

1                                   A bill to be entitled  
2           An act relating to sexual and career offenders;  
3           amending s. 775.21, F.S.; revising the  
4           definition of the term "institution of higher  
5           education" to include a career center; revising  
6           provisions relating to use of prior felonies  
7           for sexual predator determination; removing  
8           provisions allowing a sexual predator to  
9           register at the Department of Law Enforcement;  
10          amending s. 775.261, F.S.; revising an  
11          operational date used for career offender  
12          registration; expanding applicability of  
13          registration requirements; amending s.  
14          943.0435, F.S.; removing provisions permitting  
15          a sexual offender to register at an office of  
16          the Department of Law Enforcement; revising  
17          provisions relating to the definition of  
18          "sexual offender"; revising the definition of  
19          "institution of higher education" to include a  
20          career center; revising a provision relating to  
21          an offender's driver's license or  
22          identification card renewal; amending s.  
23          944.606, F.S.; revising provisions relating to  
24          the definition of "sexual offender"; amending  
25          s. 944.607, F.S.; revising provisions relating  
26          to the definition of "sexual offender";  
27          revising the definition of "institution of  
28          higher education" to include a career center;  
29          providing an effective date.

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

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

6           775.21 The Florida Sexual Predators Act.--

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

8           (h) "Institution of higher education" means a career  
 9 center, community college, college, state university, or  
 10 independent postsecondary institution.

11          (4) SEXUAL PREDATOR CRITERIA.--

12          (a) For a current offense committed on or after  
 13 October 1, 1993, upon conviction, an offender shall be  
 14 designated as a "sexual predator" under subsection (5), and  
 15 subject to registration under subsection (6) and community and  
 16 public notification under subsection (7) if:

17           1. The felony is:

18           a. A capital, life, or first-degree felony violation,  
 19 or any attempt thereof, of s. 787.01 or s. 787.02, where the  
 20 victim is a minor and the defendant is not the victim's  
 21 parent, or of chapter 794, s. 800.04, or s. 847.0145, or a  
 22 violation of a similar law of another jurisdiction; or

23           b. Any felony violation, or any attempt thereof, of s.  
 24 787.01, s. 787.02, or s. 787.025, where the victim is a minor  
 25 and the defendant is not the victim's parent; chapter 794,  
 26 excluding ss. 794.011(10) and 794.0235; s. 796.03; s. 796.035;  
 27 s. 800.04; s. 825.1025(2)(b); s. 827.071; ~~or~~ s. 847.0145; or  
 28 s. 985.4045(1); or a violation of a similar law of another  
 29 jurisdiction, and the offender has previously been convicted  
 30 of or found to have committed, or has pled nolo contendere or  
 31 guilty to, regardless of adjudication, any violation of s.

1 787.01, s. 787.02, or s. 787.025, where the victim is a minor  
2 and the defendant is not the victim's parent; s. 794.011(2),  
3 (3), (4), (5), or (8); s. 794.05; s. 796.03; s. 796.035; s.  
4 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135; ~~or~~  
5 s. 847.0145; or s. 985.4045(1); ~~or~~ or a violation of a similar  
6 law of another jurisdiction;

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

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

13 (b) In order to be counted as a prior felony for  
14 purposes of this subsection, the felony must have resulted in  
15 a conviction sentenced separately, or an adjudication of  
16 delinquency entered separately, prior to the current offense  
17 and sentenced or adjudicated separately from any other felony  
18 conviction that is to be counted as a prior felony regardless  
19 of the date of offense of the prior felony.

20 (5) SEXUAL PREDATOR DESIGNATION.--An offender is  
21 designated as a sexual predator as follows:

22 (d) A person who establishes or maintains a residence  
23 in this state and who has not been designated as a sexual  
24 predator by a court of this state but who has been designated  
25 as a sexual predator, as a sexually violent predator, or by  
26 another sexual offender designation in another state or  
27 jurisdiction and was, as a result of such designation,  
28 subjected to registration or community or public notification,  
29 or both, or would be if the person was a resident of that  
30 state or jurisdiction, without regard to whether the person  
31 otherwise meets the criteria for registration as a sexual

1 offender, shall register in the manner provided in s. 943.0435  
2 or s. 944.607 and shall be subject to community and public  
3 notification as provided in s. 943.0435 or s. 944.607. A  
4 person who meets the criteria of this section is subject to  
5 the requirements and penalty provisions of s. 943.0435 or s.  
6 944.607 until the person provides the department with an order  
7 issued by the court that designated the person as a sexual  
8 predator, as a sexually violent predator, or by another sexual  
9 offender designation in the state or jurisdiction in which the  
10 order was issued which states that such designation has been  
11 removed or demonstrates to the department that such  
12 designation, if not imposed by a court, has been removed by  
13 operation of law or court order in the state or jurisdiction  
14 in which the designation was made, and provided such person no  
15 longer meets the criteria for registration as a sexual  
16 offender under the laws of this state.

