

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Simmons offered the following:

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

4 Remove lines 58-438 and insert:

5 (10) PENALTIES.--

6 (b) A sexual predator who has been convicted of or found
7 to have committed, or has pled nolo contendere or guilty to,
8 regardless of adjudication, any violation, or attempted
9 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
10 the victim is a minor and the defendant is not the victim's
11 parent or guardian; s. 794.011(2), (3), (4), (5), or (8) s-
12 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
13 796.035; s. 800.04; s. 827.071; s. 847.0133; s. 847.0145; or s.
14 985.701(1); or a violation of a similar law of another
15 jurisdiction when the victim of the offense was a minor, and who
16 works, whether for compensation or as a volunteer, at any

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17 business where children regularly congregate, school, child care
18 facility ~~day care center~~, park as defined in s. 794.0701,
19 playground, or other place where children regularly congregate,
20 commits a felony of the third degree, punishable as provided in
21 s. 775.082, s. 775.083, or s. 775.084.

22 Section 2. Section 775.215, Florida Statutes, is created
23 to read:

24 775.215 Residency distance limitations for persons
25 convicted of certain sexual offenses; certain local ordinances
26 preempted and repealed.--The adoption of residency distance
27 limitations for persons convicted of sexual offenses, including,
28 but not limited to, violations of s. 787.01, s. 787.02, s.
29 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of
30 whether adjudication has been withheld, is expressly preempted
31 to the state. The provisions of ss. 794.065, 947.1405, and
32 948.30 establishing such distance limitations supersede the
33 distance limitations included in any such municipal or county
34 ordinances. Any such residency distance limitations adopted by a
35 county or municipality prior to October 1, 2008, are hereby
36 repealed and abolished as of October 1, 2008. However, the
37 governing body of a county operating under a home rule charter
38 adopted pursuant to s. 11, Art. VIII of the Constitution of
39 1885, as preserved by s. 6(e), Art. VIII of the State
40 Constitution, may, upon the recommendation of the chief law
41 enforcement officer of the county and a finding of public
42 necessity, adopt an ordinance after October 1, 2008, which
43 increases the distance limitations contained in s. 794.065 up to
44 a maximum distance of 1,750 feet.

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45 Section 3. Subsection (2) of section 775.24, Florida
46 Statutes, is amended to read:

47 775.24 Duty of the court to uphold laws governing sexual
48 predators and sexual offenders.--

49 (2) If a person meets the criteria in this chapter for
50 designation as a sexual predator or meets the criteria in s.
51 943.0435, s. 944.606, s. 944.607, or any other law for
52 classification as a sexual offender, the court may not enter an
53 order, for the purpose of approving a plea agreement or for any
54 other reason, which:

55 (a) Exempts a person who meets the criteria for
56 designation as a sexual predator or classification as a sexual
57 offender from such designation or classification, ~~or~~ exempts
58 such person from the requirements for registration or community
59 and public notification imposed upon sexual predators and sexual
60 offenders, exempts such person from the residency distance
61 limitations contained in ss. 794.065, 947.1405, and 948.30, or
62 exempts such person from the provisions of s. 794.0701;

63 (b) Restricts the compiling, reporting, or release of
64 public records information that relates to sexual predators or
65 sexual offenders; or

66 (c) Prevents any person or entity from performing its
67 duties or operating within its statutorily conferred authority
68 as such duty or authority relates to sexual predators or sexual
69 offenders.

70 Section 4. Section 794.065, Florida Statutes, is amended
71 to read:

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72 794.065 Unlawful place of residence for persons convicted
73 of certain sex offenses.--

74 (1) (a)1. It is unlawful for any person who has been
75 convicted of a violation of s. 794.011, s. 800.04, s. 827.071,
76 or s. 847.0145, regardless of whether adjudication has been
77 withheld, in which the victim of the offense was less than 16
78 years of age, to reside within 1,000 feet of any school, child
79 care facility ~~day care center~~, park as defined in s. 794.0701,
80 or playground.

81 2. A person who violates this subsection ~~section~~ and whose
82 conviction for an offense listed in subparagraph 1. ~~under s.~~
83 ~~794.011, s. 800.04, s. 827.071, or s. 847.0145~~ was classified
84 as:

85 a. A felony of the first degree or higher commits a felony
86 of the third degree, punishable as provided in s. 775.082 or s.
87 775.083. ~~A person who violates this section and whose conviction~~
88 ~~under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 was~~
89 ~~classified as~~

90 b. A felony of the second or third degree commits a
91 misdemeanor of the first degree, punishable as provided in s.
92 775.082 or s. 775.083.

