

Bill No. SB 1004

Barcode 144798

CHAMBER ACTION

Senate

House

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Comm: FAV  
02/20/2007 04:30 PM

.  
. .  
. .  
. .  
. .  
. .

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

**Senate Amendment (with title amendment)**

On page 11, line 17,  
Delete that line

and insert:

Section 7. Paragraphs (j) and (k) are added to subsection (2), paragraphs (a), (e), (f) and (g) of subsection (6), subsection (8), and paragraph (a) of subsection (10) of s. 775.21, Florida Statutes, are amended to read:

775.21 The Florida Sexual Predators Act.--

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

(j) "Electronic mail address" has the same meaning as provided in s. 668.602.

(k) "Instant message name" means an identifier that allows a person to communicate in real-time with another person using the Internet.

(6) REGISTRATION.--

(a) A sexual predator must register with the

Bill No. SB 1004

Barcode 144798

1 department by providing the following information to the  
2 department:

3           1. Name, social security number, age, race, sex, date  
4 of birth, height, weight, hair and eye color, photograph,  
5 address of legal residence and address of any current  
6 temporary residence, within the state or out of state,  
7 including a rural route address and a post office box, any  
8 electronic mail address and any instant message name the  
9 sexual predator has at any time, date and place of any  
10 employment, date and place of each conviction, fingerprints,  
11 and a brief description of the crime or crimes committed by  
12 the offender. A post office box shall not be provided in lieu  
13 of a physical residential address.

14           a. If the sexual predator's place of residence is a  
15 motor vehicle, trailer, mobile home, or manufactured home, as  
16 defined in chapter 320, the sexual predator shall also provide  
17 to the department written notice of the vehicle identification  
18 number; the license tag number; the registration number; and a  
19 description, including color scheme, of the motor vehicle,  
20 trailer, mobile home, or manufactured home. If a sexual  
21 predator's place of residence is a vessel, live-aboard vessel,  
22 or houseboat, as defined in chapter 327, the sexual predator  
23 shall also provide to the department written notice of the  
24 hull identification number; the manufacturer's serial number;  
25 the name of the vessel, live-aboard vessel, or houseboat; the  
26 registration number; and a description, including color  
27 scheme, of the vessel, live-aboard vessel, or houseboat.

28           b. If the sexual predator is enrolled, employed, or  
29 carrying on a vocation at an institution of higher education  
30 in this state, the sexual predator shall also provide to the  
31 department the name, address, and county of each institution,

Bill No. SB 1004

Barcode 144798

1 including each campus attended, and the sexual predator's  
2 enrollment or employment status. Each change in enrollment or  
3 employment status shall be reported in person at the sheriff's  
4 office, or the Department of Corrections if the sexual  
5 predator is in the custody or control of or under the  
6 supervision of the Department of Corrections, within 48 hours  
7 after any change in status. The sheriff or the Department of  
8 Corrections shall promptly notify each institution of the  
9 sexual predator's presence and any change in the sexual  
10 predator's enrollment or employment status.

11           2. Any other information determined necessary by the  
12 department, including criminal and corrections records;  
13 nonprivileged personnel and treatment records; and evidentiary  
14 genetic markers when available.

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

Bill No. SB 1004

Barcode 144798

1 along with the information that the predator is required to  
2 provide pursuant to this section.

3 (f) Within 48 hours after the registration required  
4 under paragraph (a) or paragraph (e), a sexual predator who is  
5 not incarcerated and who resides in the community, including a  
6 sexual predator under the supervision of the Department of  
7 Corrections, shall register in person at a driver's license  
8 office of the Department of Highway Safety and Motor Vehicles  
9 and shall present proof of registration. At the driver's  
10 license office the sexual predator shall:

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

Bill No. SB 1004

Barcode 144798

1 is a vessel, live-aboard vessel, or houseboat, as defined in  
2 chapter 327, the sexual predator shall also provide to the  
3 Department of Highway Safety and Motor Vehicles the hull  
4 identification number; the manufacturer's serial number; the  
5 name of the vessel, live-aboard vessel, or houseboat; the  
6 registration number; and a description, including color  
7 scheme, of the vessel, live-aboard vessel, or houseboat.

8           2. Pay the costs assessed by the Department of Highway  
9 Safety and Motor Vehicles for issuing or renewing a driver's  
10 license or identification card as required by this section.

