

Bill No. SB 646

Barcode 674344

CHAMBER ACTION

Senate

House

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The Committee on Criminal Justice (Klein) recommended the following amendment:

Senate Amendment (with directory and title amendments)

On page 4, between lines 12 and 13,

insert:

(6) REGISTRATION.--

(e) If the sexual predator is not in the custody or control of, or under the supervision of, the Department of Corrections, or is not in the custody of a private correctional facility, and establishes or maintains a residence in the state, the sexual predator shall register in person at ~~an office of the department, or at the sheriff's~~ office in the county in which the predator establishes or maintains a residence, within 48 hours after establishing permanent or temporary residence in this state. Any change in the sexual predator's permanent or temporary residence or name, after the sexual predator registers in person at ~~an office of the department or at the sheriff's~~ office, shall be accomplished in the manner provided in paragraphs (g), (i),

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1 and (j). ~~If~~ When a sexual predator registers with the
2 sheriff's office, the sheriff shall take a photograph and a
3 set of fingerprints of the predator and forward the
4 photographs and fingerprints to the department, along with the
5 information that the predator is required to provide pursuant
6 to this section.

7 (g)1. Each time a sexual predator's driver's license
8 or identification card is subject to renewal, and, without
9 regard to the status of the predator's driver's license or
10 identification card, within 48 hours after any change of the
11 predator's residence or change in the predator's name by
12 reason of marriage or other legal process, the predator shall
13 report in person to a driver's license office and shall be
14 subject to the requirements specified in paragraph (f). The
15 Department of Highway Safety and Motor Vehicles shall forward
16 to the department and to the Department of Corrections all
17 photographs and information provided by sexual predators.
18 Notwithstanding the restrictions set forth in s. 322.142, the
19 Department of Highway Safety and Motor Vehicles is authorized
20 to release a reproduction of a color-photograph or
21 digital-image license to the Department of Law Enforcement for
22 purposes of public notification of sexual predators as
23 provided in this section.

24 2. A sexual predator who vacates a permanent residence
25 and fails to establish or maintain another permanent or
26 temporary residence shall, within 48 hours after vacating the
27 permanent residence, report in person to ~~the department or the~~
28 sheriff's office of the county in which he or she is located.
29 The sexual predator shall specify the date upon which he or
30 she intends to or did vacate such residence. The sexual
31 predator must provide or update all of the registration

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1 information required under paragraph (a). The sexual predator
2 must provide an address for the residence or other location
3 that he or she is or will be occupying during the time in
4 which he or she fails to establish or maintain a permanent or
5 temporary residence.

6 3. A sexual predator who remains at a permanent
7 residence after reporting his or her intent to vacate such
8 residence shall, within 48 hours after the date upon which the
9 predator indicated he or she would or did vacate such
10 residence, report in person to the agency to which he or she
11 reported pursuant to subparagraph 2. for the purpose of
12 reporting his or her address at such residence. If the sheriff
13 receives the report, the sheriff shall promptly convey the
14 information to the department. An offender who makes a report
15 as required under subparagraph 2. but fails to make a report
16 as required under this subparagraph commits a felony of the
17 second degree, punishable as provided in s. 775.082, s.
18 775.083, or s. 775.084.

19 ~~(h) If the sexual predator registers at an office of~~
20 ~~the department,~~ The department must notify the sheriff and the
21 state attorney of the county and, if applicable, the police
22 chief of the municipality, where the sexual predator maintains
23 a residence ~~within 48 hours after the sexual predator~~
24 ~~registers with the department.~~

25 (i) A sexual predator who intends to establish
26 residence in another state or jurisdiction other than the
27 State of Florida shall report in person to the sheriff of the
28 county of current residence ~~or the department~~ within 48 hours
29 before the date he or she intends to leave this state to
30 establish residence in another state or jurisdiction. The
31 sexual predator must provide to the sheriff ~~or department~~ the

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1 address, municipality, county, and state of intended
 2 residence. The sheriff shall promptly provide to the
 3 department the information received from the sexual predator.
 4 The department shall notify the statewide law enforcement
 5 agency, or a comparable agency, in the intended state or
 6 jurisdiction of residence of the sexual predator's intended
 7 residence. The failure of a sexual predator to provide his or
 8 her intended place of residence is punishable as provided in
 9 subsection (10).

10 (j) A sexual predator who indicates his or her intent
 11 to reside in another state or jurisdiction other than the
 12 State of Florida and later decides to remain in this state
 13 shall, within 48 hours after the date upon which the sexual
 14 predator indicated he or she would leave this state, report in
 15 person to the sheriff ~~or the department, whichever agency is~~
 16 ~~the agency to~~ which the sexual predator reported the intended
 17 change of residence, and report of his or her intent to remain
 18 in this state. If the sheriff is notified by the sexual
 19 predator that he or she intends to remain in this state, the
 20 sheriff shall promptly report this information to the
 21 department. A sexual predator who reports his or her intent to
 22 reside in another state or jurisdiction, but who remains in
 23 this state without reporting to the sheriff ~~or the department~~
 24 in the manner required by this paragraph, commits a felony of
 25 the second degree, punishable as provided in s. 775.082, s.
 26 775.083, or s. 775.084.

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29 ===== DIRECTORY CLAUSE AMENDMENT =====

30 And the directory clause is amended as follows:

31 On page 1, line 30, delete that line

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1 and insert: (5), paragraphs (e), (g), (h), (i) and (j) of
 2 subsection (6), and paragraph (b) of subsection (10) of
 3 section 775.21,

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6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 On page 1, line 7, delete that line

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10 and insert:

11 predator determination; removing language
 12 allowing sexual predator to register at
 13 department; amending s. 775.261,

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