

CHAMBER ACTION

1 The Justice Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to sexual and career offenders; amending
7 s. 775.21, F.S.; revising the definition of "institution
8 of higher education" to include a career center; revising
9 provisions relating to use of prior felonies for sexual
10 predator determination; deleting a requirement for
11 separate sentencing of a prior felony for sexual predator
12 designation; removing language allowing a sexual predator
13 to register at a Department of Law Enforcement office;
14 amending s. 775.261, F.S.; revising an operational date
15 used for career offender registration; expanding
16 applicability of registration requirements; amending s.
17 943.0435, F.S.; removing language allowing a sexual
18 offender to register at a Department of Law Enforcement
19 office; revising language relating to the definition of
20 "sexual offender"; revising the definition of "institution
21 of higher education" to include a career center; revising
22 a provision relating to an offender's driver license or
23 identification card renewal; amending s. 944.606, F.S.;

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24 | revising language relating to the definition of "sexual
25 | offender"; amending s. 944.607, F.S.; revising language
26 | relating to the definition of "sexual offender"; revising
27 | the definition of "institution of higher education" to
28 | include a career center; providing an effective date.
29 |

30 | Be It Enacted by the Legislature of the State of Florida:
31 |

32 | Section 1. Paragraph (h) of subsection (2), paragraphs (a)
33 | and (b) of subsection (4), paragraph (d) of subsection (5),
34 | paragraphs (e), (g), (h), (i), and (j) of subsection (6), and
35 | paragraph (b) of subsection (10) of section 775.21, Florida
36 | Statutes, are amended to read:

37 | 775.21 The Florida Sexual Predators Act.--

38 | (2) DEFINITIONS.--As used in this section, the term:

39 | (h) "Institution of higher education" means a career
40 | center, community college, college, state university, or
41 | independent postsecondary institution.

42 | (4) SEXUAL PREDATOR CRITERIA.--

43 | (a) For a current offense committed on or after October 1,
44 | 1993, upon conviction, an offender shall be designated as a
45 | "sexual predator" under subsection (5), and subject to
46 | registration under subsection (6) and community and public
47 | notification under subsection (7) if:

48 | 1. The felony is:

49 | a. A capital, life, or first-degree felony violation, or
50 | any attempt thereof, of s. 787.01 or s. 787.02, where the victim
51 | is a minor and the defendant is not the victim's parent, or of

52 chapter 794, s. 800.04, or s. 847.0145, or a violation of a
53 similar law of another jurisdiction; or

54 b. Any felony violation, or any attempt thereof, of s.
55 787.01, s. 787.02, or s. 787.025, where the victim is a minor
56 and the defendant is not the victim's parent; chapter 794,
57 excluding ss. 794.011(10) and 794.0235; s. 796.03; s. 796.035;
58 s. 800.04; s. 825.1025(2)(b); s. 827.071; ~~or s. 847.0145~~; or s.
59 985.4045(1); or a violation of a similar law of another
60 jurisdiction, and the offender has previously been convicted of
61 or found to have committed, or has pled nolo contendere or
62 guilty to, regardless of adjudication, any violation of s.
63 787.01, s. 787.02, or s. 787.025, where the victim is a minor
64 and the defendant is not the victim's parent; s. 794.011(2),
65 (3), (4), (5), or (8); s. 794.05; s. 796.03; s. 796.035; s.
66 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135; ~~or s.~~
67 ~~847.0145~~; or s. 985.4045(1); ~~or a violation of a similar law of~~
68 ~~another jurisdiction;~~

69 2. The offender has not received a pardon for any felony
70 or similar law of another jurisdiction that is necessary for the
71 operation of this paragraph; and

72 3. A conviction of a felony or similar law of another
73 jurisdiction necessary to the operation of this paragraph has
74 not been set aside in any postconviction proceeding.

