

By the Committees on Criminal and Civil Justice  
 Appropriations; Education Pre-K - 12; and Senator Argenziano

604-2626-07

1                                    A bill to be entitled

2                    An act relating to criminal justice; amending

3                    s. 921.0022, F.S.; ranking in the offense

4                    severity ranking chart of the Criminal

5                    Punishment Code several offenses relating to

6                    failure by a sexual predator or sexual offender

7                    to comply with certain reporting requirements;

8                    amending s. 943.043, F.S.; requiring that

9                    information on the Internet registry regarding

10                   sexual predators and sexual offenders include a

11                   link to conviction and case information, if

12                   available; requiring the Department of Law

13                   Enforcement to include notice to local law

14                   enforcement agencies of those sexual predators

15                   and sexual offenders who, upon release from

16                   state incarceration, have no registration

17                   activity or record within an anticipated

18                   timeframe; amending s. 943.0435, F.S.;

19                   requiring the Department of Law Enforcement to

20                   report violations of supervision and arrests

21                   related to reregistration requirements for

22                   sexual predators and sexual offenders;

23                   requiring reporting to the Legislature and

24                   Governor; amending s. 943.04351, F.S.;

25                   requiring a search of the National Sex Offender

26                   Public Website before a person may work or

27                   volunteer at a place where children regularly

28                   congregate; amending s. 948.30, F.S.;

29                   clarifying provisions requiring that the court

30                   order mandatory electronic monitoring as a

31                   condition of probation or community control

1 supervision for certain sex offenders whose  
2 crimes involved young children; amending s.  
3 947.1405, F.S.; expanding the eligibility  
4 criteria for the conditional release program;  
5 requiring the Department of Law Enforcement to  
6 research and report to the Governor and  
7 legislative leadership regarding the  
8 feasibility of establishing mapping capability  
9 to the sexual offender and sexual predator  
10 website; providing appropriations and  
11 authorizing a position; providing an effective  
12 date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Paragraph (g) of subsection (3) of section  
17 921.0022, Florida Statutes, is amended to read:

18 921.0022 Criminal Punishment Code; offense severity  
19 ranking chart.--

20 (3) OFFENSE SEVERITY RANKING CHART

21

| 22 Florida         | Felony |   |
|--------------------|--------|---|
| 23 Statute         | Degree | Description   |
|                    |        | (g) LEVEL 7   |
| 26 316.027(1)(b)   | 1st    | Accident involving death, failure<br>27 to stop; leaving scene. |
| 28 316.193(3)(c)2. | 3rd    | DUI resulting in serious bodily<br>29 injury.                   |

30  
31

|    |                |     |                                   |
|----|----------------|-----|-----------------------------------|
| 1  | 316.1935(3)(b) | 1st | Causing serious bodily injury or  |
| 2  |                |     | death to another person; driving  |
| 3  |                |     | at high speed or with wanton      |
| 4  |                |     | disregard for safety while        |
| 5  |                |     | fleeing or attempting to elude    |
| 6  |                |     | law enforcement officer who is in |
| 7  |                |     | a patrol vehicle with siren and   |
| 8  |                |     | lights activated.                 |
| 9  | 327.35(3)(c)2. | 3rd | Vessel BUI resulting in serious   |
| 10 |                |     | bodily injury.                    |
| 11 | 402.319(2)     | 2nd | Misrepresentation and negligence  |
| 12 |                |     | or intentional act resulting in   |
| 13 |                |     | great bodily harm, permanent      |
| 14 |                |     | disfiguration, permanent          |
| 15 |                |     | disability, or death.             |
| 16 | 409.920(2)     | 3rd | Medicaid provider fraud.          |
| 17 | 456.065(2)     | 3rd | Practicing a health care          |
| 18 |                |     | profession without a license.     |
| 19 | 456.065(2)     | 2nd | Practicing a health care          |
| 20 |                |     | profession without a license      |
| 21 |                |     | which results in serious bodily   |
| 22 |                |     | injury.                           |
| 23 | 458.327(1)     | 3rd | Practicing medicine without a     |
| 24 |                |     | license.                          |
| 25 | 459.013(1)     | 3rd | Practicing osteopathic medicine   |
| 26 |                |     | without a license.                |
| 27 | 460.411(1)     | 3rd | Practicing chiropractic medicine  |
| 28 |                |     | without a license.                |
| 29 | 461.012(1)     | 3rd | Practicing podiatric medicine     |
| 30 |                |     | without a license.                |
| 31 |                |     |                                   |