17 (6) REGISTRATION.--

18 (e) If the sexual predator is not in the custody or  
19 control of, or under the supervision of, the Department of  
20 Corrections, or is not in the custody of a private  
21 correctional facility, and establishes or maintains a  
22 residence in the state, the sexual predator shall register in  
23 person at ~~an office of the department, or at~~ the sheriff's  
24 office in the county in which the predator establishes or  
25 maintains a residence, within 48 hours after establishing  
26 permanent or temporary residence in this state. Any change in  
27 the sexual predator's permanent or temporary residence or  
28 name, after the sexual predator registers in person at ~~an~~  
29 ~~office of the department or at~~ the sheriff's office, shall be  
30 accomplished in the manner provided in paragraphs (g), (i),  
31 and (j). When ~~If~~ a sexual predator registers with the

1 | sheriff's office, the sheriff shall take a photograph and a  
2 | set of fingerprints of the predator and forward the  
3 | photographs and fingerprints to the department, along with the  
4 | information that the predator is required to provide pursuant  
5 | to this section.

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

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

1 must provide an address for the residence or other location  
2 that he or she is or will be occupying during the time in  
3 which he or she fails to establish or maintain a permanent or  
4 temporary residence.

5 3. A sexual predator who remains at a permanent  
6 residence after reporting his or her intent to vacate such  
7 residence shall, within 48 hours after the date upon which the  
8 predator indicated he or she would or did vacate such  
9 residence, report in person to the sheriff's office ~~agency~~ to  
10 which he or she reported pursuant to subparagraph 2. for the  
11 purpose of reporting his or her address at such residence.

12 When ~~If~~ the sheriff receives the report, the sheriff shall  
13 promptly convey the information to the department. An offender  
14 who makes a report as required under subparagraph 2. but fails  
15 to make a report as required under this subparagraph commits a  
16 felony of the second degree, punishable as provided in s.  
17 775.082, s. 775.083, or s. 775.084.

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

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

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

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

26 (10) PENALTIES.--

27 (b) A sexual predator who has been convicted of or  
 28 found to have committed, or has pled nolo contendere or guilty  
 29 to, regardless of adjudication, any violation, or attempted  
 30 violation, of s. 787.01, s. 787.02, or s. 787.025, where the  
 31 victim is a minor and the defendant is not the victim's

1 parent; s. 794.011(2), (3), (4), (5), or (8); s. 794.05; s.  
 2 796.03; s. 796.035; s. 800.04; s. 827.071; s. 847.0133; ~~or s.~~  
 3 847.0145; or s. 985.4045(1); ~~or a violation of a similar law~~  
 4 of another jurisdiction, when the victim of the offense was a  
 5 minor, and who works, whether for compensation or as a  
 6 volunteer, at any business, school, day care center, park,  
 7 playground, or other place where children regularly  
 8 congregate, commits a felony of the third degree, punishable  
 9 as provided in s. 775.082, s. 775.083, or s. 775.084.

10 Section 2. Paragraph (a) of subsection (3) of section  
 11 775.261, Florida Statutes, is amended to read:

12 775.261 The Florida Career Offender Registration  
 13 Act.--

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

15 (a) A career offender released on or after July 1,  
 16 2002 ~~January 1, 2003~~, from a sanction imposed in this state  
 17 ~~for a designation as a habitual violent felony offender, a~~  
 18 ~~violent career criminal, or a three time violent felony~~  
 19 ~~offender under s. 775.084 or as a prison releasee reoffender~~  
 20 ~~under s. 775.082(9)~~ must register as required under subsection  
 21 (4) and is subject to community and public notification as  
 22 provided under subsection (5). For purposes of this section, a  
 23 sanction imposed in this state includes, but is not limited  
 24 to, a fine, probation, community control, parole, conditional  
 25 release, control release, or incarceration in a state prison,  
 26 private correctional facility, or local detention facility,  
 27 and:

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

31



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

4           Section 3. Paragraphs (a) and (d) of subsection (1),  
5 subsections (2), (4), (7), and (8), and paragraph (c) of  
6 subsection (11) of section 943.0435, Florida Statutes, are  
7 amended to read:

8           943.0435 Sexual offenders required to register with  
9 the department; penalty.--

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

11           (a) "Sexual offender" means a person who meets the  
12 criteria in subparagraph 1., subparagraph 2., or subparagraph  
13 3., as follows:

14           1.a. Has been convicted of committing, or attempting,  
15 soliciting, or conspiring to commit, any of the criminal  
16 offenses proscribed in the following statutes in this state or  
17 similar offenses in another jurisdiction: s. 787.01, s.  
18 787.02, or s. 787.025, where the victim is a minor and the  
19 defendant is not the victim's parent; chapter 794, excluding  
20 ss. 794.011(10) and 794.0235; s. 796.03; s. 796.035; s.  
21 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135; s.  
22 847.0137; s. 847.0138; s. 847.0145; or s. 985.4045(1); or any  
23 similar offense committed in this state which has been  
24 redesignated from a former statute number to one of those  
25 listed in this ~~sub-subparagraph~~ subparagraph; and

26           ~~b.2-~~ Has been released on or after October 1, 1997,  
27 from the sanction imposed for any conviction of an offense  
28 described in ~~sub-subparagraph a. subparagraph 1-~~ subparagraph a. For purposes  
29 of ~~sub-subparagraph a. subparagraph 1-~~ subparagraph a., a sanction imposed in  
30 this state or in any other jurisdiction includes, but is not  
31 limited to, a fine, probation, community control, parole,

1 conditional release, control release, or incarceration in a  
 2 state prison, federal prison, private correctional facility,  
 3 or local detention facility; ~~or~~

4 ~~2.3-~~ Establishes or maintains a residence in this  
 5 state and who has not been designated as a sexual predator by  
 6 a court of this state but who has been designated as a sexual  
 7 predator, as a sexually violent predator, or by another sexual  
 8 offender designation in another state or jurisdiction and was,  
 9 as a result of such designation, subjected to registration or  
 10 community or public notification, or both, or would be if the  
 11 person were a resident of that state or jurisdiction, without  
 12 regard to whether the person otherwise meets the criteria for  
 13 registration as a sexual offender; or

14 ~~3.4-~~ Establishes or maintains a residence in this  
 15 state who is in the custody or control of, or under the  
 16 supervision of, any other state or jurisdiction as a result of  
 17 a conviction for committing, or attempting, soliciting, or  
 18 conspiring to commit, any of the criminal offenses proscribed  
 19 in the following statutes or similar offense in another  
 20 jurisdiction: s. 787.01, s. 787.02, or s. 787.025, where the  
 21 victim is a minor and the defendant is not the victim's  
 22 parent; chapter 794, excluding ss. 794.011(10) and 794.0235;  
 23 s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s.  
 24 847.0133; s. 847.0135; s. 847.0137; s. 847.0138; s. 847.0145;  
 25 or s. 985.4045(1); or any similar offense committed in this  
 26 state which has been redesignated from a former statute number  
 27 to one of those listed in this subparagraph.

28 (d) "Institution of higher education" means a career  
 29 center, community college, college, state university, or  
 30 independent postsecondary institution.

31 (2) A sexual offender shall:

1           (a) Report in person at ~~an office of the department,~~  
2 ~~or at~~ the sheriff's office in the county in which the offender  
3 establishes or maintains a permanent or temporary residence,  
4 within 48 hours after establishing permanent or temporary  
5 residence in this state or within 48 hours after being  
6 released from the custody, control, or supervision of the  
7 Department of Corrections or from the custody of a private  
8 correctional facility. Any change in the sexual offender's  
9 permanent or temporary residence or name, after the sexual  
10 offender reports in person at ~~an office of the department or~~  
11 ~~at~~ the sheriff's office, shall be accomplished in the manner  
12 provided in subsections (4), (7), and (8).

13           (b) Provide his or her name, date of birth, social  
14 security number, race, sex, height, weight, hair and eye  
15 color, tattoos or other identifying marks, occupation and  
16 place of employment, address of permanent or legal residence  
17 or address of any current temporary residence, within the  
18 state and out of state, including a rural route address and a  
19 post office box, date and place of each conviction, and a  
20 brief description of the crime or crimes committed by the  
21 offender. A post office box shall not be provided in lieu of a  
22 physical residential address.