75 ~~(b) In order to be counted as a prior felony for purposes~~
76 ~~of this subsection, the felony must have resulted in a~~
77 ~~conviction sentenced separately, or an adjudication of~~
78 ~~delinquency entered separately, prior to the current offense and~~

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79 | ~~sentenced or adjudicated separately from any other felony~~
80 | ~~conviction that is to be counted as a prior felony.~~

81 | (5) SEXUAL PREDATOR DESIGNATION.--An offender is
82 | designated as a sexual predator as follows:

83 | (d) A person who establishes or maintains a residence in
84 | this state and who has not been designated as a sexual predator
85 | by a court of this state but who has been designated as a sexual
86 | predator, as a sexually violent predator, or by another sexual
87 | offender designation in another state or jurisdiction and was,
88 | as a result of such designation, subjected to registration or
89 | community or public notification, or both, or would be if the
90 | person was a resident of that state or jurisdiction, without
91 | regard to whether the person otherwise meets the criteria for
92 | registration as a sexual offender, shall register in the manner
93 | provided in s. 943.0435 or s. 944.607 and shall be subject to
94 | community and public notification as provided in s. 943.0435 or
95 | s. 944.607. A person who meets the criteria of this section is
96 | subject to the requirements and penalty provisions of s.
97 | 943.0435 or s. 944.607 until the person provides the department
98 | with an order issued by the court that designated the person as
99 | a sexual predator, as a sexually violent predator, or by another
100 | sexual offender designation in the state or jurisdiction in
101 | which the order was issued which states that such designation
102 | has been removed or demonstrates to the department that such
103 | designation, if not imposed by a court, has been removed by
104 | operation of law or court order in the state or jurisdiction in
105 | which the designation was made, and provided such person no

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106 | longer meets the criteria for registration as a sexual offender
107 | under the laws of this state.

108 | (6) REGISTRATION.--

109 | (e) If the sexual predator is not in the custody or
110 | control of, or under the supervision of, the Department of
111 | Corrections, or is not in the custody of a private correctional
112 | facility, and establishes or maintains a residence in the state,
113 | the sexual predator shall register in person at ~~an office of the~~
114 | ~~department, or at~~ the sheriff's office in the county in which
115 | the predator establishes or maintains a residence, within 48
116 | hours after establishing permanent or temporary residence in
117 | this state. Any change in the sexual predator's permanent or
118 | temporary residence or name, after the sexual predator registers
119 | in person at ~~an office of the department or at~~ the sheriff's
120 | office, shall be accomplished in the manner provided in
121 | paragraphs (g), (i), and (j). When ~~If~~ a sexual predator
122 | registers with the sheriff's office, the sheriff shall take a
123 | photograph and a set of fingerprints of the predator and forward
124 | the photographs and fingerprints to the department, along with
125 | the information that the predator is required to provide
126 | pursuant to this section.

127 | (g)1. Each time a sexual predator's driver's license or
128 | identification card is subject to renewal, and, without regard
129 | to the status of the predator's driver's license or
130 | identification card, within 48 hours after any change of the
131 | predator's residence or change in the predator's name by reason
132 | of marriage or other legal process, the predator shall report in
133 | person to a driver's license office and shall be subject to the

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134 requirements specified in paragraph (f). The Department of
135 Highway Safety and Motor Vehicles shall forward to the
136 department and to the Department of Corrections all photographs
137 and information provided by sexual predators. Notwithstanding
138 the restrictions set forth in s. 322.142, the Department of
139 Highway Safety and Motor Vehicles is authorized to release a
140 reproduction of a color-photograph or digital-image license to
141 the Department of Law Enforcement for purposes of public
142 notification of sexual predators as provided in this section.

143 2. A sexual predator who vacates a permanent residence and
144 fails to establish or maintain another permanent or temporary
145 residence shall, within 48 hours after vacating the permanent
146 residence, report in person to ~~the department or~~ the sheriff's
147 office of the county in which he or she is located. The sexual
148 predator shall specify the date upon which he or she intends to
149 or did vacate such residence. The sexual predator must provide
150 or update all of the registration information required under
151 paragraph (a). The sexual predator must provide an address for
152 the residence or other location that he or she is or will be
153 occupying during the time in which he or she fails to establish
154 or maintain a permanent or temporary residence.

155 3. A sexual predator who remains at a permanent residence
156 after reporting his or her intent to vacate such residence
157 shall, within 48 hours after the date upon which the predator
158 indicated he or she would or did vacate such residence, report
159 in person to the sheriff's office ~~agency~~ to which he or she
160 reported pursuant to subparagraph 2. for the purpose of
161 reporting his or her address at such residence. When ~~If~~ the

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162 sheriff receives the report, the sheriff shall promptly convey
163 the information to the department. An offender who makes a
164 report as required under subparagraph 2. but fails to make a
165 report as required under this subparagraph commits a felony of
166 the second degree, punishable as provided in s. 775.082, s.
167 775.083, or s. 775.084.

