

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Glorioso offered the following:

2
3 **Amendment (with directory and title amendments)**

4 Remove lines 332-438 and insert:

5 Section 6. Paragraph (b) of subsection (1) and subsection
6 (3) of section 948.30, Florida Statutes, are amended, to read:
7 948.30 Additional terms and conditions of probation or
8 community control for certain sex offenses.--Conditions imposed
9 pursuant to this section do not require oral pronouncement at
10 the time of sentencing and shall be considered standard
11 conditions of probation or community control for offenders
12 specified in this section.

13 (1) Effective for probationers or community controllees
14 whose crime was committed on or after October 1, 1995, and who
15 are placed under supervision for violation of chapter 794, s.
16 800.04, s. 827.071, or s. 847.0145, the court must impose the
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17 following conditions in addition to all other standard and
18 special conditions imposed:

19 (b)1. Except as provided in subparagraph 2., if the victim
20 was under the age of 18, a prohibition on living within 1,000
21 feet of a school, day care center, park, playground, or other
22 place where children regularly congregate, as prescribed by the
23 court. The 1,000-foot distance shall be measured in a straight
24 line from the offender's place of residence to the nearest
25 boundary line of the school, day care center, park, playground,
26 or other place where children regularly congregate. The distance
27 may not be measured by a pedestrian route or automobile route.

28 2. For a probationer or community controllee whose crime
29 was committed on or after October 1, 2008, if the victim was
30 under the age of 18, a prohibition on living within 1,500 feet
31 of a school, day care center, park, playground, or other place
32 where children regularly congregate, as prescribed by the court.
33 This distance shall be measured in a straight line from the
34 offender's place of residence to the nearest boundary line of
35 the school, day care center, park, playground, or other place
36 where children regularly congregate. The distance may not be
37 measured by a pedestrian route or automobile route.

38 (3) Effective for a probationer or community controllee
39 whose crime was committed on or after September 1, 2005, and
40 who:

41 (a) Is placed on probation or community control for a
42 violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071,
43 or s. 847.0145 and the unlawful sexual activity involved a

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44 victim under 16 ~~15~~ years of age ~~or younger~~ and the offender is
45 18 years of age or older;

46 (b) Is designated a sexual predator pursuant to s. 775.21;
47 or

48 (c) Has previously been convicted of a violation of
49 chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s.
50 847.0145 and the unlawful sexual activity involved a victim
51 under 16 ~~15~~ years of age ~~or younger~~ and the offender is 18 years
52 of age or older,

53
54 the court must order, in addition to any other provision of this
55 section, mandatory electronic monitoring as a condition of the
56 probation or community control supervision.

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58 ===== D I R E C T O R Y A M E N D M E N T =====

59 Remove lines 161-163 and insert:

60 Section 5. Paragraph (a) of subsection (7) of section
61 947.1405, Florida Statutes, is amended, to read:

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64 **T I T L E A M E N D M E N T**

65 Remove lines 15-22 and insert:

66 providing criminal penalties; amending s. 947.1405, F.S.;
67 providing additional conditional release restrictions for
68 certain offenders; amending s. 948.30, F.S.; revising provisions
69 relating to terms and conditions of probation or community
70 control for certain sex offenses; providing an effective date.

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