|    |               |     |                                   |
|----|---------------|-----|-----------------------------------|
| 1  | 462.17        | 3rd | Practicing naturopathy without a  |
| 2  |               |     | license.                          |
| 3  | 463.015(1)    | 3rd | Practicing optometry without a    |
| 4  |               |     | license.                          |
| 5  | 464.016(1)    | 3rd | Practicing nursing without a      |
| 6  |               |     | license.                          |
| 7  | 465.015(2)    | 3rd | Practicing pharmacy without a     |
| 8  |               |     | license.                          |
| 9  | 466.026(1)    | 3rd | Practicing dentistry or dental    |
| 10 |               |     | hygiene without a license.        |
| 11 | 467.201       | 3rd | Practicing midwifery without a    |
| 12 |               |     | license.                          |
| 13 | 468.366       | 3rd | Delivering respiratory care       |
| 14 |               |     | services without a license.       |
| 15 | 483.828(1)    | 3rd | Practicing as clinical laboratory |
| 16 |               |     | personnel without a license.      |
| 17 | 483.901(9)    | 3rd | Practicing medical physics        |
| 18 |               |     | without a license.                |
| 19 | 484.013(1)(c) | 3rd | Preparing or dispensing optical   |
| 20 |               |     | devices without a prescription.   |
| 21 | 484.053       | 3rd | Dispensing hearing aids without a |
| 22 |               |     | license.                          |
| 23 | 494.0018(2)   | 1st | Conviction of any violation of    |
| 24 |               |     | ss. 494.001-494.0077 in which the |
| 25 |               |     | total money and property          |
| 26 |               |     | unlawfully obtained exceeded      |
| 27 |               |     | \$50,000 and there were five or   |
| 28 |               |     | more victims.                     |
| 29 |               |     |                                   |
| 30 |               |     |                                   |
| 31 |               |     |                                   |

|    |                       |            |  |
|----|-----------------------|------------|--|
| 1  | 560.123(8)(b)1.       | 3rd        | Failure to report currency or            |
| 2  |                       |            | payment instruments exceeding            |
| 3  |                       |            | \$300 but less than \$20,000 by          |
| 4  |                       |            | money transmitter.                       |
| 5  | 560.125(5)(a)         | 3rd        | Money transmitter business by            |
| 6  |                       |            | unauthorized person, currency or         |
| 7  |                       |            | payment instruments exceeding            |
| 8  |                       |            | \$300 but less than \$20,000.            |
| 9  | 655.50(10)(b)1.       | 3rd        | Failure to report financial              |
| 10 |                       |            | transactions exceeding \$300 but         |
| 11 |                       |            | less than \$20,000 by financial          |
| 12 |                       |            | institution.                             |
| 13 | <u>775.21(6)(g)3.</u> | <u>2nd</u> | <u>Sexual predator remaining at</u>      |
| 14 |                       |            | <u>permanent residence after</u>         |
| 15 |                       |            | <u>reporting he or she would or did</u>  |
| 16 |                       |            | <u>vacate; failure to comply with</u>    |
| 17 |                       |            | <u>reporting requirements.</u>           |
| 18 | <u>775.21(6)(i)</u>   | <u>3rd</u> | <u>Sexual predator intending to</u>      |
| 19 |                       |            | <u>establish residence in another</u>    |
| 20 |                       |            | <u>state; failure to comply with</u>     |
| 21 |                       |            | <u>reporting requirements.</u>           |
| 22 | <u>775.21(6)(j)</u>   | <u>2nd</u> | <u>Sexual predator remains in state</u>  |
| 23 |                       |            | <u>after indicating intent to leave;</u> |
| 24 |                       |            | <u>failure to comply with reporting</u>  |
| 25 |                       |            | <u>requirements.</u>                     |
| 26 | 775.21(10)(a)         | 3rd        | Sexual predator; failure to              |
| 27 |                       |            | register; failure to renew               |
| 28 |                       |            | driver's license or                      |
| 29 |                       |            | identification card; other               |
| 30 |                       |            | registration violations.                 |
| 31 |                       |            |  |