11           3. Provide, upon request, any additional information  
12 necessary to confirm the identity of the sexual predator,  
13 including a set of fingerprints.

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

Bill No. SB 1004

Barcode 144798

1           2. A sexual predator who vacates a permanent residence  
2 and fails to establish or maintain another permanent or  
3 temporary residence shall, within 48 hours after vacating the  
4 permanent residence, report in person to the sheriff's office  
5 of the county in which he or she is located. The sexual  
6 predator shall specify the date upon which he or she intends  
7 to or did vacate such residence. The sexual predator must  
8 provide or update all of the registration information required  
9 under paragraph (a). The sexual predator must provide an  
10 address for the residence or other location that he or she is  
11 or will be occupying during the time in which he or she fails  
12 to establish or maintain a permanent or temporary residence.

13           3. A sexual predator who remains at a permanent  
14 residence after reporting his or her intent to vacate such  
15 residence shall, within 48 hours after the date upon which the  
16 predator indicated he or she would or did vacate such  
17 residence, report in person to the sheriff's office to which  
18 he or she reported pursuant to subparagraph 2. for the purpose  
19 of reporting his or her address at such residence. When the  
20 sheriff receives the report, the sheriff shall promptly convey  
21 the information to the department. An offender who makes a  
22 report as required under subparagraph 2. but fails to make a  
23 report as required under this subparagraph commits a felony of  
24 the second degree, punishable as provided in s. 775.082, s.  
25 775.083, or s. 775.084.

26           (8) VERIFICATION.--The department and the Department  
27 of Corrections shall implement a system for verifying the  
28 addresses of sexual predators. The system must be consistent  
29 with the provisions of the federal Jacob Wetterling Act, as  
30 amended, and any other federal standards applicable to such  
31 verification or required to be met as a condition for the

Bill No. SB 1004

Barcode 144798

1 receipt of federal funds by the state. The Department of  
2 Corrections shall verify the addresses of sexual predators who  
3 are not incarcerated but who reside in the community under the  
4 supervision of the Department of Corrections. County and local  
5 law enforcement agencies, in conjunction with the department,  
6 shall verify the addresses of sexual predators who are not  
7 under the care, custody, control, or supervision of the  
8 Department of Corrections.

9 (a) A sexual predator must report in person each year  
10 during the month of the sexual predator's birthday and during  
11 the sixth month following the sexual predator's birth month to  
12 the sheriff's office in the county in which he or she resides  
13 or is otherwise located to reregister. The sheriff's office  
14 may determine the appropriate times and days for reporting by  
15 the sexual predator, which shall be consistent with the  
16 reporting requirements of this paragraph. Reregistration shall  
17 include any changes to the following information:

18 1. Name; social security number; age; race; sex; date  
19 of birth; height; weight; hair and eye color; address of any  
20 permanent residence and address of any current temporary  
21 residence, within the state or out of state, including a rural  
22 route address and a post office box; any electronic mail  
23 address and any instant message name the sexual predator has  
24 at any time; date and place of any employment; vehicle make,  
25 model, color, and license tag number; fingerprints; and  
26 photograph. A post office box shall not be provided in lieu of  
27 a physical residential address.

28 2. If the sexual predator is enrolled, employed, or  
29 carrying on a vocation at an institution of higher education  
30 in this state, the sexual predator shall also provide to the  
31 department the name, address, and county of each institution,

Bill No. SB 1004

Barcode 144798

1 including each campus attended, and the sexual predator's  
2 enrollment or employment status.

3           3. If the sexual predator's place of residence is a  
4 motor vehicle, trailer, mobile home, or manufactured home, as  
5 defined in chapter 320, the sexual predator shall also provide  
6 the vehicle identification number; the license tag number; the  
7 registration number; and a description, including color  
8 scheme, of the motor vehicle, trailer, mobile home, or  
9 manufactured home. If the sexual predator's place of residence  
10 is a vessel, live-aboard vessel, or houseboat, as defined in  
11 chapter 327, the sexual predator shall also provide the hull  
12 identification number; the manufacturer's serial number; the  
13 name of the vessel, live-aboard vessel, or houseboat; the  
14 registration number; and a description, including color  
15 scheme, of the vessel, live-aboard vessel, or houseboat.

16           (b) The sheriff's office shall, within 2 working days,  
17 electronically submit and update all information provided by  
18 the sexual predator to the department in a manner prescribed  
19 by the department. This procedure shall be implemented by  
20 December 1, 2005.

