

1                   A bill to be entitled  
2           An act relating to sexual offenders and predators;  
3           amending s. 775.21, F.S.; revising sexual predator  
4           criteria; correcting a cross-reference; revising  
5           provisions relating to registration of predators under the  
6           supervision of the Department of Corrections; requiring  
7           sexual predators to register with the Department of Law  
8           Enforcement through a sheriff's office; deleting  
9           provisions allowing certain predators to have predator  
10          designation removed after a specified period; revising  
11          references to applicable federal law; revising provisions  
12          relating to verification of addresses; requiring more  
13          frequent reregistration for specified offenders; providing  
14          specified immunity to the Department of Juvenile Justice;  
15          amending s. 943.0435, F.S.; revising criteria for sexual  
16          offender designation; revising the definition of the term  
17          "conviction" to include certain adjudications of  
18          delinquency; revising reporting requirements; revising  
19          references to applicable federal law; revising provisions  
20          relating to verification of addresses; providing specified  
21          immunity to the Department of Juvenile Justice; revising  
22          provisions relating to petitions to allow certain  
23          offenders to remove the offender designation after a  
24          specified period; requiring more frequent reregistration  
25          for specified offenders; creating s. 943.04354, F.S.;  
26          allowing certain sexual predators and sexual offenders to  
27          petition for the removal of the registration requirement;  
28          providing that a court may grant the petition if certain

29 criteria are met and removal of the registration  
30 requirement will not conflict with federal law; creating  
31 s. 943.44353, F.S.; requiring development and maintenance  
32 of a system to provide automatic notification of  
33 registration information regarding sexual predators and  
34 sexual offenders to the public; amending s. 943.0515,  
35 F.S.; requiring retention of records of minors adjudicated  
36 delinquent of specified sexual offenses; amending s.  
37 944.606, F.S.; revising criteria for sexual offender  
38 designation; providing registration and notification  
39 duties for a custodian of a local jail regarding sexual  
40 offenders; amending s. 944.607, F.S.; revising the  
41 definition of a sexual offender for notification purposes;  
42 revising duties of clerks of court; revising registration  
43 requirements; providing registration and notification  
44 duties for a custodian of a local jail regarding sexual  
45 offenders; providing specified immunity to the Department  
46 of Juvenile Justice; requiring more frequent  
47 reregistration for specified offenders; amending ss.  
48 947.005 and 948.001, F.S.; revising the definition of the  
49 term "qualified practitioner" for purposes of certain sex  
50 offender treatment programs; amending s. 985.04, F.S.;  
51 providing that specified sexual predator and offender  
52 registration information is public record; amending s.  
53 985.045, F.S.; conforming a provision; creating s.  
54 985.481, F.S.; providing for notification upon release of  
55 specified juvenile sexual offenders; providing for  
56 availability of specified information concerning such

57 offenders; providing immunity for specified officials;  
58 creating s. 985.4815, F.S.; providing for notification to  
59 the Department of Law Enforcement concerning specified  
60 juvenile sexual offenders; providing definitions;  
61 providing duties of clerks of court; providing  
62 registration requirements; requiring specified information  
63 to be made available to the Department of Law Enforcement;  
64 providing duties of a custodian of a local jail; providing  
65 for forwarding of information for specified offenders  
66 under federal supervision; providing penalties for failure  
67 to comply with requirements; providing venue for  
68 prosecution of specified offenses; providing for the  
69 effect of certain actions; providing that registration  
70 following certain actions does not provide a defense to  
71 specified charges; providing immunity for specified  
72 agencies and persons for certain actions; prohibiting  
73 certain acts concerning offenders; providing criminal  
74 penalties; providing reporting requirements for offenders;  
75 amending s. 921.0022, F.S.; including specified offenses  
76 within the offense severity ranking chart of the Criminal  
77 Punishment Code; providing an effective date.

78  
79 Be It Enacted by the Legislature of the State of Florida:

80  
81 Section 1. Paragraphs (a) and (c) of subsection (4),  
82 paragraphs (a), (b), (c), (e), and (l) of subsection (6),  
83 subsections (8) and (9), and paragraph (b) of subsection (10) of  
84 section 775.21, Florida Statutes, are amended to read:

85 775.21 The Florida Sexual Predators Act.--

86 (4) SEXUAL PREDATOR CRITERIA.--

87 (a) For a current offense committed on or after October 1,  
 88 1993, upon conviction, an offender shall be designated as a  
 89 "sexual predator" under subsection (5), and subject to  
 90 registration under subsection (6) and community and public  
 91 notification under subsection (7) if:

92 1. The felony is:

93 a. A capital, life, or first-degree felony violation, or  
 94 any attempt thereof, of s. 787.01 or s. 787.02, where the victim  
 95 is a minor and the defendant is not the victim's parent or  
 96 guardian, or s. 794.011 ~~of chapter 794~~, s. 800.04, or s.  
 97 847.0145, or a violation of a similar law of another  
 98 jurisdiction; or

99 b. Any felony violation, or any attempt thereof, of s.  
 100 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a  
 101 minor and the defendant is not the victim's parent or guardian;  
 102 s. 794.011 ~~chapter 794~~, excluding s. ss. 794.011(10); s. 794.05  
 103 ~~and 794.0235~~; s. 796.03; s. 796.035; s. 800.04; s.  
 104 825.1025(2)(b); s. 827.071; s. 847.0145; or s. 985.701(1); or a  
 105 violation of a similar law of another jurisdiction, and the  
 106 offender has previously been convicted of or found to have  
 107 committed, or has pled nolo contendere or guilty to, regardless  
 108 of adjudication, any violation of s. 787.01, s. 787.02, or s.  
 109 787.025(2)(c), where the victim is a minor and the defendant is  
 110 not the victim's parent or guardian; s. 794.011, excluding s.  
 111 794.011(10) ~~(2), (3), (4), (5), or (8)~~; s. 794.05; s. 796.03; s.  
 112 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.

113 847.0135, excluding s. 847.0135(4); s. 847.0145; or s.  
 114 985.701(1); or a violation of a similar law of another  
 115 jurisdiction;

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

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

122 (c) If an offender has been registered as a sexual  
 123 predator by the Department of Corrections, the department, or  
 124 any other law enforcement agency and if:

125 1. The court did not, for whatever reason, make a written  
 126 finding at the time of sentencing that the offender was a sexual  
 127 predator; or

128 2. The offender was administratively registered as a  
 129 sexual predator because the Department of Corrections, the  
 130 department, or any other law enforcement agency obtained  
 131 information that indicated that the offender met the criteria  
 132 for designation as a sexual predator based on a violation of a  
 133 similar law in another jurisdiction,

134  
 135 the department shall remove that offender from the department's  
 136 list of sexual predators and, for an offender described under  
 137 subparagraph 1., shall notify the state attorney who prosecuted  
 138 the offense that met the criteria for administrative designation  
 139 as a sexual predator, and, for an offender described under this  
 140 paragraph ~~subparagraph~~, shall notify the state attorney of the

141 county where the offender establishes or maintains a permanent  
142 or temporary residence. The state attorney shall bring the  
143 matter to the court's attention in order to establish that the  
144 offender meets the criteria for designation as a sexual  
145 predator. If the court makes a written finding that the offender  
146 is a sexual predator, the offender must be designated as a  
147 sexual predator, must register or be registered as a sexual  
148 predator with the department as provided in subsection (6), and  
149 is subject to the community and public notification as provided  
150 in subsection (7). If the court does not make a written finding  
151 that the offender is a sexual predator, the offender may not be  
152 designated as a sexual predator with respect to that offense and  
153 is not required to register or be registered as a sexual  
154 predator with the department.

155 (6) REGISTRATION.--

156 (a) A sexual predator must register with the department  
157 through the sheriff's office by providing the following  
158 information to the department:

159 1. Name, social security number, age, race, sex, date of  
160 birth, height, weight, hair and eye color, photograph, address  
161 of legal residence and address of any current temporary  
162 residence, within the state or out of state, including a rural  
163 route address and a post office box, date and place of any  
164 employment, date and place of each conviction, fingerprints, and  
165 a brief description of the crime or crimes committed by the  
166 offender. A post office box shall not be provided in lieu of a  
167 physical residential address.

168           a. If the sexual predator's place of residence is a motor  
169 vehicle, trailer, mobile home, or manufactured home, as defined  
170 in chapter 320, the sexual predator shall also provide to the  
171 department written notice of the vehicle identification number;  
172 the license tag number; the registration number; and a  
173 description, including color scheme, of the motor vehicle,  
174 trailer, mobile home, or manufactured home. If a sexual  
175 predator's place of residence is a vessel, live-aboard vessel,  
176 or houseboat, as defined in chapter 327, the sexual predator  
177 shall also provide to the department written notice of the hull  
178 identification number; the manufacturer's serial number; the  
179 name of the vessel, live-aboard vessel, or houseboat; the  
180 registration number; and a description, including color scheme,  
181 of the vessel, live-aboard vessel, or houseboat.

182           b. If the sexual predator is enrolled, employed, or  
183 carrying on a vocation at an institution of higher education in  
184 this state, the sexual predator shall also provide to the  
185 department the name, address, and county of each institution,  
186 including each campus attended, and the sexual predator's  
187 enrollment or employment status. Each change in enrollment or  
188 employment status shall be reported in person at the sheriff's  
189 office, or the Department of Corrections if the sexual predator  
190 is in the custody or control of or under the supervision of the  
191 Department of Corrections, within 48 hours after any change in  
192 status. The sheriff or the Department of Corrections shall  
193 promptly notify each institution of the sexual predator's  
194 presence and any change in the sexual predator's enrollment or  
195 employment status.

196           2. Any other information determined necessary by the  
197 department, including criminal and corrections records;  
198 nonprivileged personnel and treatment records; and evidentiary  
199 genetic markers when available.