|    |                 |     |                                   |
|----|-----------------|-----|-----------------------------------|
| 1  | 775.21(10)(b)   | 3rd | Sexual predator working where     |
| 2  |                 |     | children regularly congregate.    |
| 3  | 775.21(10)(g)   | 3rd | Failure to report or providing    |
| 4  |                 |     | false information about a sexual  |
| 5  |                 |     | predator; harbor or conceal a     |
| 6  |                 |     | sexual predator.                  |
| 7  | 782.051(3)      | 2nd | Attempted felony murder of a      |
| 8  |                 |     | person by a person other than the |
| 9  |                 |     | perpetrator or the perpetrator of |
| 10 |                 |     | an attempted felony.              |
| 11 | 782.07(1)       | 2nd | Killing of a human being by the   |
| 12 |                 |     | act, procurement, or culpable     |
| 13 |                 |     | negligence of another             |
| 14 |                 |     | (manslaughter).                   |
| 15 | 782.071         | 2nd | Killing of human being or viable  |
| 16 |                 |     | fetus by the operation of a motor |
| 17 |                 |     | vehicle in a reckless manner      |
| 18 |                 |     | (vehicular homicide).             |
| 19 | 782.072         | 2nd | Killing of a human being by the   |
| 20 |                 |     | operation of a vessel in a        |
| 21 |                 |     | reckless manner (vessel           |
| 22 |                 |     | homicide).                        |
| 23 | 784.045(1)(a)1. | 2nd | Aggravated battery; intentionally |
| 24 |                 |     | causing great bodily harm or      |
| 25 |                 |     | disfigurement.                    |
| 26 | 784.045(1)(a)2. | 2nd | Aggravated battery; using deadly  |
| 27 |                 |     | weapon.                           |
| 28 | 784.045(1)(b)   | 2nd | Aggravated battery; perpetrator   |
| 29 |                 |     | aware victim pregnant.            |
| 30 | 784.048(4)      | 3rd | Aggravated stalking; violation of |
| 31 |                 |     | injunction or court order.        |

|    |               |     |                                   |
|----|---------------|-----|-----------------------------------|
| 1  | 784.048(7)    | 3rd | Aggravated stalking; violation of |
| 2  |               |     | court order.                      |
| 3  | 784.07(2)(d)  | 1st | Aggravated battery on law         |
| 4  |               |     | enforcement officer.              |
| 5  | 784.074(1)(a) | 1st | Aggravated battery on sexually    |
| 6  |               |     | violent predators facility staff. |
| 7  | 784.08(2)(a)  | 1st | Aggravated battery on a person 65 |
| 8  |               |     | years of age or older.            |
| 9  | 784.081(1)    | 1st | Aggravated battery on specified   |
| 10 |               |     | official or employee.             |
| 11 | 784.082(1)    | 1st | Aggravated battery by detained    |
| 12 |               |     | person on visitor or other        |
| 13 |               |     | detainee.                         |
| 14 | 784.083(1)    | 1st | Aggravated battery on code        |
| 15 |               |     | inspector.                        |
| 16 | 790.07(4)     | 1st | Specified weapons violation       |
| 17 |               |     | subsequent to previous conviction |
| 18 |               |     | of s. 790.07(1) or (2).           |
| 19 | 790.16(1)     | 1st | Discharge of a machine gun under  |
| 20 |               |     | specified circumstances.          |
| 21 | 790.165(2)    | 2nd | Manufacture, sell, possess, or    |
| 22 |               |     | deliver hoax bomb.                |
| 23 | 790.165(3)    | 2nd | Possessing, displaying, or        |
| 24 |               |     | threatening to use any hoax bomb  |
| 25 |               |     | while committing or attempting to |
| 26 |               |     | commit a felony.                  |
| 27 | 790.166(3)    | 2nd | Possessing, selling, using, or    |
| 28 |               |     | attempting to use a hoax weapon   |
| 29 |               |     | of mass destruction.              |
| 30 |               |     |                                   |
| 31 |               |     |                                   |

|    |                 |     |                                    |
|----|-----------------|-----|------------------------------------|
| 1  | 790.166(4)      | 2nd | Possessing, displaying, or         |
| 2  |                 |     | threatening to use a hoax weapon   |
| 3  |                 |     | of mass destruction while          |
| 4  |                 |     | committing or attempting to        |
| 5  |                 |     | commit a felony.                   |
| 6  | 796.03          | 2nd | Procuring any person under 16      |
| 7  |                 |     | years for prostitution.            |
| 8  | 800.04(5)(c)1.  | 2nd | Lewd or lascivious molestation;    |
| 9  |                 |     | victim less than 12 years of age;  |
| 10 |                 |     | offender less than 18 years.       |
| 11 | 800.04(5)(c)2.  | 2nd | Lewd or lascivious molestation;    |
| 12 |                 |     | victim 12 years of age or older    |
| 13 |                 |     | but less than 16 years; offender   |
| 14 |                 |     | 18 years or older.                 |
| 15 | 806.01(2)       | 2nd | Maliciously damage structure by    |
| 16 |                 |     | fire or explosive.                 |
| 17 | 810.02(3)(a)    | 2nd | Burglary of occupied dwelling;     |
| 18 |                 |     | unarmed; no assault or battery.    |
| 19 | 810.02(3)(b)    | 2nd | Burglary of unoccupied dwelling;   |
| 20 |                 |     | unarmed; no assault or battery.    |
| 21 | 810.02(3)(d)    | 2nd | Burglary of occupied conveyance;   |
| 22 |                 |     | unarmed; no assault or battery.    |
| 23 | 812.014(2)(a)1. | 1st | Property stolen, valued at         |
| 24 |                 |     | \$100,000 or more or a semitrailer |
| 25 |                 |     | deployed by a law enforcement      |
| 26 |                 |     | officer; property stolen while     |
| 27 |                 |     | causing other property damage;     |
| 28 |                 |     | 1st degree grand theft.            |
| 29 | 812.014(2)(b)2. | 2nd | Property stolen, cargo valued at   |
| 30 |                 |     | less than \$50,000, grand theft in |
| 31 |                 |     | 2nd degree.                        |