21           (10) PENALTIES.--

22           (a) Except as otherwise specifically provided, a  
23 sexual predator who fails to register; who fails, after  
24 registration, to maintain, acquire, or renew a driver's  
25 license or identification card; who fails to provide required  
26 location information, electronic mail address information,  
27 instant message name information, or change-of-name  
28 information; who fails to make a required report in connection  
29 with vacating a permanent residence; who fails to reregister  
30 as required; who fails to respond to any address verification  
31 correspondence from the department within 3 weeks of the date



Bill No. SB 1004

Barcode 144798

1 of the correspondence; or who otherwise fails, by act or  
2 omission, to comply with the requirements of this section,  
3 commits a felony of the third degree, punishable as provided  
4 in s. 775.082, s. 775.083, or s. 775.084.

5 Section 8. Paragraphs (f) and (g) are added to  
6 subsection (1) and subsection (2), paragraph (a) of subsection  
7 (4) and subsection (14) of section 943.0435, Florida Statutes,  
8 are amended to read:

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

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

12 (f) "Electronic mail address" has the same meaning as  
13 provided in s. 668.602.

14 (g) "Instant message name" means an identifier that  
15 allows a person to communicate in real-time with another  
16 person using the Internet.

17 (2) A sexual offender shall:

18 (a) Report in person at the sheriff's office in the  
19 county in which the offender establishes or maintains a  
20 permanent or temporary residence, within 48 hours after  
21 establishing permanent or temporary residence in this state or  
22 within 48 hours after being released from the custody,  
23 control, or supervision of the Department of Corrections or  
24 from the custody of a private correctional facility. Any  
25 change in the sexual offender's permanent or temporary  
26 residence, ~~or~~ name, or any electronic mail address or any  
27 instant message name the sexual offender has at any time,  
28 after the sexual offender reports in person at the sheriff's  
29 office, shall be accomplished in the manner provided in  
30 subsections (4), (7), and (8).

31 (b) Provide his or her name, date of birth, social

Bill No. SB 1004

Barcode 144798

1 security number, race, sex, height, weight, hair and eye  
 2 color, tattoos or other identifying marks, occupation and  
 3 place of employment, address of permanent or legal residence  
 4 or address of any current temporary residence, within the  
 5 state and out of state, including a rural route address and a  
 6 post office box, any electronic mail address and any instant  
 7 message name the sexual offender has at any time, date and  
 8 place of each conviction, and a brief description of the crime  
 9 or crimes committed by the offender. A post office box shall  
 10 not be provided in lieu of a physical residential address.

11       1. If the sexual offender's place of residence is a  
 12 motor vehicle, trailer, mobile home, or manufactured home, as  
 13 defined in chapter 320, the sexual offender shall also provide  
 14 to the department written notice of the vehicle identification  
 15 number; the license tag number; the registration number; and a  
 16 description, including color scheme, of the motor vehicle,  
 17 trailer, mobile home, or manufactured home. If the sexual  
 18 offender's place of residence is a vessel, live-aboard vessel,  
 19 or houseboat, as defined in chapter 327, the sexual offender  
 20 shall also provide to the department written notice of the  
 21 hull identification number; the manufacturer's serial number;  
 22 the name of the vessel, live-aboard vessel, or houseboat; the  
 23 registration number; and a description, including color  
 24 scheme, of the vessel, live-aboard vessel, or houseboat.

25       2. If the sexual offender is enrolled, employed, or  
 26 carrying on a vocation at an institution of higher education  
 27 in this state, the sexual offender shall also provide to the  
 28 department the name, address, and county of each institution,  
 29 including each campus attended, and the sexual offender's  
 30 enrollment or employment status. Each change in enrollment or  
 31 employment status shall be reported in person at the sheriff's

Bill No. SB 1004

Barcode 144798

1 office, within 48 hours after any change in status. The  
2 sheriff shall promptly notify each institution of the sexual  
3 offender's presence and any change in the sexual offender's  
4 enrollment or employment status.

5  
6 When a sexual offender reports at the sheriff's office, the  
7 sheriff shall take a photograph and a set of fingerprints of  
8 the offender and forward the photographs and fingerprints to  
9 the department, along with the information provided by the  
10 sexual offender. The sheriff shall promptly provide to the  
11 department the information received from the sexual offender.