200           (b) If the sexual predator is in the custody or control  
201 of, or under the supervision of, the Department of Corrections,  
202 or is in the custody of a private correctional facility, the  
203 sexual predator must register with the Department of  
204 Corrections. A sexual predator who is under the supervision of  
205 the Department of Corrections but is not incarcerated must  
206 register with the Department of Corrections within 3 business  
207 days after the court finds the offender to be a sexual predator.  
208 The Department of Corrections shall provide to the department  
209 registration information and the location of, and local  
210 telephone number for, any Department of Corrections office that  
211 is responsible for supervising the sexual predator. In addition,  
212 the Department of Corrections shall notify the department if the  
213 sexual predator escapes or absconds from custody or supervision  
214 or if the sexual predator dies.

215           (c) If the sexual predator is in the custody of a local  
216 jail, the custodian of the local jail shall register the sexual  
217 predator within 3 business days after intake of the sexual  
218 predator for any reason and again upon release and forward the  
219 registration information to the department. The custodian of the  
220 local jail shall also take a digitized photograph of the sexual  
221 predator while the sexual predator remains in custody and shall  
222 provide the digitized photograph to the department. The



223 | custodian shall notify the department if the sexual predator  
 224 | escapes from custody or dies.

225 |       (e)1. If the sexual predator is not in the custody or  
 226 | control of, or under the supervision of, the Department of  
 227 | Corrections, ~~or is not in the custody of a private correctional~~  
 228 | facility, the sexual predator shall register in person:

229 |           a. At the sheriff's office in the county where he or she  
 230 | establishes or maintains a residence within 48 hours after  
 231 | establishing or maintaining a residence in the state; and

232 |           b. At the sheriff's office in the county where he or she  
 233 | was designated a sexual predator by the court within 48 hours  
 234 | after such finding is made.

235 |       ~~2. and establishes or maintains a residence in the state,~~  
 236 | ~~the sexual predator shall register in person at the sheriff's~~  
 237 | ~~office in the county in which the predator establishes or~~  
 238 | ~~maintains a residence, within 48 hours after establishing~~  
 239 | ~~permanent or temporary residence in this state. Any change in~~  
 240 | the sexual predator's permanent or temporary residence or name,  
 241 | after the sexual predator registers in person at the sheriff's  
 242 | office as provided in subparagraph 1., shall be accomplished in  
 243 | the manner provided in paragraphs (g), (i), and (j). When a  
 244 | sexual predator registers with the sheriff's office, the sheriff  
 245 | shall take a photograph and a set of fingerprints of the  
 246 | predator and forward the photographs and fingerprints to the  
 247 | department, along with the information that the predator is  
 248 | required to provide pursuant to this section.

249 |       (1) A sexual predator must maintain registration with the  
 250 | department for the duration of his or her life, unless the

251 sexual predator has received a full pardon or has had a  
252 conviction set aside in a postconviction proceeding for any  
253 offense that met the criteria for the sexual predator  
254 designation. ~~However, a sexual predator who was designated as a~~  
255 ~~sexual predator by a court before October 1, 1998, and who has~~  
256 ~~been lawfully released from confinement, supervision, or~~  
257 ~~sanction, whichever is later, for at least 10 years and has not~~  
258 ~~been arrested for any felony or misdemeanor offense since~~  
259 ~~release, may petition the criminal division of the circuit court~~  
260 ~~in the circuit in which the sexual predator resides for the~~  
261 ~~purpose of removing the sexual predator designation. A sexual~~  
262 ~~predator who was designated a sexual predator by a court on or~~  
263 ~~after October 1, 1998, who has been lawfully released from~~  
264 ~~confinement, supervision, or sanction, whichever is later, for~~  
265 ~~at least 20 years, and who has not been arrested for any felony~~  
266 ~~or misdemeanor offense since release may petition the criminal~~  
267 ~~division of the circuit court in the circuit in which the sexual~~  
268 ~~predator resides for the purpose of removing the sexual predator~~  
269 ~~designation. A sexual predator who was designated as a sexual~~  
270 ~~predator by a court on or after September 1, 2005, who has been~~  
271 ~~lawfully released from confinement, supervision, or sanction,~~  
272 ~~whichever is later, for at least 30 years, and who has not been~~  
273 ~~arrested for any felony or misdemeanor offense since release may~~  
274 ~~petition the criminal division of the circuit court in the~~  
275 ~~circuit in which the sexual predator resides for the purpose of~~  
276 ~~removing the sexual predator designation. The court may grant or~~  
277 ~~deny such relief if the petitioner demonstrates to the court~~  
278 ~~that he or she has not been arrested for any crime since~~

279 ~~release, the requested relief complies with the provisions of~~  
280 ~~the federal Jacob Wetterling Act, as amended, and any other~~  
281 ~~federal standards applicable to the removal of the designation~~  
282 ~~as a sexual predator or required to be met as a condition for~~  
283 ~~the receipt of federal funds by the state, and the court is~~  
284 ~~otherwise satisfied that the petitioner is not a current or~~  
285 ~~potential threat to public safety. The state attorney in the~~  
286 ~~circuit in which the petition is filed must be given notice of~~  
287 ~~the petition at least 3 weeks before the hearing on the matter.~~  
288 ~~The state attorney may present evidence in opposition to the~~  
289 ~~requested relief or may otherwise demonstrate the reasons why~~  
290 ~~the petition should be denied. If the court denies the petition,~~  
291 ~~the court may set a future date at which the sexual predator may~~  
292 ~~again petition the court for relief, subject to the standards~~  
293 ~~for relief provided in this paragraph. Unless specified in the~~  
294 ~~order, a sexual predator who is granted relief under this~~  
295 ~~paragraph must comply with the requirements for registration as~~  
296 ~~a sexual offender and other requirements provided under s.~~  
297 ~~943.0435 or s. 944.607. If a petitioner obtains an order from~~  
298 ~~the court that imposed the order designating the petitioner as a~~  
299 ~~sexual predator which removes such designation, the petitioner~~  
300 ~~shall forward a certified copy of the written findings or order~~  
301 ~~to the department in order to have the sexual predator~~  
302 ~~designation removed from the sexual predator registry.~~

303  
304 The sheriff shall promptly provide to the department the  
305 information received from the sexual predator.

306 (8) VERIFICATION.--The department and the Department of  
307 Corrections shall implement a system for verifying the addresses  
308 of sexual predators. The system must be consistent with the  
309 provisions of the federal Adam Walsh Child Protection and Safety  
310 Act of 2006, Pub. L. No. 109-248, ~~Jacob Wetterling Act, as~~  
311 ~~amended~~, and any other federal standards applicable to such  
312 verification or required to be met as a condition for the  
313 receipt of federal funds by the state. The Department of  
314 Corrections shall verify the addresses of sexual predators who  
315 are not incarcerated but who reside in the community under the  
316 supervision of the Department of Corrections and shall report to  
317 the department any failure by a sexual predator to comply with  
318 registration requirements. County and local law enforcement  
319 agencies, in conjunction with the department, shall verify the  
320 addresses of sexual predators who are not under the care,  
321 custody, control, or supervision of the Department of  
322 Corrections. Local law enforcement agencies shall report to the  
323 department any failure by a sexual predator to comply with  
324 registration requirements.

325 (a) A sexual predator must report in person each year  
326 during the month of the sexual predator's birthday and during  
327 every third ~~the sixth~~ month thereafter ~~following the sexual~~  
328 ~~predator's birth month~~ to the sheriff's office in the county in  
329 which he or she resides or is otherwise located to reregister.  
330 The sheriff's office may determine the appropriate times and  
331 days for reporting by the sexual predator, which shall be  
332 consistent with the reporting requirements of this paragraph.

333 Reregistration shall include any changes to the following  
334 information:

335 1. Name; social security number; age; race; sex; date of  
336 birth; height; weight; hair and eye color; address of any  
337 permanent residence and address of any current temporary  
338 residence, within the state or out of state, including a rural  
339 route address and a post office box; date and place of any  
340 employment; vehicle make, model, color, and license tag number;  
341 fingerprints; and photograph. A post office box shall not be  
342 provided in lieu of a physical residential address.

343 2. If the sexual predator is enrolled, employed, or  
344 carrying on a vocation at an institution of higher education in  
345 this state, the sexual predator shall also provide to the  
346 department the name, address, and county of each institution,  
347 including each campus attended, and the sexual predator's  
348 enrollment or employment status.

349 3. If the sexual predator's place of residence is a motor  
350 vehicle, trailer, mobile home, or manufactured home, as defined  
351 in chapter 320, the sexual predator shall also provide the  
352 vehicle identification number; the license tag number; the  
353 registration number; and a description, including color scheme,  
354 of the motor vehicle, trailer, mobile home, or manufactured  
355 home. If the sexual predator's place of residence is a vessel,  
356 live-aboard vessel, or houseboat, as defined in chapter 327, the  
357 sexual predator shall also provide the hull identification  
358 number; the manufacturer's serial number; the name of the  
359 vessel, live-aboard vessel, or houseboat; the registration

360 number; and a description, including color scheme, of the  
361 vessel, live-aboard vessel, or houseboat.

362 (b) The sheriff's office shall, within 2 working days,  
363 electronically submit and update all information provided by the  
364 sexual predator to the department in a manner prescribed by the  
365 department. ~~This procedure shall be implemented by December 1,~~  
366 ~~2005.~~

367 (9) IMMUNITY.--The department, the Department of Highway  
368 Safety and Motor Vehicles, the Department of Corrections, the  
369 Department of Juvenile Justice, any law enforcement agency in  
370 this state, and the personnel of those departments; an elected  
371 or appointed official, public employee, or school administrator;  
372 or an employee, agency, or any individual or entity acting at  
373 the request or upon the direction of any law enforcement agency  
374 is immune from civil liability for damages for good faith  
375 compliance with the requirements of this section or for the  
376 release of information under this section, and shall be presumed  
377 to have acted in good faith in compiling, recording, reporting,  
378 or releasing the information. The presumption of good faith is  
379 not overcome if a technical or clerical error is made by the  
380 department, the Department of Highway Safety and Motor Vehicles,  
381 the Department of Corrections, the Department of Juvenile  
382 Justice, the personnel of those departments, or any individual  
383 or entity acting at the request or upon the direction of any of  
384 those departments in compiling or providing information, or if  
385 information is incomplete or incorrect because a sexual predator  
386 fails to report or falsely reports his or her current place of  
387 permanent or temporary residence.