|    |                 |     |                                   |
|----|-----------------|-----|-----------------------------------|
| 1  | 812.014(2)(b)3. | 2nd | Property stolen, emergency        |
| 2  |                 |     | medical equipment; 2nd degree     |
| 3  |                 |     | grand theft.                      |
| 4  | 812.0145(2)(a)  | 1st | Theft from person 65 years of age |
| 5  |                 |     | or older; \$50,000 or more.       |
| 6  | 812.019(2)      | 1st | Stolen property; initiates,       |
| 7  |                 |     | organizes, plans, etc., the theft |
| 8  |                 |     | of property and traffics in       |
| 9  |                 |     | stolen property.                  |
| 10 | 812.131(2)(a)   | 2nd | Robbery by sudden snatching.      |
| 11 | 812.133(2)(b)   | 1st | Carjacking; no firearm, deadly    |
| 12 |                 |     | weapon, or other weapon.          |
| 13 | 817.234(8)(a)   | 2nd | Solicitation of motor vehicle     |
| 14 |                 |     | accident victims with intent to   |
| 15 |                 |     | defraud.                          |
| 16 | 817.234(9)      | 2nd | Organizing, planning, or          |
| 17 |                 |     | participating in an intentional   |
| 18 |                 |     | motor vehicle collision.          |
| 19 | 817.234(11)(c)  | 1st | Insurance fraud; property value   |
| 20 |                 |     | \$100,000 or more.                |
| 21 | 817.2341(2)(b)& |     |                                   |
| 22 | (3)(b)          | 1st | Making false entries of material  |
| 23 |                 |     | fact or false statements          |
| 24 |                 |     | regarding property values         |
| 25 |                 |     | relating to the solvency of an    |
| 26 |                 |     | insuring entity which are a       |
| 27 |                 |     | significant cause of the          |
| 28 |                 |     | insolvency of that entity.        |
| 29 |                 |     |                                   |
| 30 |                 |     |                                   |
| 31 |                 |     |                                   |

|    |               |     |                                  |
|----|---------------|-----|----------------------------------|
| 1  | 825.102(3)(b) | 2nd | Neglecting an elderly person or  |
| 2  |               |     | disabled adult causing great     |
| 3  |               |     | bodily harm, disability, or      |
| 4  |               |     | disfigurement.                   |
| 5  | 825.103(2)(b) | 2nd | Exploiting an elderly person or  |
| 6  |               |     | disabled adult and property is   |
| 7  |               |     | valued at \$20,000 or more, but  |
| 8  |               |     | less than \$100,000.             |
| 9  | 827.03(3)(b)  | 2nd | Neglect of a child causing great |
| 10 |               |     | bodily harm, disability, or      |
| 11 |               |     | disfigurement.                   |
| 12 | 827.04(3)     | 3rd | Impregnation of a child under 16 |
| 13 |               |     | years of age by person 21 years  |
| 14 |               |     | of age or older.                 |
| 15 | 837.05(2)     | 3rd | Giving false information about   |
| 16 |               |     | alleged capital felony to a law  |
| 17 |               |     | enforcement officer.             |
| 18 | 838.015       | 2nd | Bribery.                         |
| 19 | 838.016       | 2nd | Unlawful compensation or reward  |
| 20 |               |     | for official behavior.           |
| 21 | 838.021(3)(a) | 2nd | Unlawful harm to a public        |
| 22 |               |     | servant.                         |
| 23 | 838.22        | 2nd | Bid tampering.                   |
| 24 | 847.0135(3)   | 3rd | Solicitation of a child, via a   |
| 25 |               |     | computer service, to commit an   |
| 26 |               |     | unlawful sex act.                |
| 27 | 872.06        | 2nd | Abuse of a dead human body.      |
| 28 |               |     |                                  |
| 29 |               |     |                                  |
| 30 |               |     |                                  |
| 31 |               |     |                                  |

