

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nelson offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 208 and 209, insert:

5 Section 6. Section 943.04355, Florida Statutes, is created  
6 to read:

7 943.04355 Dwelling rental or solicitation; sexual  
8 offenders and predators.--

9 (1) A landlord who knowingly solicits an individual who is  
10 registered as a sexual offender or a sexual predator to rent or  
11 lease a dwelling unit because of his or her status as a  
12 registered sexual offender or a sexual predator, shall, within 5  
13 days after the date the individual occupies the dwelling unit as  
14 a tenant, do all of the following:

15 (a) Conduct a search for the tenant's name in the sexual  
16 offender database.

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17 (b) Confirm that the address of the tenant identified as a  
18 sexual offender or sexual predator is correctly reflected on the  
19 sexual offender database.

20 (c) Notify the sheriff of the county in which the dwelling  
21 is located if the address of a tenant identified as a sexual  
22 offender or sexual predator is not correctly reflected on the  
23 sexual offender database.

24 (2) As used in this section, the term:

25 (a) "Dwelling unit," "landlord," "rent," and "tenant" have  
26 the same meanings as provided in s. 83.43.

27 (b) "Sexual offender" has the same meaning as provided in  
28 s. 943.0435.

29 (c) "Sexual offender database" means the database of  
30 registration information regarding sexual predators and sexual  
31 offenders maintained by the department under s. 943.043.

32 (d) "Sexual predator" has the same meaning as provided in  
33 s. 775.21.

34 (e) "Solicit" means to initiate contact with a sexual  
35 offender or sexual predator for the purpose of attempting to  
36 rent or lease a dwelling unit, where such sexual offender or  
37 sexual predator has expressed no previous interest in renting or  
38 leasing the dwelling unit.

39 (3) Any person who willfully violates this section is  
40 liable for a civil penalty that may not exceed \$10,000 for each  
41 violation. A civil penalty may be recovered in any action  
42 brought in the circuit court by the Attorney General to enforce  
43 this section. If a civil penalty is assessed against the  
44 landlord, the Attorney General is entitled to recover reasonable

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45 attorney's fees and costs. A civil penalty collected under this  
46 subsection shall accrue to the state and be deposited as  
47 received into the General Revenue Fund unallocated.  
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50 **T I T L E A M E N D M E N T**

51 Remove line 19 and insert:

52 criminal penalties; creating s. 943.04355, F.S.; requiring a  
53 landlord who knowingly solicits, rents, or leases a dwelling  
54 unit to a sexual offender or sexual predator to verify that  
55 individual's address; requiring that the landlord notify the  
56 sheriff in certain instances; providing definitions; providing  
57 that the Attorney General may enforce the stated obligations;  
58 providing that a circuit court may assess a civil penalty  
59 against a landlord who willfully violates the required  
60 obligations; limiting the amount of the civil penalty; providing  
61 that the Attorney General is entitled to reasonable attorney's  
62 fees and costs if a civil penalty is assessed; amending s.  
63 947.1405, F.S.; providing