388 (10) PENALTIES.--

389 (b) A sexual predator who has been convicted of or found  
 390 to have committed, or has pled nolo contendere or guilty to,  
 391 regardless of adjudication, any violation, or attempted  
 392 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where  
 393 the victim is a minor and the defendant is not the victim's  
 394 parent or guardian; s. 794.011, excluding s. 794.011(10) ~~(2)~~,  
 395 ~~(3), (4), (5), or (8)~~; s. 794.05; s. 796.03; s. 796.035; s.  
 396 800.04; s. 827.071; s. 847.0133; s. 847.0145; or s. 985.701(1);  
 397 or a violation of a similar law of another jurisdiction when the  
 398 victim of the offense was a minor, and who works, whether for  
 399 compensation or as a volunteer, at any business, school, day  
 400 care center, park, playground, or other place where children  
 401 regularly congregate, commits a felony of the third degree,  
 402 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

403 Section 2. Paragraphs (a) and (b) of subsection (1) and  
 404 subsections (2), (6), (10), (11), and (14) of section 943.0435,  
 405 Florida Statutes, are amended to read:

406 943.0435 Sexual offenders required to register with the  
 407 department; penalty.--

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

409 (a)1. "Sexual offender" means a person who meets the  
 410 criteria in sub-subparagraph a., sub-subparagraph b., sub-  
 411 subparagraph c., or sub-subparagraph d. ~~subparagraph 1.,~~  
 412 ~~subparagraph 2., or subparagraph 3.,~~ as follows:

413 a.(I)1.a. Has been convicted of committing, or attempting,  
 414 soliciting, or conspiring to commit, any of the criminal  
 415 offenses proscribed in the following statutes in this state or

416 similar offenses in another jurisdiction: s. 787.01, s. 787.02,  
 417 or s. 787.025(2)(c), where the victim is a minor and the  
 418 defendant is not the victim's parent or guardian; s. 794.011  
 419 ~~chapter 794~~, excluding s. ~~ss.~~ 794.011(10); s. 794.05 and  
 420 ~~794.0235~~; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s.  
 421 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s.  
 422 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any  
 423 similar offense committed in this state which has been  
 424 redesignated from a former statute number to one of those listed  
 425 in this sub-sub-subparagraph ~~sub-subparagraph~~; and  
 426 (II) ~~b.~~ Has been released on or after October 1, 1997, from  
 427 the sanction imposed for any conviction of an offense described  
 428 in sub-sub-subparagraph (I) ~~sub-subparagraph a.~~ For purposes of  
 429 sub-sub-subparagraph (I) ~~sub-subparagraph a.~~, a sanction imposed  
 430 in this state or in any other jurisdiction includes, but is not  
 431 limited to, a fine, probation, community control, parole,  
 432 conditional release, control release, or incarceration in a  
 433 state prison, federal prison, private correctional facility, or  
 434 local detention facility;  
 435 b.2. Establishes or maintains a residence in this state  
 436 and who has not been designated as a sexual predator by a court  
 437 of this state but who has been designated as a sexual predator,  
 438 as a sexually violent predator, or by another sexual offender  
 439 designation in another state or jurisdiction and was, as a  
 440 result of such designation, subjected to registration or  
 441 community or public notification, or both, or would be if the  
 442 person were a resident of that state or jurisdiction, without



443 regard to whether the person otherwise meets the criteria for  
 444 registration as a sexual offender; or  
 445 c.3- Establishes or maintains a residence in this state  
 446 who is in the custody or control of, or under the supervision  
 447 of, any other state or jurisdiction as a result of a conviction  
 448 for committing, or attempting, soliciting, or conspiring to  
 449 commit, any of the criminal offenses proscribed in the following  
 450 statutes or similar offense in another jurisdiction: s. 787.01,  
 451 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and  
 452 the defendant is not the victim's parent or guardian; s. 794.011  
 453 ~~chapter 794~~, excluding s. ss. 794.011(10) and 794.0235; s.  
 454 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s.  
 455 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s.  
 456 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any  
 457 similar offense committed in this state which has been  
 458 redesignated from a former statute number to one of those listed  
 459 in this sub-subparagraph ~~subparagraph~~.

460 d. On or after July 1, 2007, has been adjudicated  
 461 delinquent for committing, or attempting, soliciting, or  
 462 conspiring to commit such offense, any of the criminal offenses  
 463 proscribed in the following statutes in this state or similar  
 464 offenses in another jurisdiction when the juvenile was 14 years  
 465 of age or older at the time of the offense:

- 466 (I) Section 794.011, excluding s. 794.011(10);
- 467 (II) Section 800.04(4)(b) where the victim is less than 12  
 468 years of age or where the court finds sexual activity by use of  
 469 force or coercion;
- 470 (III) Section 800.04(5)(c)1. where the court finds

471 molestation involving unclothed genitals;  
 472 (IV) Section 800.04(5)(d) where the court finds use of  
 473 force or coercion and unclothed genitals.

474 2. For all qualifying offenses listed in sub-subparagraph  
 475 (1)(a)1.d., the court shall make a written finding of the age of  
 476 the offender at the time of the offense.

477  
 478 For each violation of a qualifying offense listed in this  
 479 section, the court shall make a written finding of the age of  
 480 the victim at the time of the offense. For a violation of s.  
 481 800.04(4), the court shall additionally make a written finding  
 482 indicating that the offense did or did not involve sexual  
 483 activity and indicating that the offense did or did not involve  
 484 force or coercion. For a violation of s. 800.04(5), the court  
 485 shall additionally make a written finding that the offense did  
 486 or did not involve unclothed genitals or genital area and that  
 487 the offense did or did not involve use of force or coercion.

488 (b) "Convicted" means that there has been a determination  
 489 of guilt as a result of a trial or the entry of a plea of guilty  
 490 or nolo contendere, regardless of whether adjudication is  
 491 withheld, and includes an adjudication of delinquency of a  
 492 juvenile as specified in this section. Conviction of a similar  
 493 offense includes, but is not limited to, a conviction by a  
 494 federal or military tribunal, including courts-martial conducted  
 495 by the Armed Forces of the United States, and includes a  
 496 conviction or entry of a plea of guilty or nolo contendere  
 497 resulting in a sanction in any state of the United States or  
 498 other jurisdiction. A sanction includes, but is not limited to,

499 a fine, probation, community control, parole, conditional  
 500 release, control release, or incarceration in a state prison,  
 501 federal prison, private correctional facility, or local  
 502 detention facility.

503 (2) A sexual offender shall:

504 (a) Report in person at the sheriff's office:

505 1. In the county in which the offender establishes or  
 506 maintains a permanent or temporary residence, within 48 hours  
 507 after:

508 a. Establishing permanent or temporary residence in this  
 509 state; or

510 b. ~~within 48 hours after~~ Being released from the custody,  
 511 control, or supervision of the Department of Corrections or from  
 512 the custody of a private correctional facility.

513 2. In the county where he or she was convicted within 48  
 514 hours after being convicted for a qualifying offense for  
 515 registration under this section if the offender is not in the  
 516 custody or control of, or under the supervision of, the  
 517 Department of Corrections, or is not in the custody of a private  
 518 correctional facility.

519 3. Any change in the sexual offender's permanent or  
 520 temporary residence or name, after the sexual offender reports  
 521 in person at the sheriff's office, shall be accomplished in the  
 522 manner provided in subsections (4), (7), and (8).

523 (b) Provide his or her name, date of birth, social  
 524 security number, race, sex, height, weight, hair and eye color,  
 525 tattoos or other identifying marks, occupation and place of  
 526 employment, address of permanent or legal residence or address

527 of any current temporary residence, within the state and out of  
528 state, including a rural route address and a post office box,  
529 date and place of each conviction, and a brief description of  
530 the crime or crimes committed by the offender. A post office box  
531 shall not be provided in lieu of a physical residential address.

532 1. If the sexual offender's place of residence is a motor  
533 vehicle, trailer, mobile home, or manufactured home, as defined  
534 in chapter 320, the sexual offender shall also provide to the  
535 department through the sheriff's office written notice of the  
536 vehicle identification number; the license tag number; the  
537 registration number; and a description, including color scheme,  
538 of the motor vehicle, trailer, mobile home, or manufactured  
539 home. If the sexual offender's place of residence is a vessel,  
540 live-aboard vessel, or houseboat, as defined in chapter 327, the  
541 sexual offender shall also provide to the department written  
542 notice of the hull identification number; the manufacturer's  
543 serial number; the name of the vessel, live-aboard vessel, or  
544 houseboat; the registration number; and a description, including  
545 color scheme, of the vessel, live-aboard vessel, or houseboat.

546 2. If the sexual offender is enrolled, employed, or  
547 carrying on a vocation at an institution of higher education in  
548 this state, the sexual offender shall also provide to the  
549 department through the sheriff's office the name, address, and  
550 county of each institution, including each campus attended, and  
551 the sexual offender's enrollment or employment status. Each  
552 change in enrollment or employment status shall be reported in  
553 person at the sheriff's office, within 48 hours after any change  
554 in status. The sheriff shall promptly notify each institution of

555 the sexual offender's presence and any change in the sexual  
556 offender's enrollment or employment status.

557

558 When a sexual offender reports at the sheriff's office, the  
559 sheriff shall take a photograph and a set of fingerprints of the  
560 offender and forward the photographs and fingerprints to the  
561 department, along with the information provided by the sexual  
562 offender. The sheriff shall promptly provide to the department  
563 the information received from the sexual offender.

564 (6) County and local law enforcement agencies, in  
565 conjunction with the department, shall verify the addresses of  
566 sexual offenders who are not under the care, custody, control,  
567 or supervision of the Department of Corrections in a manner that  
568 is consistent with the provisions of the federal Adam Walsh  
569 Child Protection and Safety Act of 2006, Pub. L. No. 109-248,  
570 ~~Jacob Wetterling Act, as amended,~~ and any other federal  
571 standards applicable to such verification or required to be met  
572 as a condition for the receipt of federal funds by the state.  
573 Local law enforcement agencies shall report to the department  
574 any failure by a sexual offender to comply with registration  
575 requirements.