168 ~~(h) If the sexual predator registers at an office of the~~
169 ~~department,~~ The department must notify the sheriff and the state
170 attorney of the county and, if applicable, the police chief of
171 the municipality, where the sexual predator maintains a
172 residence ~~within 48 hours after the sexual predator registers~~
173 ~~with the department.~~

174 (i) A sexual predator who intends to establish residence
175 in another state or jurisdiction other than the State of Florida
176 shall report in person to the sheriff of the county of current
177 residence ~~or the department~~ within 48 hours before the date he
178 or she intends to leave this state to establish residence in
179 another state or jurisdiction. The sexual predator must provide
180 to the sheriff ~~or department~~ the address, municipality, county,
181 and state of intended residence. The sheriff shall promptly
182 provide to the department the information received from the
183 sexual predator. The department shall notify the statewide law
184 enforcement agency, or a comparable agency, in the intended
185 state or jurisdiction of residence of the sexual predator's
186 intended residence. The failure of a sexual predator to provide
187 his or her intended place of residence is punishable as provided
188 in subsection (10).

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189 (j) A sexual predator who indicates his or her intent to
 190 reside in another state or jurisdiction other than the State of
 191 Florida and later decides to remain in this state shall, within
 192 48 hours after the date upon which the sexual predator indicated
 193 he or she would leave this state, report in person to the
 194 sheriff ~~or the department, whichever agency is the agency to~~
 195 whom ~~which~~ the sexual predator reported the intended change of
 196 residence, and report ~~of~~ his or her intent to remain in this
 197 state. If the sheriff is notified by the sexual predator that he
 198 or she intends to remain in this state, the sheriff shall
 199 promptly report this information to the department. A sexual
 200 predator who reports his or her intent to reside in another
 201 state or jurisdiction, but who remains in this state without
 202 reporting to the sheriff ~~or the department~~ in the manner
 203 required by this paragraph, commits a felony of the second
 204 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 205 775.084.

206 (10) PENALTIES.--

207 (b) A sexual predator who has been convicted of or found
 208 to have committed, or has pled nolo contendere or guilty to,
 209 regardless of adjudication, any violation, or attempted
 210 violation, of s. 787.01, s. 787.02, or s. 787.025, where the
 211 victim is a minor and the defendant is not the victim's parent;
 212 s. 794.011(2), (3), (4), (5), or (8); s. 794.05; s. 796.03; s.
 213 796.035; s. 800.04; s. 827.071; s. 847.0133; ~~or~~ s. 847.0145; or
 214 s. 985.4045(1); ~~or~~ a violation of a similar law of another
 215 jurisdiction, ~~when~~ the victim of the offense was a minor, and
 216 who works, whether for compensation or as a volunteer, at any

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217 business, school, day care center, park, playground, or other
218 place where children regularly congregate, commits a felony of
219 the third degree, punishable as provided in s. 775.082, s.
220 775.083, or s. 775.084.

221 Section 2. Paragraph (a) of subsection (3) of section
222 775.261, Florida Statutes, is amended to read:

223 775.261 The Florida Career Offender Registration Act.--

224 (3) CRITERIA FOR REGISTRATION AS A CAREER OFFENDER.--

225 (a) A career offender released on or after July 1, 2002
226 ~~January 1, 2003~~, from a sanction imposed in this state for a
227 ~~designation as a habitual violent felony offender, a violent~~
228 ~~career criminal, or a three-time violent felony offender under~~
229 ~~s. 775.084 or as a prison releasee reoffender under s.~~
230 ~~775.082(9)~~ must register as required under subsection (4) and is
231 subject to community and public notification as provided under
232 subsection (5). For purposes of this section, a sanction imposed
233 in this state includes, but is not limited to, a fine,
234 probation, community control, parole, conditional release,
235 control release, or incarceration in a state prison, private
236 correctional facility, or local detention facility, and:

237 1. The career offender has not received a pardon for any
238 felony or other qualified offense that is necessary for the
239 operation of this paragraph; or

240 2. A conviction of a felony or other qualified offense
241 necessary to the operation of this paragraph has not been set
242 aside in any postconviction proceeding.