|    |                 |     |                                   |
|----|-----------------|-----|-----------------------------------|
| 1  | 893.13(1)(c)1.  | 1st | Sell, manufacture, or deliver     |
| 2  |                 |     | cocaine (or other drug prohibited |
| 3  |                 |     | under s. 893.03(1)(a), (1)(b),    |
| 4  |                 |     | (1)(d), (2)(a), (2)(b), or        |
| 5  |                 |     | (2)(c)4.) within 1,000 feet of a  |
| 6  |                 |     | child care facility, school, or   |
| 7  |                 |     | state, county, or municipal park  |
| 8  |                 |     | or publicly owned recreational    |
| 9  |                 |     | facility or community center.     |
| 10 | 893.13(1)(e)1.  | 1st | Sell, manufacture, or deliver     |
| 11 |                 |     | cocaine or other drug prohibited  |
| 12 |                 |     | under s. 893.03(1)(a), (1)(b),    |
| 13 |                 |     | (1)(d), (2)(a), (2)(b), or        |
| 14 |                 |     | (2)(c)4., within 1,000 feet of    |
| 15 |                 |     | property used for religious       |
| 16 |                 |     | services or a specified business  |
| 17 |                 |     | site.                             |
| 18 | 893.13(4)(a)    | 1st | Deliver to minor cocaine (or      |
| 19 |                 |     | other s. 893.03(1)(a), (1)(b),    |
| 20 |                 |     | (1)(d), (2)(a), (2)(b), or        |
| 21 |                 |     | (2)(c)4. drugs).                  |
| 22 | 893.135(1)(a)1. | 1st | Trafficking in cannabis, more     |
| 23 |                 |     | than 25 lbs., less than 2,000     |
| 24 |                 |     | lbs.                              |
| 25 | 893.135         |     |                                   |
| 26 | (1)(b)1.a.      | 1st | Trafficking in cocaine, more than |
| 27 |                 |     | 28 grams, less than 200 grams.    |
| 28 | 893.135         |     |                                   |
| 29 | (1)(c)1.a.      | 1st | Trafficking in illegal drugs,     |
| 30 |                 |     | more than 4 grams, less than 14   |
| 31 |                 |     | grams.                            |

|    |                 |     |                                   |
|----|-----------------|-----|-----------------------------------|
| 1  | 893.135         |     |                                   |
| 2  | (1)(d)1.        | 1st | Trafficking in phencyclidine,     |
| 3  |                 |     | more than 28 grams, less than 200 |
| 4  |                 |     | grams.                            |
| 5  | 893.135(1)(e)1. | 1st | Trafficking in methaqualone, more |
| 6  |                 |     | than 200 grams, less than 5       |
| 7  |                 |     | kilograms.                        |
| 8  | 893.135(1)(f)1. | 1st | Trafficking in amphetamine, more  |
| 9  |                 |     | than 14 grams, less than 28       |
| 10 |                 |     | grams.                            |
| 11 | 893.135         |     |                                   |
| 12 | (1)(g)1.a.      | 1st | Trafficking in flunitrazepam, 4   |
| 13 |                 |     | grams or more, less than 14       |
| 14 |                 |     | grams.                            |
| 15 | 893.135         |     |                                   |
| 16 | (1)(h)1.a.      | 1st | Trafficking in                    |
| 17 |                 |     | gamma-hydroxybutyric acid (GHB),  |
| 18 |                 |     | 1 kilogram or more, less than 5   |
| 19 |                 |     | kilograms.                        |
| 20 | 893.135         |     |                                   |
| 21 | (1)(j)1.a.      | 1st | Trafficking in 1,4-Butanediol, 1  |
| 22 |                 |     | kilogram or more, less than 5     |
| 23 |                 |     | kilograms.                        |
| 24 | 893.135         |     |                                   |
| 25 | (1)(k)2.a.      | 1st | Trafficking in Phenethylamines,   |
| 26 |                 |     | 10 grams or more, less than 200   |
| 27 |                 |     | grams.                            |
| 28 | 896.101(5)(a)   | 3rd | Money laundering, financial       |
| 29 |                 |     | transactions exceeding \$300 but  |
| 30 |                 |     | less than \$20,000.               |
| 31 |                 |     |                                   |