576 (10) The department, the Department of Highway Safety and  
577 Motor Vehicles, the Department of Corrections, the Department of  
578 Juvenile Justice, any law enforcement agency in this state, and  
579 the personnel of those departments; an elected or appointed  
580 official, public employee, or school administrator; or an  
581 employee, agency, or any individual or entity acting at the  
582 request or upon the direction of any law enforcement agency is

583 immune from civil liability for damages for good faith  
 584 compliance with the requirements of this section or for the  
 585 release of information under this section, and shall be presumed  
 586 to have acted in good faith in compiling, recording, reporting,  
 587 or releasing the information. The presumption of good faith is  
 588 not overcome if a technical or clerical error is made by the  
 589 department, the Department of Highway Safety and Motor Vehicles,  
 590 the Department of Corrections, the Department of Juvenile  
 591 Justice, the personnel of those departments, or any individual  
 592 or entity acting at the request or upon the direction of any of  
 593 those departments in compiling or providing information, or if  
 594 information is incomplete or incorrect because a sexual offender  
 595 fails to report or falsely reports his or her current place of  
 596 permanent or temporary residence.

597 (11) Except as provided in s. 943.04354, a sexual offender  
 598 must maintain registration with the department for the duration  
 599 of his or her life, unless the sexual offender has received a  
 600 full pardon or has had a conviction set aside in a  
 601 postconviction proceeding for any offense that meets the  
 602 criteria for classifying the person as a sexual offender for  
 603 purposes of registration. However, a sexual offender:

604 (a) 1. Who has been lawfully released from confinement,  
 605 supervision, or sanction, whichever is later, for at least 25 ~~20~~  
 606 years and has not been arrested for any felony or misdemeanor  
 607 offense since release, provided that the sexual offender's  
 608 requirement to register was not based upon an adult conviction  
 609 for:

610 a. A violation of s. 787.01 or s. 787.02;

611           b. A violation of s. 794.011, excluding s. 794.011(10);  
 612           c. A violation of s. 800.04(4)(b) where the court finds  
 613 the offense involved a victim less than 12 years of age or  
 614 sexual activity by force or coercion;  
 615           d. A violation of s. 800.04(5)(b);  
 616           e. A violation of s. 800.04(5)(c)2. where the court finds  
 617 the offense involved unclothed genitals or genital area;  
 618           f. Any attempt or conspiracy to commit any such offense;  
 619 or  
 620           g. A violation of similar law of another jurisdiction, ~~or~~  
 621 ~~(b) Who was 18 years of age or under at the time the~~  
 622 ~~offense was committed and the victim was 12 years of age or~~  
 623 ~~older and adjudication was withheld for that offense, who is~~  
 624 ~~released from all sanctions, who has had 10 years elapse since~~  
 625 ~~having been placed on probation, and who has not been arrested~~  
 626 ~~for any felony or misdemeanor offense since the date of~~  
 627 ~~conviction of the qualifying offense~~  
 628  
 629 may petition the criminal division of the circuit court of the  
 630 circuit in which the sexual offender resides for the purpose of  
 631 removing the requirement for registration as a sexual offender.  
 632           2. The court may grant or deny such relief if the offender  
 633 demonstrates to the court that he or she has not been arrested  
 634 for any crime since release; the requested relief complies with  
 635 the provisions of the federal Adam Walsh Child Protection and  
 636 Safety Act of 2006, Pub. L. No. 109-248, ~~Jacob Wetterling Act,~~  
 637 ~~as amended,~~ and any other federal standards applicable to the  
 638 removal of registration requirements for a sexual offender or

639 required to be met as a condition for the receipt of federal  
640 funds by the state; and the court is otherwise satisfied that  
641 the offender is not a current or potential threat to public  
642 safety. The state attorney in the circuit in which the petition  
643 is filed must be given notice of the petition at least 3 weeks  
644 before the hearing on the matter. The state attorney may present  
645 evidence in opposition to the requested relief or may otherwise  
646 demonstrate the reasons why the petition should be denied. If  
647 the court denies the petition, the court may set a future date  
648 at which the sexual offender may again petition the court for  
649 relief, subject to the standards for relief provided in this  
650 subsection.

651 3. The department shall remove an offender from  
652 classification as a sexual offender for purposes of registration  
653 if the offender provides to the department a certified copy of  
654 the court's written findings or order that indicates that the  
655 offender is no longer required to comply with the requirements  
656 for registration as a sexual offender.

657 (b)-(e) As defined in sub-subparagraph (1)(a)1.b.  
658 ~~subparagraph (1)(a)2.~~ must maintain registration with the  
659 department for the duration of his or her life until the person  
660 provides the department with an order issued by the court that  
661 designated the person as a sexual predator, as a sexually  
662 violent predator, or by another sexual offender designation in  
663 the state or jurisdiction in which the order was issued which  
664 states that such designation has been removed or demonstrates to  
665 the department that such designation, if not imposed by a court,  
666 has been removed by operation of law or court order in the state



667 or jurisdiction in which the designation was made, and provided  
668 such person no longer meets the criteria for registration as a  
669 sexual offender under the laws of this state.

670 (14) (a) A sexual offender must report in person each year  
671 during the month of the sexual offender's birthday and during  
672 the sixth month following the sexual offender's birth month to  
673 the sheriff's office in the county in which he or she resides or  
674 is otherwise located to reregister.

675 (b) However, a sexual offender who is required to register  
676 as a result of a conviction for:

677 1. Section 787.01 or s. 787.02 where the victim is a minor  
678 and the offender is not the victim's parent or guardian;

679 2. Section 794.011, excluding s. 794.011(10);

680 3. Section 800.04(4)(b) where the court finds the offense  
681 involved a victim less than 12 years of age or sexual activity  
682 by use of force or coercion;

683 4. Section 800.04(5)(b);

684 5. Section 800.04(5)(c)1. where the court finds  
685 molestation involving unclothed genitals or genital area;

686 6. Section 800.04(5)(c)2. where the court finds  
687 molestation involving unclothed genitals or genital area;

688 7. Section 800.04(5)(d) where the court finds use of force  
689 or coercion and unclothed genitals or genital area;

690 8. Any attempt or conspiracy to commit such offense; or

691 9. A violation of a similar law of another jurisdiction

692

693 must reregister each year during the month of the sexual  
694 offender's birthday and every third month thereafter.

695           (c) The sheriff's office may determine the appropriate  
696 times and days for reporting by the sexual offender, which shall  
697 be consistent with the reporting requirements of this subsection  
698 ~~paragraph~~. Reregistration shall include any changes to the  
699 following information:

700           1. Name; social security number; age; race; sex; date of  
701 birth; height; weight; hair and eye color; address of any  
702 permanent residence and address of any current temporary  
703 residence, within the state or out of state, including a rural  
704 route address and a post office box; date and place of any  
705 employment; vehicle make, model, color, and license tag number;  
706 fingerprints; and photograph. A post office box shall not be  
707 provided in lieu of a physical residential address.

708           2. If the sexual offender is enrolled, employed, or  
709 carrying on a vocation at an institution of higher education in  
710 this state, the sexual offender shall also provide to the  
711 department the name, address, and county of each institution,  
712 including each campus attended, and the sexual offender's  
713 enrollment or employment status.

714           3. If the sexual offender's place of residence is a motor  
715 vehicle, trailer, mobile home, or manufactured home, as defined  
716 in chapter 320, the sexual offender shall also provide the  
717 vehicle identification number; the license tag number; the  
718 registration number; and a description, including color scheme,  
719 of the motor vehicle, trailer, mobile home, or manufactured  
720 home. If the sexual offender's place of residence is a vessel,  
721 live-aboard vessel, or houseboat, as defined in chapter 327, the  
722 sexual offender shall also provide the hull identification

723 number; the manufacturer's serial number; the name of the  
724 vessel, live-aboard vessel, or houseboat; the registration  
725 number; and a description, including color scheme, of the  
726 vessel, live-aboard vessel or houseboat.

727 4. Any sexual offender who fails to report in person as  
728 required at the sheriff's office, or who fails to respond to any  
729 address verification correspondence from the department within 3  
730 weeks of the date of the correspondence, commits a felony of the  
731 third degree, punishable as provided in s. 775.082, s. 775.083,  
732 or s. 775.084.

733 ~~(d) (b)~~ The sheriff's office shall, within 2 working days,  
734 electronically submit and update all information provided by the  
735 sexual offender to the department in a manner prescribed by the  
736 department. ~~This procedure shall be implemented by December 1,~~  
737 ~~2005.~~

738 Section 3. Section 943.04354, Florida Statutes, is created  
739 to read:

740 943.04354 Removal of sexual offender or predator  
741 registration requirement in special circumstances.--

742 (1) For purposes of this section, a person shall be  
743 considered for removal of the requirement to register as a  
744 sexual offender or sexual predator only if the person:

745 (a) Was or will be convicted or adjudicated delinquent of  
746 a violation of s. 794.011 or s. 800.04, or the person committed  
747 a violation of s. 794.011 or s. 800.04 for which adjudication of  
748 guilt was or will be withheld, and the person does not have any  
749 other conviction, adjudication of delinquency, or withholding of  
750 adjudication of guilt for a violation of s. 794.011 or s.

751 800.04;

752 (b) Is required to register as a sexual offender or sexual  
753 predator solely on the basis of this violation; and

754 (c) Is not more than 4 years older than the victim of this  
755 violation who was 14 years of age or older but not more than 17  
756 years of age at the time the person committed this violation.

