

Bill No. SB 1004

Barcode 192424

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: RE  
02/20/2007 04:29 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 192424

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 uses or intends to use, 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 192424

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 uses or  
26 intends to use after the sexual predator registers in person  
27 at the sheriff's office, shall be accomplished in the manner  
28 provided in paragraphs (g), (i), and (j). When a sexual  
29 predator registers with the sheriff's office, the sheriff  
30 shall take a photograph and a set of fingerprints of the  
31 predator and forward the photographs and fingerprints to the

Bill No. SB 1004

Barcode 192424

1 department, along with the information that the predator is  
2 required to 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 uses  
19 or intends to use, and submit to the taking of a photograph  
20 for use 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 192424

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 uses or intends to use or  
 20 change in the predator's name by reason of marriage or other  
 21 legal process, the predator shall report in person to a  
 22 driver's license office and shall be subject to the  
 23 requirements specified in paragraph (f). The Department of  
 24 Highway Safety and Motor Vehicles shall forward to the  
 25 department and to the Department of Corrections all  
 26 photographs and information provided by sexual predators.  
 27 Notwithstanding the restrictions set forth in s. 322.142, the  
 28 Department of Highway Safety and Motor Vehicles is authorized  
 29 to release a reproduction of a color-photograph or  
 30 digital-image license to the Department of Law Enforcement for  
 31 purposes of public notification of sexual predators as

Bill No. SB 1004

Barcode 192424

1 provided in this section.

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

14           3. A sexual predator who remains at a permanent  
15 residence after reporting his or her intent to vacate such  
16 residence shall, within 48 hours after the date upon which the  
17 predator indicated he or she would or did vacate such  
18 residence, report in person to the sheriff's office to which  
19 he or she reported pursuant to subparagraph 2. for the purpose  
20 of reporting his or her address at such residence. When the  
21 sheriff receives the report, the sheriff shall promptly convey  
22 the information to the department. An offender who makes a  
23 report as required under subparagraph 2. but fails to make a  
24 report as required under this subparagraph commits a felony of  
25 the second degree, punishable as provided in s. 775.082, s.  
26 775.083, or s. 775.084.

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

Bill No. SB 1004

Barcode 192424

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

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

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

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

Bill No. SB 1004

Barcode 192424

1 department the name, address, and county of each institution,  
2 including each campus attended, and the sexual predator's  
3 enrollment or employment status.

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

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

22           (10) PENALTIES.--

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



Bill No. SB 1004

Barcode 192424

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

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

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

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

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

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

18 (2) A sexual offender shall:

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

Bill No. SB 1004

Barcode 192424

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

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

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

Bill No. SB 1004

Barcode 192424

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

7

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

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

Bill No. SB 1004

Barcode 192424

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

9 Reregistration shall include any changes to the following  
 10 information:

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

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

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

Bill No. SB 1004

Barcode 192424

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

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

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

20           Section 9. Paragraphs (c) and (d) are added to  
 21 subsection (1) and paragraph (a) of subsection (3) of s.  
 22 944.606, Florida Statutes, is amended to read:

23           944.606 Sexual offenders; notification upon release.--

24           (1) As used in this section:

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

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

30           (3)(a) The department must provide information  
 31 regarding any sexual offender who is being released after

Bill No. SB 1004

Barcode 192424

1 serving a period of incarceration for any offense, as follows:

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

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

31           Section 10. Paragraphs (e) and (f) are added to

Bill No. SB 1004

Barcode 192424

1 subsection (1) and subsections (4) and (13) of s. 944.607,  
2 Florida Statutes, are amended to read:

3           944.607 Notification to Department of Law Enforcement  
4 of information on sexual offenders.--

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

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

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

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

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

27           (b) If the sexual offender is enrolled, employed, or  
28 carrying on a vocation at an institution of higher education  
29 in this state, the sexual offender shall provide the name,  
30 address, and county of each institution, including each campus  
31 attended, and the sexual offender's enrollment or employment

Bill No. SB 1004

Barcode 192424

1 status. Each change in enrollment or employment status shall  
 2 be reported to the department within 48 hours after the change  
 3 in status. The Department of Corrections shall promptly notify  
 4 each institution of the sexual offender's presence and any  
 5 change in the sexual offender's enrollment or employment  
 6 status.

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

15 Reregistration shall include any changes to the following  
 16 information:

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

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



Bill No. SB 1004

Barcode 192424

1 enrollment or employment status.

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

15           4. Any sexual offender who fails to report in person  
16 as required at the sheriff's office, or who fails to respond  
17 to any address verification correspondence from the department  
18 within 3 weeks of the date of the correspondence, commits a  
19 felony of the third degree, punishable as provided in s.  
20 775.082, s. 775.083, and s. 775.084.

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

27           Section 11. Section 943.0437, Florida Statutes, is  
28 created to read:

29           943.0437.--Commercial social networking websites

30           (1) For the purpose of this section, the term  
31 "commercial social networking website" means a commercially

Bill No. SB 1004

Barcode 192424

1 operated internet website that allows users to create web  
 2 pages or profiles that provide information about themselves  
 3 and are available publicly or to other users and that offers a  
 4 mechanism for communication with other users, such as a forum,  
 5 chat room, electronic mail or instant messenger.

6       (2) The Department of Law Enforcement may provide  
 7 information relating to electronic mail addresses and instant  
 8 message names maintained as part of the sexual offender  
 9 registry to commercial social networking websites or third  
 10 parties designated by commercial social networking websites.  
 11 The commercial social networking website may use this  
 12 information for the purpose of comparing registered users and  
 13 screening potential users of the commercial social networking  
 14 website against the list of electronic mail addresses and  
 15 instant message names provided by the department.

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

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

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

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

27       Section 12. This act shall take effect October 1,  
 28 2007.

29  
 30  
 31

Bill No. SB 1004

Barcode 192424

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

2 And the title is amended as follows:

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

4

5 insert:

6            amending s. 775.21; providing definitions;

7            requiring sexual predators to include certain

8            information during the registration process;

9            requiring sexual predators to report changes in

10           certain information; requiring sexual predators

11           to include certain information during the

12           reregistration process; providing penalties for

13           failing to provide certain information;

14           amending s. 943.0435; providing definitions;

15           requiring sexual offenders to include certain

16           information during the registration process;

17           requiring sexual offenders to report changes in

18           certain information; requiring sexual offenders

19           to include certain information during the

20           reregistration process; amending s. 944.606;

21           providing definitions; requiring the Department

22           of Corrections to provide certain information

23           regarding sexual offenders who are being

24           released after serving a period of

25           incarceration to certain entities; amending s.

26           944.607; providing definitions; requiring

27           sexual offenders under the supervision of the

28           Department of Corrections to include certain

29           information during the registration process;

30           requiring sexual offenders to include certain

31           information during the reregistration process;

Bill No. SB 1004

Barcode 192424

1           creating s. 943.0437; defining commercial  
2           social networking website; authorizing the  
3           Florida Department of Law Enforcement to  
4           provide electronic mail addresses and instant  
5           message names of certain offenders to  
6           commercial social networking websites;

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