12 (4)(a) Each time a sexual offender's driver's license  
13 or identification card is subject to renewal, and, without  
14 regard to the status of the offender's driver's license or  
15 identification card, within 48 hours after any change in the  
16 offender's permanent or temporary residence, electronic mail  
17 address or instant message name the sexual offender has at any  
18 time, or change in the offender's name by reason of marriage  
19 or other legal process, the offender shall report in person to  
20 a driver's license office, and shall be subject to the  
21 requirements specified in subsection (3). The Department of  
22 Highway Safety and Motor Vehicles shall forward to the  
23 department all photographs and information provided by sexual  
24 offenders. Notwithstanding the restrictions set forth in s.  
25 322.142, the Department of Highway Safety and Motor Vehicles  
26 is authorized to release a reproduction of a color-photograph  
27 or digital-image license to the Department of Law Enforcement  
28 for purposes of public notification of sexual offenders as  
29 provided in ss. 943.043, 943.0435, and 944.606.

30 (14)(a) A sexual offender must report in person each  
31 year during the month of the sexual offender's birthday and

Bill No. SB 1004

Barcode 144798

1 during the sixth month following the sexual offender's birth  
2 month to the sheriff's office in the county in which he or she  
3 resides or is otherwise located to reregister. The sheriff's  
4 office may determine the appropriate times and days for  
5 reporting by the sexual offender, which shall be consistent  
6 with the reporting requirements of this paragraph.

7 Reregistration shall include any changes to the following  
8 information:

9           1. Name; social security number; age; race; sex; date  
10 of birth; height; weight; hair and eye color; address of any  
11 permanent residence and address of any current temporary  
12 residence, within the state or out of state, including a rural  
13 route address and a post office box; any electronic mail  
14 address and any instant message name the sexual offender has  
15 at any time; date and place of any employment; vehicle make,  
16 model, color, and license tag number; fingerprints; and  
17 photograph. A post office box shall not be provided in lieu of  
18 a physical residential address.

19           2. If the sexual offender is enrolled, employed, or  
20 carrying on a vocation at an institution of higher education  
21 in this state, the sexual offender shall also provide to the  
22 department the name, address, and county of each institution,  
23 including each campus attended, and the sexual offender's  
24 enrollment or employment status.

25           3. If the sexual offender's place of residence is a  
26 motor vehicle, trailer, mobile home, or manufactured home, as  
27 defined in chapter 320, the sexual offender shall also provide  
28 the vehicle identification number; the license tag number; the  
29 registration number; and a description, including color  
30 scheme, of the motor vehicle, trailer, mobile home, or  
31 manufactured home. If the sexual offender's place of residence

Bill No. SB 1004

Barcode 144798

1 is a vessel, live-aboard vessel, or houseboat, as defined in  
 2 chapter 327, the sexual offender shall also provide the hull  
 3 identification number; the manufacturer's serial number; the  
 4 name of the vessel, live-aboard vessel, or houseboat; the  
 5 registration number; and a description, including color  
 6 scheme, of the vessel, live-aboard vessel or houseboat.

7           4. Any sexual offender who fails to report in person  
 8 as required at the sheriff's office, or who fails to respond  
 9 to any address verification correspondence from the department  
 10 within 3 weeks of the date of the correspondence, commits a  
 11 felony of the third degree, punishable as provided in s.  
 12 775.082, s. 775.083, or s. 775.084.

13           (b) The sheriff's office shall, within 2 working days,  
 14 electronically submit and update all information provided by  
 15 the sexual offender to the department in a manner prescribed  
 16 by the department. This procedure shall be implemented by  
 17 December 1, 2005.

18           Section 9. Paragraphs (c) and (d) are added to  
 19 subsection (1) and paragraph (a) of subsection (3) of s.  
 20 944.606, Florida Statutes, is amended to read:

21           944.606 Sexual offenders; notification upon release.--

22           (1) As used in this section:

23           (c) "Electronic mail address" has the same meaning as  
 24 provided in s. 668.602.

25           (d) "Instant message name" means an identifier that  
 26 allows a person to communicate in real-time with another  
 27 person using the Internet.

