

1                                   A bill to be entitled  
 2           An act relating to sexual offenders and  
 3           predators; amending s. 775.21, F.S.; redefining  
 4           the terms "permanent residence" and "temporary  
 5           residence" in order to reduce the number of  
 6           consecutive days and days in the aggregate that  
 7           constitute the residence of a sexual predator  
 8           for purposes of requirements that the predator  
 9           register with the Department of Law  
 10          Enforcement, the sheriff's office, or the  
 11          Department of Corrections; amending s. 948.063,  
 12          F.S.; revising provisions relating to  
 13          violations of probation or community control by  
 14          designated sexual offenders and sexual  
 15          predators; providing an effective date.

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 17 Be It Enacted by the Legislature of the State of Florida:  
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19           Section 1. Paragraphs (f) and (g) of subsection (2) of  
 20 section 775.21, Florida Statutes, are amended to read:

21           775.21 The Florida Sexual Predators Act.--

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

23           (f) "Permanent residence" means a place where the  
 24 person abides, lodges, or resides for 5 ~~14~~ or more consecutive  
 25 days.

26           (g) "Temporary residence" means a place where the  
 27 person abides, lodges, or resides for a period of 5 ~~14~~ or more  
 28 days in the aggregate during any calendar year and which is  
 29 not the person's permanent address~~+~~ or, for a person whose  
 30 permanent residence is not in this state, a place where the  
 31 person is employed, practices a vocation, or is enrolled as a

1 student for any period of time in this state; ~~or a place where~~  
2 ~~the person routinely abides, lodges, or resides for a period~~  
3 ~~of 4 or more consecutive or nonconsecutive days in any month~~  
4 ~~and which is not the person's permanent residence, including~~  
5 ~~any out of state address.~~

6 Section 2. Section 948.063, Florida Statutes, is  
7 amended to read:

8 948.063 Violations of probation or community control  
9 by designated sexual offenders and sexual predators.--

10 (1) If probation or community control for any felony  
11 offense is revoked by the court pursuant to s. 948.06(2)(e)  
12 and the offender is designated as a sexual offender pursuant  
13 to s. 943.0435 or s. 944.607 or as a sexual predator pursuant  
14 to s. 775.21 for unlawful sexual activity involving a victim  
15 15 years of age or younger and the offender is 18 years of age  
16 or older, and if the court imposes a subsequent term of  
17 supervision following the revocation of probation or community  
18 control, the court must order electronic monitoring as a  
19 condition of the subsequent term of probation or community  
20 control.

21 (2) If the probationer or offender is required to  
22 register as a sexual predator under s. 775.21 or as a sexual  
23 offender under s. 943.0435 or s. 944.607 for unlawful sexual  
24 activity involving a victim 15 years of age or younger and the  
25 probationer or offender is 18 years of age or older and has  
26 violated the conditions of his or her probation or community  
27 control, but the court does not revoke the probation or  
28 community control, the court shall nevertheless modify the  
29 probation or community control to include electronic  
30 monitoring for any probationer or offender not then subject to  
31 electronic monitoring.

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Section 3. This act shall take effect July 1, 2006.