944.607(13) 3rd Sexual offender; failure to
25 report and reregister; failure to
26 respond to address verification.
27 Section 6. Section 1012.465, Florida Statutes, is
28 amended to read:
29 1012.465 Background screening requirements for certain
30 noninstructional school district employees ~~and contractors.~~--
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1 (1) Noninstructional school district employees ~~or~~
2 ~~contractual personnel who are permitted access on school~~
3 ~~grounds when students are present,~~ who have direct contact
4 with students or who have access to or control of school funds
5 must meet level 2 screening requirements as described in s.
6 1012.32. ~~Contractual personnel shall include any vendor,~~
7 ~~individual, or entity under contract with the school board.~~

8 (2) Every 5 years following employment ~~or entry into a~~
9 ~~contract~~ in a capacity described in subsection (1), each
10 person who is so employed ~~or under contract~~ with the school
11 district must meet level 2 screening requirements as described
12 in s. 1012.32, at which time the school district shall request
13 the Department of Law Enforcement to forward the fingerprints
14 to the Federal Bureau of Investigation for the level 2
15 screening. If, for any reason following employment ~~or entry~~
16 ~~into a contract~~ in a capacity described in subsection (1), the
17 fingerprints of a person who is so employed ~~or under contract~~
18 with the school district are not retained by the Department of
19 Law Enforcement under s. 1012.32(3)(a) and (b), the person
20 must file a complete set of fingerprints with the district
21 school superintendent of the employing ~~or contracting~~ school
22 district. Upon submission of fingerprints for this purpose,
23 the school district shall request the Department of Law
24 Enforcement to forward the fingerprints to the Federal Bureau
25 of Investigation for the level 2 screening, and the
26 fingerprints shall be retained by the Department of Law
27 Enforcement under s. 1012.32(3)(a) and (b). The cost of the
28 state and federal criminal history check required by level 2
29 screening may be borne by the district school board, ~~the~~
30 ~~contractor,~~ or the person fingerprinted. Under penalty of
31 perjury, each person who is employed ~~or under contract~~ in a

1 capacity described in subsection (1) must agree to inform his
2 or her employer ~~or the party with whom he or she is under~~
3 ~~contract~~ within 48 hours if convicted of any disqualifying
4 offense while he or she is employed ~~or under contract~~ in that
5 capacity.

6 (3) If it is found that a person who is employed ~~or~~
7 ~~under contract~~ in a capacity described in subsection (1) does
8 not meet the level 2 requirements, the person shall be
9 immediately suspended from working in that capacity and shall
10 remain suspended until final resolution of any appeals.

11 Section 7. Contractual personnel; sexual predator and
12 offender exclusion.--

13 (1) As used in this section, the term:

14 (a) "Contractual personnel" includes the personnel of
15 any vendor, individual, or entity under contract with the
16 school board who are not instructional personnel, as defined
17 in s. 1012.01, Florida Statutes, and who are not subject to
18 background checks under s. 1012.465, Florida Statutes.

19 (b) "School grounds" means the buildings of any public
20 prekindergarten, kindergarten, elementary school, middle
21 school, junior high school, or secondary school and the real
22 property on which the buildings are located. The term "school
23 grounds" does not include any other facilities or locations
24 where school classes or activities may be located or take
25 place.

26 (2)(a) Contractual personnel who are permitted access
27 on school grounds during instructional hours must comply with
28 the following requirements:

29 1. Contractual personnel who are designated as sexual
30 predators under s. 775.21, Florida Statutes, or subject to
31 registration as sexual offenders under s. 943.0435, Florida

1 Statutes, shall not be on school grounds during instructional
2 hours.

3 2. Each one of the contractual personnel who has been
4 issued a Florida driver's license or identification card
5 shall:

6 a. Show the card to a school district employee prior
7 to commencing work. The employee shall examine it to confirm
8 that it does not have the markings required by s. 322.141,
9 Florida Statutes, that would indicate that the person is a
10 sexual predator under s. 775.21, Florida Statutes, or subject
11 to registration as a sexual offender under s. 943.0435,
12 Florida Statutes.

13 b. Possess the card at all times while working on
14 school grounds and shall show it to any school district
15 employee upon request.

16 3. Contractual personnel who have not been issued or
17 do not have in their possession a Florida driver's license or
18 identification card shall be under the immediate supervision
19 of a school district employee at all times while on school
20 grounds.

21 (b)1. A contractor whose personnel are subject to this
22 section may exempt its personnel from the requirements of
23 sub-subparagraph (a)2.a. by providing the school district with
24 an affidavit under oath certifying that the contractor has
25 examined the Florida driver's license or identification card
26 of each employee who possesses one and that only employees who
27 have been so examined and who comply with subparagraph (a)1.
28 will be working on school grounds during instructional hours.
29 Such an affidavit shall be valid for no longer than the period
30 covered by the contractor's contract with the school district
31 or 1 year, whichever is shorter.

1 2. In addition to any other penalties, a contractor
2 who violates this paragraph and who holds a professional
3 license subject to either chapter 455, Florida Statutes, or
4 chapter 456, Florida Statutes, commits a violation of s.
5 455.227(1)(a), Florida Statutes, or s. 456.072(1)(a), Florida
6 Statutes, respectively.

7 (c) Each person employed by or under contract with a
8 contractor subject to this section must agree to inform his or
9 her employer or the party with whom he or she is under
10 contract within 48 hours if charged, while he or she is
11 employed or under contract in that capacity, with an offense
12 for which a conviction could lead to the person being
13 designated as a sexual predator under s. 775.21, Florida
14 Statutes, or subject to registration as a sexual offender
15 under s. 943.0435, Florida Statutes.

16 (3) This section does not apply to law enforcement
17 officers, as defined in s. 943.10, Florida Statutes, assigned
18 by their employing agencies to work on school grounds as part
19 of their official duties.

20 Section 8. This act shall take effect July 1, 2006.