|    |                    |            |                                       |
|----|--------------------|------------|---------------------------------------|
| 1  | 896.104(4)(a)1.    | 3rd        | Structuring transactions to evade     |
| 2  |                    |            | reporting or registration             |
| 3  |                    |            | requirements, financial               |
| 4  |                    |            | transactions exceeding \$300 but      |
| 5  |                    |            | less than \$20,000.                   |
| 6  | 943.0435(4)(c)     | 2nd        | Sexual offender vacating              |
| 7  |                    |            | permanent residence; failure to       |
| 8  |                    |            | comply with reporting                 |
| 9  |                    |            | requirements.                         |
| 10 | <u>943.0435(7)</u> | <u>3rd</u> | <u>Sexual offender intending to</u>   |
| 11 |                    |            | <u>establish residence in another</u> |
| 12 |                    |            | <u>state; failure to comply with</u>  |
| 13 |                    |            | <u>reporting requirements.</u>        |
| 14 | 943.0435(8)        | 2nd        | Sexual offender; remains in state     |
| 15 |                    |            | after indicating intent to leave;     |
| 16 |                    |            | failure to comply with reporting      |
| 17 |                    |            | requirements.                         |
| 18 | 943.0435(9)(a)     | 3rd        | Sexual offender; failure to           |
| 19 |                    |            | comply with reporting                 |
| 20 |                    |            | requirements.                         |
| 21 | 943.0435(13)       | 3rd        | Failure to report or providing        |
| 22 |                    |            | false information about a sexual      |
| 23 |                    |            | offender; harbor or conceal a         |
| 24 |                    |            | sexual offender.                      |
| 25 | 943.0435(14)       | 3rd        | Sexual offender; failure to           |
| 26 |                    |            | report and reregister; failure to     |
| 27 |                    |            | respond to address verification.      |
| 28 | 944.607(9)         | 3rd        | Sexual offender; failure to           |
| 29 |                    |            | comply with reporting                 |
| 30 |                    |            | requirements.                         |
| 31 |                    |            |                                       |

1 944.607(10)(a) 3rd Sexual offender; failure to  
2 submit to the taking of a  
3 digitized photograph.  
4 944.607(12) 3rd Failure to report or providing  
5 false information about a sexual  
6 offender; harbor or conceal a  
7 sexual offender.  
8 944.607(13) 3rd Sexual offender; failure to  
9 report and reregister; failure to  
10 respond to address verification.  
11 Section 2. Subsections (1) and (5) of section 943.043,  
12 Florida Statutes, are amended to read:  
13 943.043 Toll-free telephone number; Internet  
14 notification; sexual predator and sexual offender  
15 information.--  
16 (1) The department may notify the public through the  
17 Internet of any information regarding sexual predators and  
18 sexual offenders which is not confidential and exempt from  
19 public disclosure under s. 119.07(1) and s. 24(a), Art. I of  
20 the State Constitution. When available from data contained in  
21 the registry, information provided on the Internet must  
22 include the county where the qualifying sex-related offense  
23 occurred, a link to the statutory offense of which the sexual  
24 predator or sexual offender was convicted, and the court case  
25 number.  
26 (5) In an effort to ensure that sexual predators and  
27 sexual offenders who fail to respond to address-verification  
28 attempts or who otherwise abscond from registration are  
29 located in a timely manner, the department shall share  
30 information with local law enforcement agencies. The  
31 department shall use analytical resources to assist local law

1 enforcement agencies to determine the potential whereabouts of  
2 any sexual predator or sexual offender who fails to respond to  
3 address-verification attempts or who otherwise absconds from  
4 registration. The department shall review and analyze all  
5 available information concerning any such predator or offender  
6 who fails to respond to address-verification attempts or who  
7 otherwise absconds from registration and provide the  
8 information to local law enforcement agencies in order to  
9 assist the agencies in locating and apprehending the sexual  
10 predator or sexual offender. Such information must include  
11 notice to local law enforcement agencies of those sexual  
12 predators and sexual offenders who, upon their release from  
13 state incarceration, have no registration activity on record  
14 with the department within an anticipated timeframe as  
15 specified under the registration requirements in s. 775.21, s.  
16 943.0435, or s. 944.607.

17 Section 3. Subsection (15) is added to section  
18 943.0435, Florida Statutes, to read:

19 943.0435 Sexual offenders required to register with  
20 the department; penalty.--

21 (15) The department, using data supplied by the  
22 Department of Corrections, the Office of the State Courts  
23 Administrator, and clerks of court, shall report violations of  
24 supervision and arrests related to the reregistration  
25 requirements of sexual predators and sexual offenders as  
26 provided in s. 775.21(8)(a), paragraph (14)(a), and s.  
27 944.607(13)(a). These reports, to be compiled by the  
28 department, must include information concerning compliance  
29 with registration laws, arrests of sexual predators and sexual  
30 offenders and the subsequent judicial proceedings, and  
31 violations of supervision requirements by these offenders

1 relating to the referenced statutes or other conditions of  
2 supervision. These reports must also provide summary  
3 descriptions of the sexual predators and sexual offenders who  
4 are arrested or violate probation and summarize information by  
5 county and judicial circuit and statewide. The initial report  
6 shall be made to the President of the Senate, the Speaker of  
7 the House of Representatives, the Office of Program Policy  
8 Analysis and Government Accountability, and the Executive  
9 Office of the Governor on March 1, 2008, for the period from  
10 December 1, 2006, through June 30, 2007, and annually  
11 thereafter based on information for the preceding fiscal year.