23           1. If the sexual offender's place of residence is a  
24 motor vehicle, trailer, mobile home, or manufactured home, as  
25 defined in chapter 320, the sexual offender shall also provide  
26 to the department written notice of the vehicle identification  
27 number; the license tag number; the registration number; and a  
28 description, including color scheme, of the motor vehicle,  
29 trailer, mobile home, or manufactured home. If the sexual  
30 offender's place of residence is a vessel, live-aboard vessel,  
31 or houseboat, as defined in chapter 327, the sexual offender

1 shall also provide to the department written notice of the  
2 hull identification number; the manufacturer's serial number;  
3 the name of the vessel, live-aboard vessel, or houseboat; the  
4 registration number; and a description, including color  
5 scheme, of the vessel, live-aboard vessel, or houseboat.

6         2. If the sexual offender is enrolled, employed, or  
7 carrying on a vocation at an institution of higher education  
8 in this state, the sexual offender shall also provide to the  
9 department the name, address, and county of each institution,  
10 including each campus attended, and the sexual offender's  
11 enrollment or employment status. Each change in enrollment or  
12 employment status shall be reported in person at ~~an office of~~  
13 ~~the department, or at~~ the sheriff's office, within 48 hours  
14 after any change in status. The sheriff shall promptly notify  
15 each institution of the sexual offender's presence and any  
16 change in the sexual offender's enrollment or employment  
17 status.

18  
19 When ~~if~~ a sexual offender reports at the sheriff's office, the  
20 sheriff shall take a photograph and a set of fingerprints of  
21 the offender and forward the photographs and fingerprints to  
22 the department, along with the information provided by the  
23 sexual offender. The sheriff shall promptly provide to the  
24 department the information received from the sexual offender.

25         (4)(a) Each time a sexual offender's driver's license  
26 or identification card is subject to renewal, and, without  
27 regard to the status of the offender's ~~predator's~~ driver's  
28 license or identification card, within 48 hours after any  
29 change in the offender's permanent or temporary residence or  
30 change in the offender's name by reason of marriage or other  
31 legal process, the offender shall report in person to a

1 driver's license office, and shall be subject to the  
2 requirements specified in subsection (3). The Department of  
3 Highway Safety and Motor Vehicles shall forward to the  
4 department all photographs and information provided by sexual  
5 offenders. Notwithstanding the restrictions set forth in s.  
6 322.142, the Department of Highway Safety and Motor Vehicles  
7 is authorized to release a reproduction of a color-photograph  
8 or digital-image license to the Department of Law Enforcement  
9 for purposes of public notification of sexual offenders as  
10 provided in ss. 943.043, 943.0435, and 944.606.

11 (b) A sexual offender who vacates a permanent  
12 residence and fails to establish or maintain another permanent  
13 or temporary residence shall, within 48 hours after vacating  
14 the permanent residence, report in person to the ~~department or~~  
15 ~~the~~ sheriff's office of the county in which he or she is  
16 located. The sexual offender shall specify the date upon which  
17 he or she intends to or did vacate such residence. The sexual  
18 offender must provide or update all of the registration  
19 information required under paragraph (2)(b). The sexual  
20 offender must provide an address for the residence or other  
21 location that he or she is or will be occupying during the  
22 time in which he or she fails to establish or maintain a  
23 permanent or temporary residence.

24 (c) A sexual offender who remains at a permanent  
25 residence after reporting his or her intent to vacate such  
26 residence shall, within 48 hours after the date upon which the  
27 offender indicated he or she would or did vacate such  
28 residence, report in person to the agency to which he or she  
29 reported pursuant to paragraph (b) for the purpose of  
30 reporting his or her address at such residence. When ~~if~~ the  
31 sheriff receives the report, the sheriff shall promptly convey

1 the information to the department. An offender who makes a  
2 report as required under paragraph (b) but fails to make a  
3 report as required under this paragraph commits a felony of  
4 the second degree, punishable as provided in s. 775.082, s.  
5 775.083, or s. 775.084.

6 (7) A sexual offender who intends to establish  
7 residence in another state or jurisdiction other than the  
8 State of Florida shall report in person to the sheriff of the  
9 county of current residence ~~or the department~~ within 48 hours  
10 before the date he or she intends to leave this state to  
11 establish residence in another state or jurisdiction. The  
12 notification must include the address, municipality, county,  
13 and state of intended residence. The sheriff shall promptly  
14 provide to the department the information received from the  
15 sexual offender. The department shall notify the statewide law  
16 enforcement agency, or a comparable agency, in the intended  
17 state or jurisdiction of residence of the sexual offender's  
18 intended residence. The failure of a sexual offender to  
19 provide his or her intended place of residence is punishable  
20 as provided in subsection (9).