757 (2) If a person meets the criteria in subsection (1) and  
758 the violation of s. 794.011 or s. 800.04 was committed on or  
759 after July 1, 2007, the person may move the court that will  
760 sentence or dispose of this violation to remove the requirement  
761 that the person register as a sexual offender or sexual  
762 predator. The person must allege in the motion that he or she  
763 meets the criteria in subsection (1) and that removal of the  
764 registration requirement will not conflict with federal law. The  
765 state attorney must be given notice of the motion at least 21  
766 days before the date of sentencing or disposition of this  
767 violation, and may present evidence in opposition to the  
768 requested relief or may otherwise demonstrate why the motion  
769 should be denied. At sentencing or disposition of this  
770 violation, the court shall rule on this motion and, if the court  
771 determines the person meets the criteria in subsection (1) and  
772 the removal of the registration requirement will not conflict  
773 with federal law, it may grant the motion and order the removal  
774 of the registration requirement. If the court denies the motion,  
775 the person is not authorized under this section to petition for  
776 removal of the registration requirement.

777 (3) (a) This subsection applies to a person who:

778 1. Is not a person described in subsection (2) because the

779 violation of s. 794.011 or s. 800.04 was not committed on or  
780 after July 1, 2007;

781 2. Is subject to registration as a sexual offender or  
782 sexual predator for a violation of s. 794.011 or s. 800.04; and

783 3. Meets the criteria in subsection (1).

784 (b) A person may petition the court in which the sentence  
785 or disposition for the violation of s. 794.011 or s. 800.04  
786 occurred for removal of the requirement to register as a sexual  
787 offender or sexual predator. The person must allege in the  
788 petition that he or she meets the criteria in subsection (1) and  
789 removal of the registration requirement will not conflict with  
790 federal law. The state attorney must be given notice of the  
791 petition at least 21 days before the hearing on the petition  
792 and, may present evidence in opposition to the requested relief  
793 or may otherwise demonstrate why the petition should be denied.  
794 The court shall rule on the petition and, if the court  
795 determines the person meets the criteria in subsection (1) and  
796 removal of the registration requirement will not conflict with  
797 federal law, it may grant the petition and order the removal of  
798 the registration requirement. If the court denies the petition,  
799 the person is not authorized under this section to file any  
800 further petition for removal of the registration requirement.

801 (4) If a person provides to the department a certified  
802 copy of the court's order removing the requirement that the  
803 person register as a sexual offender or sexual predator for the  
804 violation of s. 794.011 or s. 800.04, the registration  
805 requirement will not apply to the person and the department  
806 shall remove all information about the person from the public

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807 registry of sexual offenders and sexual predators maintained by  
808 the department. However, the removal of this information from  
809 the public registry does not mean that the public is denied  
810 access to information about the person's criminal history or  
811 record that is otherwise available as a public record.

812 Section 4. Section 943.44353, Florida Statutes, is created  
813 to read:

814 943.44353 Automatic notification of registration  
815 information regarding sexual predators and offenders.--

816 (1) No later than January 1, 2008, the department shall  
817 develop and maintain a system to provide automatic notification  
818 of registration information regarding sexual predators and  
819 sexual offenders to the public.

820 (2) In accordance with the federal Adam Walsh Child  
821 Protection and Safety Act of 2006, Pub. L. No. 109-248, schools,  
822 public housing agencies, agencies responsible for conducting  
823 employment-related background checks under s. 3 of the National  
824 Child Protection Act of 1993, 42 U.S.C. s. 5119a, as amended,  
825 social service entities responsible for protecting minors in the  
826 child welfare system, volunteer organizations in which contact  
827 with minors or other vulnerable individuals might occur, and any  
828 other such organization, company, or individual shall have  
829 access to the notification system.

830 Section 5. Subsection (3) is added to section 943.0515,  
831 Florida Statutes, to read:

832 943.0515 Retention of criminal history records of  
833 minors.--

834           (3) Notwithstanding any other provision of this section,  
835 the Criminal Justice Information Program shall retain the  
836 criminal history record of a minor adjudicated delinquent for a  
837 violation committed on or after July 1, 2007, as provided in s.  
838 943.0435(1)(a)1.d. Such records shall not be destroyed and must  
839 be merged with the person's adult criminal history record and  
840 retained as a part of the person's adult record.

841           Section 6. Paragraph (b) of subsection (1) and paragraph  
842 (a) of subsection (3) of section 944.606, Florida Statutes, are  
843 amended to read:

844           944.606 Sexual offenders; notification upon release.--

845           (1) As used in this section:

846           (b) "Sexual offender" means a person who has been  
847 convicted of committing, or attempting, soliciting, or  
848 conspiring to commit, any of the criminal offenses proscribed in  
849 the following statutes in this state or similar offenses in  
850 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c),  
851 where the victim is a minor and the defendant is not the  
852 victim's parent or guardian; s. 794.011 ~~chapter 794~~, excluding  
853 s. ~~ss.~~ 794.011(10); s. 794.05 and ~~794.0235~~; s. 796.03; s.  
854 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
855 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s.  
856 847.0145; or s. 985.701(1); or any similar offense committed in  
857 this state which has been redesignated from a former statute  
858 number to one of those listed in this subsection, when the  
859 department has received verified information regarding such  
860 conviction; an offender's computerized criminal history record  
861 is not, in and of itself, verified information.

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

865 1. The department must provide: the sexual offender's  
866 name, any change in the offender's name by reason of marriage or  
867 other legal process, and any alias, if known; the correctional  
868 facility from which the sexual offender is released; the sexual  
869 offender's social security number, race, sex, date of birth,  
870 height, weight, and hair and eye color; date and county of  
871 sentence and each crime for which the offender was sentenced; a  
872 copy of the offender's fingerprints and a digitized photograph  
873 taken within 60 days before release; the date of release of the  
874 sexual offender; and the offender's intended residence address,  
875 if known. The department shall notify the Department of Law  
876 Enforcement if the sexual offender escapes, absconds, or dies.  
877 If the sexual offender is in the custody of a private  
878 correctional facility, the facility shall take the digitized  
879 photograph of the sexual offender within 60 days before the  
880 sexual offender's release and provide this photograph to the  
881 Department of Corrections and also place it in the sexual  
882 offender's file. If the sexual offender is in the custody of a  
883 local jail, the custodian of the local jail shall register the  
884 offender within 3 business days after intake of the offender for  
885 any reason and again upon release and notify the Department of  
886 Law Enforcement of the sexual offender's release and provide to  
887 the Department of Law Enforcement the information specified in  
888 this paragraph and any information specified in subparagraph 2.  
889 that the Department of Law Enforcement requests.



890           2. The department may provide any other information deemed  
891 necessary, including criminal and corrections records,  
892 nonprivileged personnel and treatment records, when available.

893           Section 7. Paragraph (a) of subsection (1) and subsections  
894 (3), (4), (7), (11), and (13) of section 944.607, Florida  
895 Statutes, are amended to read:

896           944.607 Notification to Department of Law Enforcement of  
897 information on sexual offenders.--

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

899           (a) "Sexual offender" means a person who is in the custody  
900 or control of, or under the supervision of, the department or is  
901 in the custody of a private correctional facility:

902           1. On or after October 1, 1997, as a result of a  
903 conviction for committing, or attempting, soliciting, or  
904 conspiring to commit, any of the criminal offenses proscribed in  
905 the following statutes in this state or similar offenses in  
906 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c),  
907 where the victim is a minor and the defendant is not the  
908 victim's parent or guardian; s. 794.011 ~~chapter 794~~, excluding  
909 s. ~~ss.~~ 794.011(10); s. 794.05 and ~~794.0235~~; s. 796.03; s.  
910 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
911 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s.  
912 847.0145; or s. 985.701(1); or any similar offense committed in  
913 this state which has been redesignated from a former statute  
914 number to one of those listed in this paragraph; or

915           2. Who establishes or maintains a residence in this state  
916 and who has not been designated as a sexual predator by a court  
917 of this state but who has been designated as a sexual predator,

918 as a sexually violent predator, or by another sexual offender  
919 designation in another state or jurisdiction and was, as a  
920 result of such designation, subjected to registration or  
921 community or public notification, or both, or would be if the  
922 person were a resident of that state or jurisdiction, without  
923 regard as to whether the person otherwise meets the criteria for  
924 registration as a sexual offender.

925 (3) If a sexual offender is not sentenced to a term of  
926 imprisonment, the clerk of the court shall ensure that the  
927 sexual offender's fingerprints are taken and forwarded to the  
928 Department of Law Enforcement within 48 hours after the court  
929 sentences the offender. The fingerprint card shall be clearly  
930 marked "Sexual Offender Registration Card."

931 (4) A sexual offender, as described in this section, who  
932 is under the supervision of the Department of Corrections but is  
933 not incarcerated must register with the Department of  
934 Corrections within 3 business days after sentencing for a  
935 registerable offense and otherwise provide information as  
936 required by this subsection.

937 (a) The sexual offender shall provide his or her name;  
938 date of birth; social security number; race; sex; height;  
939 weight; hair and eye color; tattoos or other identifying marks;  
940 and permanent or legal residence and address of temporary  
941 residence within the state or out of state while the sexual  
942 offender is under supervision in this state, including any rural  
943 route address or post office box. The Department of Corrections  
944 shall verify the address of each sexual offender in the manner  
945 described in ss. 775.21 and 943.0435. The department shall

946 report to the Department of Law Enforcement any failure by a  
947 sexual predator or sexual offender to comply with registration  
948 requirements.

949 (b) If the sexual offender is enrolled, employed, or  
950 carrying on a vocation at an institution of higher education in  
951 this state, the sexual offender shall provide the name, address,  
952 and county of each institution, including each campus attended,  
953 and the sexual offender's enrollment or employment status. Each  
954 change in enrollment or employment status shall be reported to  
955 the department within 48 hours after the change in status. The  
956 Department of Corrections shall promptly notify each institution  
957 of the sexual offender's presence and any change in the sexual  
958 offender's enrollment or employment status.

959 (7) If the sexual offender is in the custody of a local  
960 jail, the custodian of the local jail shall register the  
961 offender within 3 business days of intake of the offender for  
962 any reason and again upon release and forward the information to  
963 the Department of Law Enforcement. The custodian of the local  
964 jail shall also take a digitized photograph of the sexual  
965 offender while the offender remains in custody and shall provide  
966 the digitized photograph to the Department of Law Enforcement.