243 Section 3. Paragraphs (a) and (d) of subsection (1),
244 subsections (2), (4), (7), and (8), and paragraph (c) of

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245 subsection (11) of section 943.0435, Florida Statutes, are
246 amended to read:

247 943.0435 Sexual offenders required to register with the
248 department; penalty.--

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

250 (a) "Sexual offender" means a person who meets the
251 criteria in subparagraph 1., subparagraph 2., or subparagraph
252 3., as follows:

253 1.a. Has been convicted of committing, or attempting,
254 soliciting, or conspiring to commit, any of the criminal
255 offenses proscribed in the following statutes in this state or
256 similar offenses in another jurisdiction: s. 787.01, s. 787.02,
257 or s. 787.025, where the victim is a minor and the defendant is
258 not the victim's parent; chapter 794, excluding ss. 794.011(10)
259 and 794.0235; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s.
260 827.071; s. 847.0133; s. 847.0135; s. 847.0137; s. 847.0138; s.
261 847.0145; or s. 985.4045(1); or any similar offense committed in
262 this state which has been redesignated from a former statute
263 number to one of those listed in this sub-subparagraph
264 subparagraph; and

265 b.2- Has been released on or after October 1, 1997, from
266 the sanction imposed for any conviction of an offense described
267 in sub-subparagraph a. ~~subparagraph 1-~~. For purposes of sub-
268 subparagraph a. ~~subparagraph 1-~~, a sanction imposed in this
269 state or in any other jurisdiction includes, but is not limited
270 to, a fine, probation, community control, parole, conditional
271 release, control release, or incarceration in a state prison,

272 federal prison, private correctional facility, or local
273 detention facility; ~~or~~

274 ~~2.3-~~ Establishes or maintains a residence in this state
275 and who has not been designated as a sexual predator by a court
276 of this state but who has been designated as a sexual predator,
277 as a sexually violent predator, or by another sexual offender
278 designation in another state or jurisdiction and was, as a
279 result of such designation, subjected to registration or
280 community or public notification, or both, or would be if the
281 person were a resident of that state or jurisdiction, without
282 regard to whether the person otherwise meets the criteria for
283 registration as a sexual offender; or

284 ~~3.4-~~ Establishes or maintains a residence in this state
285 who is in the custody or control of, or under the supervision
286 of, any other state or jurisdiction as a result of a conviction
287 for committing, or attempting, soliciting, or conspiring to
288 commit, any of the criminal offenses proscribed in the following
289 statutes or similar offense in another jurisdiction: s. 787.01,
290 s. 787.02, or s. 787.025, where the victim is a minor and the
291 defendant is not the victim's parent; chapter 794, excluding ss.
292 794.011(10) and 794.0235; s. 796.03; s. 796.035; s. 800.04; s.
293 825.1025; s. 827.071; s. 847.0133; s. 847.0135; s. 847.0137; s.
294 847.0138; s. 847.0145; or s. 985.4045(1); or any similar offense
295 committed in this state which has been redesignated from a
296 former statute number to one of those listed in this
297 subparagraph.

298 (d) "Institution of higher education" means a career
 299 center, community college, college, state university, or
 300 independent postsecondary institution.

301 (2) A sexual offender shall:

302 (a) Report in person at ~~an office of the department, or at~~
 303 the sheriff's office in the county in which the offender
 304 establishes or maintains a permanent or temporary residence,
 305 within 48 hours after establishing permanent or temporary
 306 residence in this state or within 48 hours after being released
 307 from the custody, control, or supervision of the Department of
 308 Corrections or from the custody of a private correctional
 309 facility. Any change in the sexual offender's permanent or
 310 temporary residence or name, after the sexual offender reports
 311 in person at ~~an office of the department or at~~ the sheriff's
 312 office, shall be accomplished in the manner provided in
 313 subsections (4), (7), and (8).

314 (b) Provide his or her name, date of birth, social
 315 security number, race, sex, height, weight, hair and eye color,
 316 tattoos or other identifying marks, occupation and place of
 317 employment, address of permanent or legal residence or address
 318 of any current temporary residence, within the state and out of
 319 state, including a rural route address and a post office box,
 320 date and place of each conviction, and a brief description of
 321 the crime or crimes committed by the offender. A post office box
 322 shall not be provided in lieu of a physical residential address.