12 Section 4. Section 943.04351, Florida Statutes, is  
13 amended to read:

14 943.04351 Search of registration information regarding  
15 sexual predators and sexual offenders required prior to  
16 appointment or employment.--A state agency or governmental  
17 subdivision, prior to making any decision to appoint or employ  
18 a person to work, whether for compensation or as a volunteer,  
19 at any park, playground, day care center, or other place where  
20 children regularly congregate, must conduct a search of that  
21 person's name or other identifying information against the  
22 registration information regarding sexual predators and sexual  
23 offenders maintained by the Department of Law Enforcement  
24 under s. 943.043 and against the registration information  
25 regarding sex offenders maintained by the Federal Bureau of  
26 Investigation in the Dru Sjodin National Sex Offender Public  
27 Website. The agency or governmental subdivision may conduct  
28 the search using the Internet site maintained by the  
29 Department of Law Enforcement. This section does not apply to  
30 those positions or appointments within a state agency or  
31



1 governmental subdivision for which a state and national  
2 criminal history background check is conducted.

3 Section 5. Subsection (3) of section 948.30, Florida  
4 Statutes, is amended to read:

5 948.30 Additional terms and conditions of probation or  
6 community control for certain sex offenses.--Conditions  
7 imposed pursuant to this section do not require oral  
8 pronouncement at the time of sentencing and shall be  
9 considered standard conditions of probation or community  
10 control for offenders specified in this section.

11 (3) Effective for a probationer or community  
12 controllee whose felony offense ~~crime~~ was committed on or  
13 after September 1, 2005, and who:

14 (a) Is placed on probation or community control for a  
15 violation of chapter 794, s. 800.04(4), (5), or (6), s.  
16 827.071, or s. 847.0145 and the unlawful sexual activity  
17 involved a victim 15 years of age or younger and the offender  
18 is 18 years of age or older;

19 (b) Is designated as a sexual predator pursuant to s.  
20 775.21; or

21 (c) Has previously been convicted of a violation of  
22 chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s.  
23 847.0145 and the unlawful sexual activity involved a victim 15  
24 years of age or younger and the offender is 18 years of age or  
25 older,

26  
27 the court must order, in addition to any other provision of  
28 this section, mandatory electronic monitoring as a condition  
29 of the probation or community control supervision.

30 Section 6. Subsection (2) of section 947.1405, Florida  
31 Statutes, is amended to read:

1           947.1405 Conditional release program.--  
2           (2) Any inmate who:  
3           (a) Is convicted of a crime committed on or after  
4 October 1, 1988, and before January 1, 1994, and any inmate  
5 who is convicted of a crime committed on or after January 1,  
6 1994, which crime is or was contained in category 1, category  
7 2, category 3, or category 4 of Rule 3.701 and Rule 3.988,  
8 Florida Rules of Criminal Procedure (1993), or is convicted of  
9 any offense committed on or after July 1, 2007, under the  
10 following statutory provisions:  
11           1. Aggravated stalking, under s. 784.048;  
12           2. Kidnapping, under s. 787.01;  
13           3. False imprisonment, under s. 787.02;  
14           4. Luring or enticing a child, under s. 787.025;  
15           5. Human trafficking, under s. 787.06;  
16           6. Procuring person under age of 18 for prostitution,  
17 under s. 796.03;  
18           7. Sexual performance by a child, under s. 827.071;  
19           8. Computer pornography, under s. 847.0135;  
20           9. Transmission of pornography by electronic device or  
21 equipment, under s. 847.0137;  
22           10. Transmission to a minor of material harmful to  
23 minors by electronic device or equipment, under s. 847.138; or  
24           11. Selling or buying of minors, under s. 847.0145,  
25  
26 and who has served at least one prior felony commitment at a  
27 state or federal correctional institution;  
28           (b) Is sentenced as a habitual or violent habitual  
29 offender or a violent career criminal pursuant to s. 775.084;  
30 or  
31