967 (11) The department, the Department of Highway Safety and  
968 Motor Vehicles, the Department of Law Enforcement, the  
969 Department of Corrections, the Department of Juvenile Justice,  
970 personnel of those departments, and any individual or entity  
971 acting at the request or upon the direction of those departments  
972 are immune from civil liability for damages for good faith  
973 compliance with this section, and shall be presumed to have

974 acted in good faith in compiling, recording, reporting, or  
 975 providing information. The presumption of good faith is not  
 976 overcome if technical or clerical errors are made by the  
 977 department, the Department of Highway Safety and Motor Vehicles,  
 978 the Department of Law Enforcement, the Department of Juvenile  
 979 Justice, personnel of those departments, or any individual or  
 980 entity acting at the request or upon the direction of those  
 981 departments in compiling, recording, reporting, or providing  
 982 information, or, if the information is incomplete or incorrect  
 983 because the information has not been provided by a person or  
 984 agency required to provide the information, or because the  
 985 information was not reported or was falsely reported.

986 (13) (a) A sexual offender must report in person each year  
 987 during the month of the sexual offender's birthday and during  
 988 the sixth month following the sexual offender's birth month to  
 989 the sheriff's office in the county in which he or she resides or  
 990 is otherwise located to reregister.

991 (b) However, a sexual offender who is required to register  
 992 as a result of a conviction for:

993 1. Section 787.01 or s. 787.02 where the victim is a minor  
 994 and the offender is not the victim's parent or guardian;

995 2. Section 794.011, excluding s. 794.011(10);

996 3. Section 800.04(4)(b) where the victim is less than 12  
 997 years of age or where the court finds sexual activity by use of  
 998 force or coercion;

999 4. Section 800.04(5)(b);

1000 5. Section 800.04(5)(c)1. where the court finds  
 1001 molestation involving unclothed genitals or genital area;

- 1002        6. Section 800.04(5)(c)2. where the court finds
- 1003 molestation involving unclothed genitals or genital area;
- 1004        7. Section 800.04(5)(d) where the court finds use of force
- 1005 or coercion and unclothed genitals or genital area;
- 1006        8. Any attempt or conspiracy to commit such offense; or
- 1007 9. A violation of a similar law of another jurisdiction

1008

1009 must reregister each year during the month of the sexual

1010 offender's birthday and every third month thereafter.

1011        (c) The sheriff's office may determine the appropriate

1012 times and days for reporting by the sexual offender, which shall

1013 be consistent with the reporting requirements of this subsection

1014 ~~paragraph~~. Reregistration shall include any changes to the

1015 following information:

1016        1. Name; social security number; age; race; sex; date of

1017 birth; height; weight; hair and eye color; address of any

1018 permanent residence and address of any current temporary

1019 residence, within the state or out of state, including a rural

1020 route address and a post office box; date and place of any

1021 employment; vehicle make, model, color, and license tag number;

1022 fingerprints; and photograph. A post office box shall not be

1023 provided in lieu of a physical residential address.

1024        2. If the sexual offender is enrolled, employed, or

1025 carrying on a vocation at an institution of higher education in

1026 this state, the sexual offender shall also provide to the

1027 department the name, address, and county of each institution,

1028 including each campus attended, and the sexual offender's

1029 enrollment or employment status.

1030           3. If the sexual offender's place of residence is a motor  
 1031 vehicle, trailer, mobile home, or manufactured home, as defined  
 1032 in chapter 320, the sexual offender shall also provide the  
 1033 vehicle identification number; the license tag number; the  
 1034 registration number; and a description, including color scheme,  
 1035 of the motor vehicle, trailer, mobile home, or manufactured  
 1036 home. If the sexual offender's place of residence is a vessel,  
 1037 live-aboard vessel, or houseboat, as defined in chapter 327, the  
 1038 sexual offender shall also provide the hull identification  
 1039 number; the manufacturer's serial number; the name of the  
 1040 vessel, live-aboard vessel, or houseboat; the registration  
 1041 number; and a description, including color scheme, of the  
 1042 vessel, live-aboard vessel, or houseboat.

1043           4. Any sexual offender who fails to report in person as  
 1044 required at the sheriff's office, or who fails to respond to any  
 1045 address verification correspondence from the department within 3  
 1046 weeks of the date of the correspondence, commits a felony of the  
 1047 third degree, punishable as provided in s. 775.082, s. 775.083,  
 1048 and s. 775.084.

1049           (d)~~(b)~~ The sheriff's office shall, within 2 working days,  
 1050 electronically submit and update all information provided by the  
 1051 sexual offender to the Florida Department of Law Enforcement in  
 1052 a manner prescribed by the Florida Department of Law  
 1053 Enforcement. ~~This procedure shall be implemented by December 1,~~  
 1054 ~~2005.~~

1055           Section 8. Subsection (9) of section 947.005, Florida  
 1056 Statutes, is amended to read:

1057           947.005 Definitions.--As used in this chapter, unless the

1058 context clearly indicates otherwise:

1059 (9) "Qualified practitioner" means a psychiatrist licensed  
 1060 under chapter 458 or chapter 459, a psychologist licensed under  
 1061 chapter 490, or a social worker, a mental health counselor, or a  
 1062 marriage and family therapist licensed under chapter 491 who  
 1063 practices in accordance with his or her respective practice act,  
 1064 ~~as determined by rule of the respective boards, has the~~  
 1065 ~~coursework, training, qualifications, and experience to evaluate~~  
 1066 ~~and treat sex offenders.~~

1067 Section 9. Subsection (6) of section 948.001, Florida  
 1068 Statutes, is amended to read:

1069 948.001 Definitions.--As used in this chapter, the term:

1070 (6) "Qualified practitioner" means a psychiatrist licensed  
 1071 under chapter 458 or chapter 459, a psychologist licensed under  
 1072 chapter 490, or a social worker, a mental health counselor, or a  
 1073 marriage and family therapist licensed under chapter 491 who  
 1074 practices in accordance with his or her respective practice act,  
 1075 ~~as determined by rule of the respective boards, has the~~  
 1076 ~~coursework, training, qualifications, and experience to evaluate~~  
 1077 ~~and treat sex offenders.~~

1078 Section 10. Subsection (6) of section 985.04, Florida  
 1079 Statutes, is amended to read:

1080 985.04 Oaths; records; confidential information.--

1081 (6) (a) Records maintained by the department, including  
 1082 copies of records maintained by the court, which pertain to a  
 1083 child found to have committed a delinquent act which, if  
 1084 committed by an adult, would be a crime specified in ss. 435.03  
 1085 and 435.04 may not be destroyed under this section for a period

1086 of 25 years after the youth's final referral to the department,  
 1087 except in cases of the death of the child. Such records,  
 1088 however, shall be sealed by the court for use only in meeting  
 1089 the screening requirements for personnel in s. 402.3055 and the  
 1090 other sections cited above, or under departmental rule; however,  
 1091 current criminal history information must be obtained from the  
 1092 Department of Law Enforcement in accordance with s. 943.053. The  
 1093 information shall be released to those persons specified in the  
 1094 above cited sections for the purposes of complying with those  
 1095 sections. The court may punish by contempt any person who  
 1096 releases or uses the records for any unauthorized purpose.

1097 (b) Sexual offender and predator registration information  
 1098 as required in ss. 775.21, 943.0435, 944.606, 944.607, 985.481,  
 1099 and 985.4815 is public record pursuant to s. 119.07(1), s.  
 1100 24(a), Art. I of the State Constitution, and as otherwise  
 1101 provided by law.

1102 Section 11. Subsection (2) of section 985.045, Florida  
 1103 Statutes, is amended to read:

1104 985.045 Court records.--

1105 (2) The clerk shall keep all official records required by  
 1106 this section separate from other records of the circuit court,  
 1107 except those records pertaining to motor vehicle violations,  
 1108 which shall be forwarded to the Department of Highway Safety and  
 1109 Motor Vehicles. Except as provided in ss. 943.053, 985.04(6)(b),  
 1110 and 985.04(7), official records required by this chapter are not  
 1111 open to inspection by the public, but may be inspected only upon  
 1112 order of the court by persons deemed by the court to have a  
 1113 proper interest therein, except that a child and the parents,



1114 guardians, or legal custodians of the child and their attorneys,  
 1115 law enforcement agencies, the Department of Juvenile Justice and  
 1116 its designees, the Parole Commission, the Department of  
 1117 Corrections, and the Justice Administrative Commission shall  
 1118 always have the right to inspect and copy any official record  
 1119 pertaining to the child. The court may permit authorized  
 1120 representatives of recognized organizations compiling statistics  
 1121 for proper purposes to inspect, and make abstracts from,  
 1122 official records under whatever conditions upon the use and  
 1123 disposition of such records the court may deem proper and may  
 1124 punish by contempt proceedings any violation of those  
 1125 conditions.

1126 Section 12. Section 985.481, Florida Statutes, is created  
 1127 to read:

1128 985.481 Sexual offenders adjudicated delinquent;  
 1129 notification upon release.--

1130 (1) As used in this section:

1131 (a) "Convicted" has the same meaning as provided in s.  
 1132 943.0435.

1133 (b) "Sexual offender" means a person who has been  
 1134 adjudicated delinquent as provided in s. 943.0435(1)(a)1.d.

1135 (2) The Legislature finds that certain juvenile sexual  
 1136 offenders pose a high risk of engaging in sexual offenses even  
 1137 after being released from commitment and that protection of the  
 1138 public from sexual offenders is a paramount governmental  
 1139 interest. Sexual offenders have a reduced expectation of privacy  
 1140 because of the public's interest in public safety and in the  
 1141 effective operation of government. Releasing sexual offender

1142 information to law enforcement agencies, to persons who request  
1143 such information, and to the public by a law enforcement agency  
1144 or public agency will further the governmental interests of  
1145 public safety.