323 1. If the sexual offender's place of residence is a motor
 324 vehicle, trailer, mobile home, or manufactured home, as defined
 325 in chapter 320, the sexual offender shall also provide to the

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326 department written notice of the vehicle identification number;
327 the license tag number; the registration number; and a
328 description, including color scheme, of the motor vehicle,
329 trailer, mobile home, or manufactured home. If the sexual
330 offender's place of residence is a vessel, live-aboard vessel,
331 or houseboat, as defined in chapter 327, the sexual offender
332 shall also provide to the department written notice of the hull
333 identification number; the manufacturer's serial number; the
334 name of the vessel, live-aboard vessel, or houseboat; the
335 registration number; and a description, including color scheme,
336 of the vessel, live-aboard vessel, or houseboat.

337 2. If the sexual offender is enrolled, employed, or
338 carrying on a vocation at an institution of higher education in
339 this state, the sexual offender shall also provide to the
340 department the name, address, and county of each institution,
341 including each campus attended, and the sexual offender's
342 enrollment or employment status. Each change in enrollment or
343 employment status shall be reported in person at ~~an office of~~
344 ~~the department, or at~~ the sheriff's office, within 48 hours
345 after any change in status. The sheriff shall promptly notify
346 each institution of the sexual offender's presence and any
347 change in the sexual offender's enrollment or employment status.

348
349 When ~~if~~ a sexual offender reports at the sheriff's office, the
350 sheriff shall take a photograph and a set of fingerprints of the
351 offender and forward the photographs and fingerprints to the
352 department, along with the information provided by the sexual

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353 offender. The sheriff shall promptly provide to the department
354 the information received from the sexual offender.

355 (4)(a) Each time a sexual offender's driver's license or
356 identification card is subject to renewal, and, without regard
357 to the status of the offender's ~~predator's~~ driver's license or
358 identification card, within 48 hours after any change in the
359 offender's permanent or temporary residence or change in the
360 offender's name by reason of marriage or other legal process,
361 the offender shall report in person to a driver's license
362 office, and shall be subject to the requirements specified in
363 subsection (3). The Department of Highway Safety and Motor
364 Vehicles shall forward to the department all photographs and
365 information provided by sexual offenders. Notwithstanding the
366 restrictions set forth in s. 322.142, the Department of Highway
367 Safety and Motor Vehicles is authorized to release a
368 reproduction of a color-photograph or digital-image license to
369 the Department of Law Enforcement for purposes of public
370 notification of sexual offenders as provided in ss. 943.043,
371 943.0435, and 944.606.

372 (b) A sexual offender who vacates a permanent residence
373 and fails to establish or maintain another permanent or
374 temporary residence shall, within 48 hours after vacating the
375 permanent residence, report in person to the ~~department or the~~
376 sheriff's office of the county in which he or she is located.
377 The sexual offender shall specify the date upon which he or she
378 intends to or did vacate such residence. The sexual offender
379 must provide or update all of the registration information
380 required under paragraph (2)(b). The sexual offender must

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381 provide an address for the residence or other location that he
382 or she is or will be occupying during the time in which he or
383 she fails to establish or maintain a permanent or temporary
384 residence.

385 (c) A sexual offender who remains at a permanent residence
386 after reporting his or her intent to vacate such residence
387 shall, within 48 hours after the date upon which the offender
388 indicated he or she would or did vacate such residence, report
389 in person to the agency to which he or she reported pursuant to
390 paragraph (b) for the purpose of reporting his or her address at
391 such residence. When ~~If~~ the sheriff receives the report, the
392 sheriff shall promptly convey the information to the department.
393 An offender who makes a report as required under paragraph (b)
394 but fails to make a report as required under this paragraph
395 commits a felony of the second degree, punishable as provided in
396 s. 775.082, s. 775.083, or s. 775.084.

397 (7) A sexual offender who intends to establish residence
398 in another state or jurisdiction other than the State of Florida
399 shall report in person to the sheriff of the county of current
400 residence ~~or the department~~ within 48 hours before the date he
401 or she intends to leave this state to establish residence in
402 another state or jurisdiction. The notification must include the
403 address, municipality, county, and state of intended residence.
404 The sheriff shall promptly provide to the department the
405 information received from the sexual offender. The department
406 shall notify the statewide law enforcement agency, or a
407 comparable agency, in the intended state or jurisdiction of
408 residence of the sexual offender's intended residence. The

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409 failure of a sexual offender to provide his or her intended
410 place of residence is punishable as provided in subsection (9).