28           (3)(a) The department must provide information  
 29 regarding any sexual offender who is being released after  
 30 serving a period of incarceration for any offense, as follows:

31           1. The department must provide: the sexual offender's

Bill No. SB 1004

Barcode 144798

1 name, any change in the offender's name by reason of marriage  
2 or other legal process, and any alias, if known; the  
3 correctional facility from which the sexual offender is  
4 released; the sexual offender's social security number, race,  
5 sex, date of birth, height, weight, and hair and eye color;  
6 date and county of sentence and each crime for which the  
7 offender was sentenced; a copy of the offender's fingerprints  
8 and a digitized photograph taken within 60 days before  
9 release; the date of release of the sexual offender; any  
10 electronic mail address and any instant message name the  
11 sexual offender has at any time; and the offender's intended  
12 residence address, if known. The department shall notify the  
13 Department of Law Enforcement if the sexual offender escapes,  
14 absconds, or dies. If the sexual offender is in the custody  
15 of a private correctional facility, the facility shall take  
16 the digitized photograph of the sexual offender within 60 days  
17 before the sexual offender's release and provide this  
18 photograph to the Department of Corrections and also place it  
19 in the sexual offender's file. If the sexual offender is in  
20 the custody of a local jail, the custodian of the local jail  
21 shall notify the Department of Law Enforcement of the sexual  
22 offender's release and provide to the Department of Law  
23 Enforcement the information specified in this paragraph and  
24 any information specified in subparagraph 2. that the  
25 Department of Law Enforcement requests.

26           2. The department may provide any other information  
27 deemed necessary, including criminal and corrections records,  
28 nonprivileged personnel and treatment records, when available.

29           Section 10. Paragraphs (e) and (f) are added to  
30 subsection (1) and subsections (4) and (13) of s. 944.607,  
31 Florida Statutes, are amended to read:

Bill No. SB 1004

Barcode 144798

1           944.607 Notification to Department of Law Enforcement  
2 of information on sexual offenders.--

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

4           (e) "Electronic mail address" has the same meaning as  
5 provided in s. 668.02.

6           (f) "Instant message name" means an identifier that  
7 allows a person to communicate in real-time with another  
8 person using the Internet.

9           (4) A sexual offender, as described in this section,  
10 who is under the supervision of the Department of Corrections  
11 but is not incarcerated must register with the Department of  
12 Corrections and provide information as required by this  
13 subsection.

14           (a) The sexual offender shall provide his or her name;  
15 date of birth; social security number; race; sex; height;  
16 weight; hair and eye color; tattoos or other identifying  
17 marks; any electronic mail address and any instant message  
18 name the sexual offender has at any time; and permanent or  
19 legal residence and address of temporary residence within the  
20 state or out of state while the sexual offender is under  
21 supervision in this state, including any rural route address  
22 or post office box. The Department of Corrections shall verify  
23 the address of each sexual offender in the manner described in  
24 ss. 775.21 and 943.0435.

25           (b) If the sexual offender is enrolled, employed, or  
26 carrying on a vocation at an institution of higher education  
27 in this state, the sexual offender shall provide the name,  
28 address, and county of each institution, including each campus  
29 attended, and the sexual offender's enrollment or employment  
30 status. Each change in enrollment or employment status shall  
31 be reported to the department within 48 hours after the change

Bill No. SB 1004

Barcode 144798

1 in status. The Department of Corrections shall promptly notify  
2 each institution of the sexual offender's presence and any  
3 change in the sexual offender's enrollment or employment  
4 status.

5 (13)(a) A sexual offender must report in person each  
6 year during the month of the sexual offender's birthday and  
7 during the sixth month following the sexual offender's birth  
8 month to the sheriff's office in the county in which he or she  
9 resides or is otherwise located to reregister. The sheriff's  
10 office may determine the appropriate times and days for  
11 reporting by the sexual offender, which shall be consistent  
12 with the reporting requirements of this paragraph.

13 Reregistration shall include any changes to the following  
14 information:

15 1. Name; social security number; age; race; sex; date  
16 of birth; height; weight; hair and eye color; address of any  
17 permanent residence and address of any current temporary  
18 residence, within the state or out of state, including a rural  
19 route address and a post office box; any electronic mail  
20 address and any instant message name the sexual offender has  
21 at any time; date and place of any employment; vehicle make,  
22 model, color, and license tag number; fingerprints; and  
23 photograph. A post office box shall not be provided in lieu of  
24 a physical residential address.

25 2. If the sexual offender is enrolled, employed, or  
26 carrying on a vocation at an institution of higher education  
27 in this state, the sexual offender shall also provide to the  
28 department the name, address, and county of each institution,  
29 including each campus attended, and the sexual offender's  
30 enrollment or employment status.