1146 (3) (a) The department must provide information regarding  
1147 any sexual offender who is being released after serving a period  
1148 of residential commitment under the department for any offense,  
1149 as follows:

1150 1. The department must provide the sexual offender's name,  
1151 any change in the offender's name by reason of marriage or other  
1152 legal process, and any alias, if known; the correctional  
1153 facility from which the sexual offender is released; the sexual  
1154 offender's social security number, race, sex, date of birth,  
1155 height, weight, and hair and eye color; the date and county of  
1156 disposition and each crime for which there was a disposition; a  
1157 copy of the offender's fingerprints and a digitized photograph  
1158 taken within 60 days before release; the date of release of the  
1159 sexual offender; and the offender's intended residence address,  
1160 if known. The department shall notify the Department of Law  
1161 Enforcement if the sexual offender escapes, absconds, or dies.  
1162 If the sexual offender is in the custody of a private  
1163 correctional facility, the facility shall take the digitized  
1164 photograph of the sexual offender within 60 days before the  
1165 sexual offender's release and also place it in the sexual  
1166 offender's file. If the sexual offender is in the custody of a  
1167 local jail, the custodian of the local jail shall register the  
1168 offender within 3 business days after intake of the offender for  
1169 any reason and again upon release and notify the Department of

1170 Law Enforcement of the sexual offender's release and provide to  
1171 the Department of Law Enforcement the information specified in  
1172 this subparagraph and any information specified in subparagraph  
1173 2. that the Department of Law Enforcement requests.

1174 2. The department may provide any other information deemed  
1175 necessary, including criminal and delinquency records, when  
1176 available.

1177 (b) The department must provide the information described  
1178 in subparagraph (a)1. to the Department of Law Enforcement. No  
1179 later than November 1, 2007, all such information provided to  
1180 the Department of Law Enforcement must be available  
1181 electronically as soon as the information is in the agency's  
1182 database and must be in a format that is compatible with the  
1183 requirements of the Florida Crime Information Center.

1184 (c) Upon receiving information regarding a sexual offender  
1185 from the department, the Department of Law Enforcement, the  
1186 sheriff, or the chief of police shall provide the information  
1187 described in subparagraph (a)1. to any individual who requests  
1188 such information and may release the information to the public  
1189 in any manner deemed appropriate, unless the information so  
1190 received is confidential or exempt from s. 119.07(1) and s.  
1191 24(a), Art. I of the State Constitution.

1192 (4) This section authorizes the department or any law  
1193 enforcement agency to notify the community and the public of a  
1194 sexual offender's presence in the community. However, with  
1195 respect to a sexual offender who has been found to be a sexual  
1196 predator under chapter 775, the Department of Law Enforcement or  
1197 any other law enforcement agency must inform the community and

1198 the public of the sexual predator's presence in the community as  
 1199 provided in chapter 775.

1200 (5) An elected or appointed official, public employee,  
 1201 school administrator or employee, or agency, or any individual  
 1202 or entity acting at the request or upon the direction of any law  
 1203 enforcement agency, is immune from civil liability for damages  
 1204 resulting from the release of information under this section.

1205 Section 13. Section 985.4815, Florida Statutes, is created  
 1206 to read:

1207 985.4815 Notification to Department of Law Enforcement of  
 1208 information on juvenile sexual offenders.--

1209 (1) As used in this section, the term:

1210 (a) "Change in enrollment or employment status" means the  
 1211 commencement or termination of enrollment or employment or a  
 1212 change in location of enrollment or employment.

1213 (b) "Conviction" has the same meaning as provided in s.  
 1214 943.0435.

1215 (c) "Institution of higher education" means a career  
 1216 center, community college, college, state university, or  
 1217 independent postsecondary institution.

1218 (d) "Sexual offender" means a person who is in the care or  
 1219 custody or under the jurisdiction or supervision of the  
 1220 department or is in the custody of a private correctional  
 1221 facility and who:

1222 1. Has been adjudicated delinquent as provided in s.  
 1223 943.0435(1)(a)1.d.; or

1224 2. Establishes or maintains a residence in this state and  
 1225 has not been designated as a sexual predator by a court of this

1226 state but has been designated as a sexual predator, as a  
1227 sexually violent predator, or by another sexual offender  
1228 designation in another state or jurisdiction and was, as a  
1229 result of such designation, subjected to registration or  
1230 community or public notification, or both, or would be if the  
1231 person were a resident of that state or jurisdiction, without  
1232 regard to whether the person otherwise meets the criteria for  
1233 registration as a sexual offender.

1234 (2) The clerk of the court that adjudicated and entered a  
1235 disposition regarding the sexual offender for the offense or  
1236 offenses for which he or she was convicted shall forward to the  
1237 department and the Department of Law Enforcement a certified  
1238 copy of any order entered by the court imposing any special  
1239 condition or restriction on the sexual offender that restricts  
1240 or prohibits access to the victim, if the victim is a minor, or  
1241 to other minors. The Department of Law Enforcement may include  
1242 on its Internet website such special conditions or restrictions.

1243 (3) If a sexual offender is not sentenced to a term of  
1244 residential commitment, the clerk of the court shall ensure that  
1245 the sexual offender's fingerprints are taken and forwarded to  
1246 the Department of Law Enforcement within 48 hours after the  
1247 court sentences the offender. The fingerprint card shall be  
1248 clearly marked "Sexual Offender Registration Card."

1249 (4) A sexual offender, as described in this section, who  
1250 is under the supervision of the department but is not committed  
1251 must register with the department within 3 business days after  
1252 adjudication and disposition for a registerable offense and  
1253 otherwise provide information as required by this subsection.

1254 (a) The sexual offender shall provide his or her name;  
1255 date of birth; social security number; race; sex; height;  
1256 weight; hair and eye color; tattoos or other identifying marks;  
1257 and permanent or legal residence and address of temporary  
1258 residence within the state or out of state while the sexual  
1259 offender is in the care or custody or under the jurisdiction or  
1260 supervision of the department in this state, including any rural  
1261 route address or post office box, and the name and address of  
1262 each school attended. The department shall verify the address of  
1263 each sexual offender and shall report to the Department of Law  
1264 Enforcement any failure by a sexual offender to comply with  
1265 registration requirements.

1266 (b) If the sexual offender is enrolled, employed, or  
1267 carrying on a vocation at an institution of higher education in  
1268 this state, the sexual offender shall provide the name, address,  
1269 and county of each institution, including each campus attended,  
1270 and the sexual offender's enrollment or employment status. Each  
1271 change in enrollment or employment status shall be reported to  
1272 the department within 48 hours after the change in status. The  
1273 department shall promptly notify each institution of the sexual  
1274 offender's presence and any change in the sexual offender's  
1275 enrollment or employment status.

1276 (5) In addition to notification and transmittal  
1277 requirements imposed by any other provision of law, the  
1278 department shall compile information on any sexual offender and  
1279 provide the information to the Department of Law Enforcement. No  
1280 later than November 1, 2007, the information shall be made  
1281 available electronically to the Department of Law Enforcement as

1282 soon as this information is in the department's database and  
 1283 must be in a format that is compatible with the requirements of  
 1284 the Florida Crime Information Center.

1285 (6) (a) The information provided to the Department of Law  
 1286 Enforcement must include the following:

1287 1. The information obtained from the sexual offender under  
 1288 subsection (4).

1289 2. The sexual offender's most current address and place of  
 1290 permanent or temporary residence within the state or out of  
 1291 state while the sexual offender is in the care or custody or  
 1292 under the jurisdiction or supervision of the department in this  
 1293 state, including the name of the county or municipality in which  
 1294 the offender permanently or temporarily resides and, if known,  
 1295 the intended place of permanent or temporary residence upon  
 1296 satisfaction of all sanctions.

1297 3. The legal status of the sexual offender and the  
 1298 scheduled termination date of that legal status.

1299 4. The location of, and local telephone number for, any  
 1300 department office that is responsible for supervising the sexual  
 1301 offender.

1302 5. An indication of whether the victim of the offense that  
 1303 resulted in the offender's status as a sexual offender was a  
 1304 minor.

1305 6. The offense or offenses at adjudication and disposition  
 1306 that resulted in the determination of the offender's status as a  
 1307 sexual offender.

1308 7. A digitized photograph of the sexual offender, which  
 1309 must have been taken within 60 days before the offender was

1310 released from the custody of the department or a private  
1311 correctional facility by expiration of sentence under s. 944.275  
1312 or within 60 days after the onset of the department's  
1313 supervision of any sexual offender who is on probation,  
1314 postcommitment probation, residential commitment, nonresidential  
1315 commitment, licensed child-caring commitment, community control,  
1316 conditional release, parole, provisional release, or control  
1317 release or who is supervised by the department under the  
1318 Interstate Compact Agreement for Probationers and Parolees. If  
1319 the sexual offender is in the custody of a private correctional  
1320 facility, the facility shall take a digitized photograph of the  
1321 sexual offender within the time period provided in this  
1322 subparagraph and shall provide the photograph to the department.

1323 (b) If any information provided by the department changes  
1324 during the time the sexual offender is under the department's  
1325 care, control, custody, or supervision, including any change in  
1326 the offender's name by reason of marriage or other legal  
1327 process, the department shall, in a timely manner, update the  
1328 information and provide it to the Department of Law Enforcement  
1329 in the manner prescribed in subsection (5).

1330 (7) If the sexual offender is in the custody of a local  
1331 jail, the custodian of the local jail shall register the  
1332 offender within 3 business days after intake of the offender for  
1333 any reason and again upon release and forward the information to  
1334 the Department of Law Enforcement. The custodian of the local  
1335 jail shall also take a digitized photograph of the sexual  
1336 offender while the offender remains in custody and shall provide  
1337 the digitized photograph to the Department of Law Enforcement.



1338       (8) If the sexual offender is under federal supervision,  
1339 the federal agency responsible for supervising the sexual  
1340 offender may forward to the Department of Law Enforcement any  
1341 information regarding the sexual offender that is consistent  
1342 with the information provided by the department under this  
1343 section and may indicate whether use of the information is  
1344 restricted to law enforcement purposes only or may be used by  
1345 the Department of Law Enforcement for purposes of public  
1346 notification.