21 (8) A sexual offender who indicates his or her intent  
22 to reside in another state or jurisdiction other than the  
23 State of Florida and later decides to remain in this state  
24 shall, within 48 hours after the date upon which the sexual  
25 offender indicated he or she would leave this state, report in  
26 person to the sheriff ~~or department, whichever agency is the~~  
27 ~~agency~~ to which the sexual offender reported the intended  
28 change of residence, and report ~~of~~ his or her intent to remain  
29 in this state. ~~If the sheriff is notified by the sexual~~  
30 ~~offender that he or she intends to remain in this state,~~ The  
31 sheriff shall promptly report this information to the

1 department. A sexual offender who reports his or her intent to  
2 reside in another state or jurisdiction but who remains in  
3 this state without reporting to the sheriff ~~or the department~~  
4 in the manner required by this subsection commits a felony of  
5 the second degree, punishable as provided in s. 775.082, s.  
6 775.083, or s. 775.084.

7 (11) A sexual offender must maintain registration with  
8 the department for the duration of his or her life, unless the  
9 sexual offender has received a full pardon or has had a  
10 conviction set aside in a postconviction proceeding for any  
11 offense that meets the criteria for classifying the person as  
12 a sexual offender for purposes of registration. However, a  
13 sexual offender:

14 (c) As defined in subparagraph (1)(a)~~2.3-~~ must  
15 maintain registration with the department for the duration of  
16 his or her life until the person provides the department with  
17 an order issued by the court that designated the person as a  
18 sexual predator, as a sexually violent predator, or by another  
19 sexual offender designation in the state or jurisdiction in  
20 which the order was issued which states that such designation  
21 has been removed or demonstrates to the department that such  
22 designation, if not imposed by a court, has been removed by  
23 operation of law or court order in the state or jurisdiction  
24 in which the designation was made, and provided such person no  
25 longer meets the criteria for registration as a sexual  
26 offender under the laws of this state.

27 Section 4. Paragraph (b) of subsection (1) of section  
28 944.606, Florida Statutes, is amended to read:

29 944.606 Sexual offenders; notification upon release.--

30 (1) As used in this section:  
31

1 (b) "Sexual offender" means a person who has been  
 2 convicted of committing, or attempting, soliciting, or  
 3 conspiring to commit, any of the criminal offenses proscribed  
 4 in the following statutes in this state or similar offenses in  
 5 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025,  
 6 where the victim is a minor and the defendant is not the  
 7 victim's parent; chapter 794, excluding ss. 794.011(10) and  
 8 794.0235; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s.  
 9 827.071; s. 847.0133; s. 847.0135; s. 847.0137; s. 847.0138;  
 10 s. 847.0145; or s. 985.4045(1); or any similar offense  
 11 committed in this state which has been redesignated from a  
 12 former statute number to one of those listed in this  
 13 subsection, when the department has received verified  
 14 information regarding such conviction; an offender's  
 15 computerized criminal history record is not, in and of itself,  
 16 verified information.

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

19 944.607 Notification to Department of Law Enforcement  
 20 of information on sexual offenders.--

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

22 (a) "Sexual offender" means a person who is in the  
 23 custody or control of, or under the supervision of, the  
 24 department or is in the custody of a private correctional  
 25 facility:

26 1. On or after October 1, 1997, as a result of a  
 27 conviction for committing, or attempting, soliciting, or  
 28 conspiring to commit, any of the criminal offenses proscribed  
 29 in the following statutes in this state or similar offenses in  
 30 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025,  
 31 where the victim is a minor and the defendant is not the



1 victim's parent; chapter 794, excluding ss. 794.011(10) and  
2 794.0235; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s.  
3 827.071; s. 847.0133; s. 847.0135; s. 847.0137; s. 847.0138;  
4 s. 847.0145; or s. 985.4045(1); or any similar offense  
5 committed in this state which has been redesignated from a  
6 former statute number to one of those listed in this  
7 paragraph; or

8           2. Who establishes or maintains a residence in this  
9 state and who has not been designated as a sexual predator by  
10 a court of this state but who has been designated as a sexual  
11 predator, as a sexually violent predator, or by another sexual  
12 offender designation in another state or jurisdiction and was,  
13 as a result of such designation, subjected to registration or  
14 community or public notification, or both, or would be if the  
15 person were a resident of that state or jurisdiction, without  
16 regard as to whether the person otherwise meets the criteria  
17 for registration as a sexual offender.

18           (c) "Institution of higher education" means a career  
19 center, community college, college, state university, or  
20 independent postsecondary institution.

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