93 (b)(2) This subsection ~~section~~ applies to any person
94 convicted of an offense listed in subparagraph (a)1. if the
95 offense occurred ~~a violation of s. 794.011, s. 800.04, s.~~
96 ~~827.071, or s. 847.0145 for offenses that occur~~ on or after
97 October 1, 2004.

98 (2) (a)1. Any person who has been convicted of a violation
99 of s. 787.01, s. 787.02, s. 794.011, s. 800.04, s. 827.071, or
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100 s. 847.0145, or a violation of a similar law of another
101 jurisdiction, committed on or after October 1, 2008, regardless
102 of whether adjudication has been withheld, in which the victim
103 of the offense was younger than 16 years of age, may not reside
104 within 1,500 feet of any school, child care facility, park as
105 defined in s. 794.0701, or playground. Any person who is subject
106 to subparagraph (1)(a)1. and who establishes a new residence
107 after October 1, 2008, is subject to the residency distance
108 limitation set forth in this subparagraph.

109 2. A person violating this subsection whose conviction of
110 an offense listed in subparagraph 1. was classified as:

111 a. A felony of the first degree or higher commits a felony
112 of the third degree, punishable as provided in s. 775.082 or s.
113 775.083.

114 b. A felony of the second or third degree commits a
115 misdemeanor of the first degree, punishable as provided in s.
116 775.082 or s. 775.083.

117 (b) The distances in this subsection shall be measured in
118 a straight line from the offender's place of residence to the
119 nearest boundary line of the school, child care facility, park
120 as defined in s. 794.0701, or playground.

121 Section 5. Section 794.0701, Florida Statutes, is created
122 to read:

123 794.0701 Loitering or prowling by persons convicted of
124 certain sex offenses.--

125 (1) Any person who:

126 (a) Has been convicted of a violation of s. 787.01, s.
127 787.02, s. 794.011, s. 800.04, s. 827.071, or s. 847.0145,
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128 regardless of whether adjudication has been withheld, in which
129 the victim of the offense was younger than 16 years of age; and

130 (b) Loiters or prowls as proscribed in s. 856.021 within
131 300 feet of a place where children regularly congregate,
132 including a school, designated public school bus stop, child
133 care facility, playground, or park as defined in s. 794.0701,

134
135 commits a misdemeanor of the first degree, punishable as
136 provided in s. 775.082 or s. 775.083.

137 (2) "Child care facility" has the same meaning as provided
138 in s. 402.302.

139 (3) "Park" means and includes all public and private
140 property specifically designated as being used for park and
141 recreational purposes and where children regularly congregate.

142 (4) "School" has the same meaning as provided in s.
143 1003.01 and includes a "private school" as defined in s.
144 1002.01, a "voluntary prekindergarten education program" as
145 described in s. 1002.53(3), a "public school" as described in s.
146 402.3025(1), the Florida School for the Deaf and the Blind, the
147 Florida Virtual School as established in s. 1002.37, and a K-8
148 Virtual School as established in s. 1002.415, excluding
149 facilities dedicated exclusively to the education of adults.

150 Section 6. Subsection (2) and paragraph (a) of subsection
151 (7) of section 947.1405, Florida Statutes, are amended, and
152 subsection (11) is added to that section, to read:

153 947.1405 Conditional release program.--

154 (2)(a) Any inmate who:

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155 1.(a) Is convicted of a crime committed on or after
156 October 1, 1988, and before January 1, 1994, ~~and any inmate who~~
157 is convicted of a crime committed on or after January 1, 1994,
158 which crime is or was contained in category 1, category 2,
159 category 3, or category 4 of Rule 3.701 and Rule 3.988, Florida
160 Rules of Criminal Procedure (1993), and who has served at least
161 one prior felony commitment at a state or federal correctional
162 institution;

163 2.(b) Is sentenced as a habitual or violent habitual
164 offender or a violent career criminal pursuant to s. 775.084; or

165 3.(e) Is found to be a sexual predator under s. 775.21 or
166 former s. 775.23,

167
168 shall, upon reaching the tentative release date or provisional
169 release date, whichever is earlier, as established by the
170 Department of Corrections, be released under supervision subject
171 to specified terms and conditions, including payment of the cost
172 of supervision pursuant to s. 948.09. Such supervision shall be
173 applicable to all sentences within the overall term of sentences
174 if an inmate's overall term of sentences includes one or more
175 sentences that are eligible for conditional release supervision
176 as provided herein.