1           (c) Is found to be a sexual predator under s. 775.21  
2 or former s. 775.23,  
3  
4 shall, upon reaching the tentative release date or provisional  
5 release date, whichever is earlier, as established by the  
6 Department of Corrections, be released under supervision  
7 subject to specified terms and conditions, including payment  
8 of the cost of supervision pursuant to s. 948.09. Such  
9 supervision shall be applicable to all sentences within the  
10 overall term of sentences if an inmate's overall term of  
11 sentences includes one or more sentences that are eligible for  
12 conditional release supervision as provided herein. Effective  
13 July 1, 1994, and applicable for offenses committed on or  
14 after that date, the commission may require, as a condition of  
15 conditional release, that the releasee make payment of the  
16 debt due and owing to a county or municipal detention facility  
17 under s. 951.032 for medical care, treatment, hospitalization,  
18 or transportation received by the releasee while in that  
19 detention facility. The commission, in determining whether to  
20 order such repayment and the amount of such repayment, shall  
21 consider the amount of the debt, whether there was any fault  
22 of the institution for the medical expenses incurred, the  
23 financial resources of the releasee, the present and potential  
24 future financial needs and earning ability of the releasee,  
25 and dependents, and other appropriate factors. If any inmate  
26 placed on conditional release supervision is also subject to  
27 probation or community control, resulting from a probationary  
28 or community control split sentence within the overall term of  
29 sentences, the Department of Corrections shall supervise such  
30 person according to the conditions imposed by the court and  
31 the commission shall defer to such supervision. If the court

1 | revokes probation or community control and resentences the  
2 | offender to a term of incarceration, such revocation also  
3 | constitutes a sufficient basis for the revocation of the  
4 | conditional release supervision on any nonprobationary or  
5 | noncommunity control sentence without further hearing by the  
6 | commission. If any such supervision on any nonprobationary or  
7 | noncommunity control sentence is revoked, such revocation may  
8 | result in a forfeiture of all gain-time, and the commission  
9 | may revoke the resulting deferred conditional release  
10 | supervision or take other action it considers appropriate. If  
11 | the term of conditional release supervision exceeds that of  
12 | the probation or community control, then, upon expiration of  
13 | the probation or community control, authority for the  
14 | supervision shall revert to the commission and the supervision  
15 | shall be subject to the conditions imposed by the commission.  
16 | A panel of no fewer than two commissioners shall establish the  
17 | terms and conditions of any such release. If the offense was a  
18 | controlled substance violation, the conditions shall include a  
19 | requirement that the offender submit to random substance abuse  
20 | testing intermittently throughout the term of conditional  
21 | release supervision, upon the direction of the correctional  
22 | probation officer as defined in s. 943.10(3). The commission  
23 | shall also determine whether the terms and conditions of such  
24 | release have been violated and whether such violation warrants  
25 | revocation of the conditional release.

26 |       Section 7. The Department of Law Enforcement shall  
27 | determine the feasibility of enhancing the website of  
28 | information concerning sexual offenders and sexual predators  
29 | to include a mapping capability that may be used by  
30 | individuals, local law enforcement agencies, and correctional  
31 | officials. This mapping capability shall overlay the known

1 location of each registered sexual offender and sexual  
2 predator and plot its proximity to prohibited sites, such as  
3 day care centers and other places where children regularly  
4 congregate. The department shall assess the extent to which  
5 public safety and public notification can be improved with  
6 such a feature on the state website. The department shall also  
7 project the cost of the enhancement. The department shall  
8 report its findings and cost estimations to the Governor, the  
9 President of the Senate, and the Speaker of the House of  
10 Representatives by December 1, 2007.

11           Section 8. For fiscal year 2007-2008, one full-time  
12 equivalent position and 46,554 in associated salary rate are  
13 authorized, and the sum of \$60,295 in recurring funding is  
14 appropriated for salaries and benefits; the sum of \$401 in  
15 recurring funding is appropriated for human resources  
16 services; the sums of \$16,489 in recurring funding and \$22,826  
17 in nonrecurring funding are appropriated for expenses; the sum  
18 of \$21,300 in nonrecurring funding is appropriated for  
19 operating capital outlay; and the sums of \$14,080 in recurring  
20 funding and \$187,400 in nonrecurring funding are appropriated  
21 for contracted services from the Operating Trust Fund to the  
22 Department of Law Enforcement to carry out the requirements of  
23 this act.

24           Section 9. This act shall take effect July 1, 2007.

25  
26                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
27   COMMITTEE SUBSTITUTE FOR  
28   CS for SB 230

29 Authorizes one full-time equivalent position and appropriates  
30 \$322,791 to the Department of Law Enforcement from the  
31 Operating Trust Fund for costs associated with implementing  
provisions of the bill.