31 3. If the sexual offender's place of residence is a



Bill No. SB 1004

Barcode 144798

1 motor vehicle, trailer, mobile home, or manufactured home, as  
 2 defined in chapter 320, the sexual offender shall also provide  
 3 the vehicle identification number; the license tag number; the  
 4 registration number; and a description, including color  
 5 scheme, of the motor vehicle, trailer, mobile home, or  
 6 manufactured home. If the sexual offender's place of residence  
 7 is a vessel, live-aboard vessel, or houseboat, as defined in  
 8 chapter 327, the sexual offender shall also provide the hull  
 9 identification number; the manufacturer's serial number; the  
 10 name of the vessel, live-aboard vessel, or houseboat; the  
 11 registration number; and a description, including color  
 12 scheme, of the vessel, live-aboard vessel, or houseboat.

13 4. Any sexual offender who fails to report in person  
 14 as required at the sheriff's office, or who fails to respond  
 15 to any address verification correspondence from the department  
 16 within 3 weeks of the date of the correspondence, commits a  
 17 felony of the third degree, punishable as provided in s.  
 18 775.082, s. 775.083, and s. 775.084.

19 (b) The sheriff's office shall, within 2 working days,  
 20 electronically submit and update all information provided by  
 21 the sexual offender to the Florida Department of Law  
 22 Enforcement in a manner prescribed by the Florida Department  
 23 of Law Enforcement. This procedure shall be implemented by  
 24 December 1, 2005.

25 Section 11. Section 943.0437, Florida Statutes, is  
 26 created to read:

27 943.0437.--Commercial social networking websites

28 (1) For the purpose of this section, the term  
 29 "commercial social networking website" means a commercially  
 30 operated internet website that allows users to create web  
 31 pages or profiles that provide information about themselves

Bill No. SB 1004

Barcode 144798

1 and are available publicly or to other users and that offers a  
2 mechanism for communication with other users, such as a forum,  
3 chat room, electronic mail or instant messenger.

4 (2) The Department of Law Enforcement may provide  
5 information relating to electronic mail addresses and instant  
6 message names maintained as part of the sexual offender  
7 registry to commercial social networking websites or third  
8 parties designated by commercial social networking websites.

9 The commercial social networking website may use this  
10 information for the purpose of comparing registered users and  
11 screening potential users of the commercial social networking  
12 website against the list of electronic mail addresses and  
13 instant message names provided by the department.

14 (3) This section shall not be construed to impose any  
15 civil liability on a commercial social networking website for:

16 (a) Any action taken by a registered user whose  
17 electronic mail address or instant message name is contained  
18 in the sexual offender registry.

19 (b) Any action voluntarily taken in good faith to  
20 remove or disable any profile of a registered user associated  
21 with an electronic mail address or instant message name  
22 contained in the sexual offender registry.

23 (c) Any action taken to restrict access by such  
24 registered user to the commercial social networking website.

25 Section 12. This act shall take effect October 1,  
26 2007.

27  
28

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

30 And the title is amended as follows:

31 On page 2, line 11, after the semi-colon

Bill No. SB 1004

Barcode 144798

1 insert:

2           amending s. 775.21; providing definitions;  
3           requiring sexual predators to include certain  
4           information during the registration process;  
5           requiring sexual predators to report changes in  
6           certain information; requiring sexual predators  
7           to include certain information during the  
8           reregistration process; providing penalties for  
9           failing to provide certain information;  
10          amending s. 943.0435; providing definitions;  
11          requiring sexual offenders to include certain  
12          information during the registration process;  
13          requiring sexual offenders to report changes in  
14          certain information; requiring sexual offenders  
15          to include certain information during the  
16          reregistration process; amending s. 944.606;  
17          providing definitions; requiring the Department  
18          of Corrections to provide certain information  
19          regarding sexual offenders who are being  
20          released after serving a period of  
21          incarceration to certain entities; amending s.  
22          944.607; providing definitions; requiring  
23          sexual offenders under the supervision of the  
24          Department of Corrections to include certain  
25          information during the registration process;  
26          requiring sexual offenders to include certain  
27          information during the reregistration process;  
28          creating s. 943.0437; defining commercial  
29          social networking website; authorizing the  
30          Florida Department of Law Enforcement to  
31          provide electronic mail addresses and instant

Bill No. SB 1004

Barcode 144798

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

message names of certain offenders to  
commercial social networking websites;