1347       (9) A sexual offender, as described in this section, who  
1348 is under the care, jurisdiction, or supervision of the  
1349 department but who is not incarcerated shall, in addition to the  
1350 registration requirements provided in subsection (4), register  
1351 in the manner provided in s. 943.0435(3), (4), and (5), unless  
1352 the sexual offender is a sexual predator, in which case he or  
1353 she shall register as required under s. 775.21. A sexual  
1354 offender who fails to comply with the requirements of s.  
1355 943.0435 is subject to the penalties provided in s. 943.0435(9).

1356       (10)(a) The failure of a sexual offender to submit to the  
1357 taking of a digitized photograph, or to otherwise comply with  
1358 the requirements of this section, is a felony of the third  
1359 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
1360 775.084.

1361       (b) A sexual offender who commits any act or omission in  
1362 violation of this section may be prosecuted for the act or  
1363 omission in the county in which the act or omission was  
1364 committed, the county of the last registered address of the  
1365 sexual offender, or the county in which the adjudication and

1366 disposition occurred for the offense or offenses that meet the  
1367 criteria for designating a person as a sexual offender.

1368 (c) An arrest on charges of failure to register when the  
1369 offender has been provided and advised of his or her statutory  
1370 obligations to register under s. 943.0435(2), the service of an  
1371 information or a complaint for a violation of this section, or  
1372 an arraignment on charges for a violation of this section  
1373 constitutes actual notice of the duty to register. A sexual  
1374 offender's failure to immediately register as required by this  
1375 section following such arrest, service, or arraignment  
1376 constitutes grounds for a subsequent charge of failure to  
1377 register. A sexual offender charged with the crime of failure to  
1378 register who asserts, or intends to assert, a lack of notice of  
1379 the duty to register as a defense to a charge of failure to  
1380 register shall immediately register as required by this section.  
1381 A sexual offender who is charged with a subsequent failure to  
1382 register may not assert the defense of a lack of notice of the  
1383 duty to register.

1384 (d) Registration following such arrest, service, or  
1385 arraignment is not a defense and does not relieve the sexual  
1386 offender of criminal liability for the failure to register.

1387 (11) The department, the Department of Highway Safety and  
1388 Motor Vehicles, the Department of Law Enforcement, the  
1389 Department of Corrections, personnel of those departments, and  
1390 any individual or entity acting at the request or upon the  
1391 direction of those departments are immune from civil liability  
1392 for damages for good faith compliance with this section and  
1393 shall be presumed to have acted in good faith in compiling,

1394 recording, reporting, or providing information. The presumption  
 1395 of good faith is not overcome if technical or clerical errors  
 1396 are made by the department, the Department of Highway Safety and  
 1397 Motor Vehicles, the Department of Law Enforcement, the  
 1398 Department of Corrections, personnel of those departments, or  
 1399 any individual or entity acting at the request or upon the  
 1400 direction of those departments in compiling, recording,  
 1401 reporting, or providing information, or, if the information is  
 1402 incomplete or incorrect because the information has not been  
 1403 provided by a person or agency required to provide it, was not  
 1404 reported, or was falsely reported.

1405 (12) Any person who has reason to believe that a sexual  
 1406 offender is not complying, or has not complied, with the  
 1407 requirements of this section and who, with the intent to assist  
 1408 the sexual offender in eluding a law enforcement agency that is  
 1409 seeking to find the sexual offender to question the sexual  
 1410 offender about, or to arrest the sexual offender for, his or her  
 1411 noncompliance with the requirements of this section:

1412 (a) Withholds information from, or does not notify, the  
 1413 law enforcement agency about the sexual offender's noncompliance  
 1414 with the requirements of this section and, if known, the  
 1415 whereabouts of the sexual offender;

1416 (b) Harbors, attempts to harbor, or assists another person  
 1417 in harboring or attempting to harbor the sexual offender;

1418 (c) Conceals, attempts to conceal, or assists another  
 1419 person in concealing or attempting to conceal the sexual  
 1420 offender; or

1421 (d) Provides information to the law enforcement agency  
 1422 regarding the sexual offender that the person knows to be false  
 1423  
 1424 commits a felony of the third degree, punishable as provided in  
 1425 s. 775.082, s. 775.083, or s. 775.084. This subsection does not  
 1426 apply if the sexual offender is incarcerated in or is in the  
 1427 custody of a state correctional facility, a private correctional  
 1428 facility, a local jail, or a federal correctional facility.

1429 (13) (a) A sexual offender must report in person each year  
 1430 during the month of the sexual offender's birthday and during  
 1431 every third month thereafter to the sheriff's office in the  
 1432 county in which he or she resides or is otherwise located to  
 1433 reregister.

1434 (b) The sheriff's office may determine the appropriate  
 1435 times and days for reporting by the sexual offender, which shall  
 1436 be consistent with the reporting requirements of this  
 1437 subsection. Reregistration shall include any changes to the  
 1438 following information:

1439 1. Name; social security number; age; race; sex; date of  
 1440 birth; height; weight; hair and eye color; address of any  
 1441 permanent residence and address of any current temporary  
 1442 residence, within the state or out of state, including a rural  
 1443 route address and a post office box; name and address of each  
 1444 school attended; date and place of any employment; vehicle make,  
 1445 model, color, and license tag number; fingerprints; and  
 1446 photograph. A post office box shall not be provided in lieu of a  
 1447 physical residential address.

1448        2. If the sexual offender is enrolled, employed, or  
1449 carrying on a vocation at an institution of higher education in  
1450 this state, the sexual offender shall also provide to the  
1451 department the name, address, and county of each institution,  
1452 including each campus attended, and the sexual offender's  
1453 enrollment or employment status.

1454        3. If the sexual offender's place of residence is a motor  
1455 vehicle, trailer, mobile home, or manufactured home, as defined  
1456 in chapter 320, the sexual offender shall also provide the  
1457 vehicle identification number; the license tag number; the  
1458 registration number; and a description, including color scheme,  
1459 of the motor vehicle, trailer, mobile home, or manufactured  
1460 home. If the sexual offender's place of residence is a vessel,  
1461 live-aboard vessel, or houseboat, as defined in chapter 327, the  
1462 sexual offender shall also provide the hull identification  
1463 number; the manufacturer's serial number; the name of the  
1464 vessel, live-aboard vessel, or houseboat; the registration  
1465 number; and a description, including color scheme, of the  
1466 vessel, live-aboard vessel, or houseboat.

1467        4. Any sexual offender who fails to report in person as  
1468 required at the sheriff's office, or who fails to respond to any  
1469 address verification correspondence from the department within 3  
1470 weeks after the date of the correspondence, commits a felony of  
1471 the third degree, punishable as provided in s. 775.082, s.  
1472 775.083, and s. 775.084.

1473        (c) The sheriff's office shall, within 2 working days,  
1474 electronically submit and update all information provided by the

1475 sexual offender to the Department of Law Enforcement in a manner  
 1476 prescribed by that department.

1477 Section 14. Paragraph (g) of subsection (3) of section  
 1478 921.0022, Florida Statutes, is amended to read:

1479 921.0022 Criminal Punishment Code; offense severity  
 1480 ranking chart.--

1481 (3) OFFENSE SEVERITY RANKING CHART

Florida	Felony	Description
Statute	Degree	

1482

(g) LEVEL 7

1483

316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
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1484

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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1485

316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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1487	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1488	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1489	409.920 (2)	3rd	Medicaid provider fraud.
1490	456.065 (2)	3rd	Practicing a health care profession without a license.
1491	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1492	458.327 (1)	3rd	Practicing medicine without a license.
1493	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1494	460.411 (1)	3rd	Practicing chiropractic medicine without a license.

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1495	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1496	462.17	3rd	Practicing naturopathy without a license.
1497	463.015 (1)	3rd	Practicing optometry without a license.
1498	464.016 (1)	3rd	Practicing nursing without a license.
1499	465.015 (2)	3rd	Practicing pharmacy without a license.
1500	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1501	467.201	3rd	Practicing midwifery without a license.
1502	468.366	3rd	Delivering respiratory care services without a license.
1503	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.



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1504	483.901 (9)	3rd	Practicing medical physics without a license.
1505	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1506	484.053	3rd	Dispensing hearing aids without a license.
1507	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1508	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
1509	560.125 (5) (a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
	655.50 (10) (b) 1.	3rd	Failure to report financial

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			transactions exceeding \$300 but less than \$20,000 by financial institution.
1510	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
1511	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
1512	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1513	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1514	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another

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1515			(manslaughter).
	782.071	2nd	Killing of human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1516			
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1517			
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1518			
	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1519			
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1520			
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1521			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1522			

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1523	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1524	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1525	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1526	784.081 (1)	1st	Aggravated battery on specified official or employee.
1527	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1528	784.083 (1)	1st	Aggravated battery on code inspector.
1529	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1530	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.

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1531	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1532	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1533	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1534	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1535	796.03	2nd	Procuring any person under 16 years for prostitution.
1536	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation;

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			victim 12 years of age or older but less than 16 years; offender 18 years or older.
1537	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1538	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1539	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1540	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1541	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
1542	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1543			

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1544	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1545	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1546	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1547	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1548	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1549	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1550	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1551	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.

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1552	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1553	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1554	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
1555	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1556	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
	837.05 (2)	3rd	Giving false information about



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1557			alleged capital felony to a law enforcement officer.
1558	838.015	2nd	Bribery.
1559	838.016	2nd	Unlawful compensation or reward for official behavior.
1560	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1561	838.22	2nd	Bid tampering.
1562	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1563	872.06	2nd	Abuse of a dead human body.
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or

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			publicly owned recreational facility or community center.
1564	893.13 (1) (e) 1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4., within 1,000 feet of property used for religious services or a specified business site.
1565	893.13 (4) (a)	1st	Deliver to minor cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).
1566	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1567	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1568	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14

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1569			grams.
	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1570			
	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1571			
	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1572			
	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1573			
	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1574			
	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1575			

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1576	893.135 (1) (k) 2. a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1577	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1578	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1579	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1580	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1581	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.

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1582	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1583	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1584	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1585	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1586	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1587	944.607 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.

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1588

985.4815(10)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

1589

985.4815(12)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1590

985.4815(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification.

1591

Section 15. This act shall take effect July 1, 2007.