411 (8) A sexual offender who indicates his or her intent to
412 reside in another state or jurisdiction other than the State of
413 Florida and later decides to remain in this state shall, within
414 48 hours after the date upon which the sexual offender indicated
415 he or she would leave this state, report in person to the
416 sheriff ~~or department, whichever agency is the agency to whom~~
417 ~~which~~ the sexual offender reported the intended change of
418 residence, and report ~~of~~ his or her intent to remain in this
419 state. ~~If the sheriff is notified by the sexual offender that he~~
420 ~~or she intends to remain in this state,~~ The sheriff shall
421 promptly report this information to the department. A sexual
422 offender who reports his or her intent to reside in another
423 state or jurisdiction but who remains in this state without
424 reporting to the sheriff ~~or the department~~ in the manner
425 required by this subsection commits a felony of the second
426 degree, punishable as provided in s. 775.082, s. 775.083, or s.
427 775.084.

428 (11) A sexual offender must maintain registration with the
429 department for the duration of his or her life, unless the
430 sexual offender has received a full pardon or has had a
431 conviction set aside in a postconviction proceeding for any
432 offense that meets the criteria for classifying the person as a
433 sexual offender for purposes of registration. However, a sexual
434 offender:

435 (c) As defined in subparagraph (1) (a) ~~2.3~~, must maintain
436 registration with the department for the duration of his or her

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437 | life until the person provides the department with an order
438 | issued by the court that designated the person as a sexual
439 | predator, as a sexually violent predator, or by another sexual
440 | offender designation in the state or jurisdiction in which the
441 | order was issued which states that such designation has been
442 | removed or demonstrates to the department that such designation,
443 | if not imposed by a court, has been removed by operation of law
444 | or court order in the state or jurisdiction in which the
445 | designation was made, and provided such person no longer meets
446 | the criteria for registration as a sexual offender under the
447 | laws of this state.

448 | Section 4. Paragraph (b) of subsection (1) of section
449 | 944.606, Florida Statutes, is amended to read:

450 | 944.606 Sexual offenders; notification upon release.--

451 | (1) As used in this section:

452 | (b) "Sexual offender" means a person who has been
453 | convicted of committing, or attempting, soliciting, or
454 | conspiring to commit, any of the criminal offenses proscribed in
455 | the following statutes in this state or similar offenses in
456 | another jurisdiction: s. 787.01, s. 787.02, or s. 787.025, where
457 | the victim is a minor and the defendant is not the victim's
458 | parent; chapter 794, excluding ss. 794.011(10) and 794.0235; s.
459 | 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s.
460 | 847.0133; s. 847.0135; s. 847.0137; s. 847.0138; s. 847.0145; or
461 | s. 985.4045(1); or any similar offense committed in this state
462 | which has been redesignated from a former statute number to one
463 | of those listed in this subsection, when the department has
464 | received verified information regarding such conviction; an

465 offender's computerized criminal history record is not, in and
466 of itself, verified information.

467 Section 5. Paragraphs (a) and (c) of subsection (1) of
468 section 944.607, Florida Statutes, are amended to read:

469 944.607 Notification to Department of Law Enforcement of
470 information on sexual offenders.--

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

472 (a) "Sexual offender" means a person who is in the custody
473 or control of, or under the supervision of, the department or is
474 in the custody of a private correctional facility:

475 1. On or after October 1, 1997, as a result of a
476 conviction for committing, or attempting, soliciting, or
477 conspiring to commit, any of the criminal offenses proscribed in
478 the following statutes in this state or similar offenses in
479 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025, where
480 the victim is a minor and the defendant is not the victim's
481 parent; chapter 794, excluding ss. 794.011(10) and 794.0235; s.
482 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s.
483 847.0133; s. 847.0135; s. 847.0137; s. 847.0138; s. 847.0145; or
484 s. 985.4045(1); or any similar offense committed in this state
485 which has been redesignated from a former statute number to one
486 of those listed in this paragraph; or

487 2. Who establishes or maintains a residence in this state
488 and who has not been designated as a sexual predator by a court
489 of this state but who has been designated as a sexual predator,
490 as a sexually violent predator, or by another sexual offender
491 designation in another state or jurisdiction and was, as a
492 result of such designation, subjected to registration or

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493 | community or public notification, or both, or would be if the
494 | person were a resident of that state or jurisdiction, without
495 | regard as to whether the person otherwise meets the criteria for
496 | registration as a sexual offender.

497 | (c) "Institution of higher education" means a career
498 | center, community college, college, state university, or
499 | independent postsecondary institution.

500 | Section 6. This act shall take effect July 1, 2006.