177 (b) Effective July 1, 1994, and applicable for offenses
178 committed on or after that date, the commission may require, as
179 a condition of conditional release, that the releasee make
180 payment of the debt due and owing to a county or municipal
181 detention facility under s. 951.032 for medical care, treatment,
182 hospitalization, or transportation received by the releasee

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183 while in that detention facility. The commission, in determining
184 whether to order such repayment and the amount of such
185 repayment, shall consider the amount of the debt, whether there
186 was any fault of the institution for the medical expenses
187 incurred, the financial resources of the releasee, the present
188 and potential future financial needs and earning ability of the
189 releasee, and dependents, and other appropriate factors.

190 (c) If any inmate placed on conditional release
191 supervision is also subject to probation or community control,
192 resulting from a probationary or community control split
193 sentence within the overall term of sentences, the Department of
194 Corrections shall supervise such person according to the
195 conditions imposed by the court and the commission shall defer
196 to such supervision. If the court revokes probation or community
197 control and resentences the offender to a term of incarceration,
198 such revocation also constitutes a sufficient basis for the
199 revocation of the conditional release supervision on any
200 nonprobationary or noncommunity control sentence without further
201 hearing by the commission. If any such supervision on any
202 nonprobationary or noncommunity control sentence is revoked,
203 such revocation may result in a forfeiture of all gain-time, and
204 the commission may revoke the resulting deferred conditional
205 release supervision or take other action it considers
206 appropriate. If the term of conditional release supervision
207 exceeds that of the probation or community control, then, upon
208 expiration of the probation or community control, authority for
209 the supervision shall revert to the commission and the

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210 supervision shall be subject to the conditions imposed by the
211 commission.

212 (d) A panel of no fewer than two commissioners shall
213 establish the terms and conditions of any such release. If the
214 offense was a controlled substance violation, the conditions
215 shall include a requirement that the offender submit to random
216 substance abuse testing intermittently throughout the term of
217 conditional release supervision, upon the direction of the
218 correctional probation officer as defined in s. 943.10(3). The
219 commission shall also determine whether the terms and conditions
220 of such release have been violated and whether such violation
221 warrants revocation of the conditional release.

222 (7) (a) Any inmate who is convicted of a crime committed on
223 or after October 1, 1995, or who has been previously convicted
224 of a crime committed on or after October 1, 1995, in violation
225 of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and is
226 subject to conditional release supervision, shall have, in
227 addition to any other conditions imposed, the following special
228 conditions imposed by the commission:

229 1. A mandatory curfew from 10 p.m. to 6 a.m. The
230 commission may designate another 8-hour period if the offender's
231 employment precludes the above specified time, and such
232 alternative is recommended by the Department of Corrections. If
233 the commission determines that imposing a curfew would endanger
234 the victim, the commission may consider alternative sanctions.

235 2.a. If the victim was under the age of 18, a prohibition
236 on living within 1,000 feet of a school, child care facility ~~day~~
237 ~~care center~~, park as defined in s. 794.0701, playground,

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238 designated public school bus stop, or other place where children
239 regularly congregate. A releasee who is subject to this
240 subparagraph may not relocate to a residence that is within
241 1,000 feet of a public school bus stop.

242 b. Beginning October 1, 2004, the commission or the
243 department may not approve a residence that is located within
244 1,000 feet of a school, child care facility ~~day-care-center~~,
245 park as defined in s. 794.0701, playground, designated school
246 bus stop, or other place where children regularly congregate for
247 any releasee who is subject to this subparagraph. On October 1,
248 2004, the department shall notify each affected school district
249 of the location of the residence of a releasee 30 days prior to
250 release and thereafter, if the releasee relocates to a new
251 residence, shall notify any affected school district of the
252 residence of the releasee within 30 days after relocation. If,
253 on October 1, 2004, any public school bus stop is located within
254 1,000 feet of the existing residence of such releasee, the
255 district school board shall relocate that school bus stop.
256 Beginning October 1, 2004, a district school board may not
257 establish or relocate a public school bus stop within 1,000 feet
258 of the residence of a releasee who is subject to this
259 subparagraph. The failure of the district school board to comply
260 with this subparagraph shall not result in a violation of
261 conditional release supervision.

262 c. If the victim was under the age of 18, beginning
263 October 1, 2008, neither the commission nor the department may
264 approve a residence located within 1,000 feet of any designated
265 school bus stop or within 1,500 feet of a school, child care

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266 facility, park as defined in s. 794.0701, playground, or other
267 place where children regularly congregate for any releasee who
268 is subject to this subparagraph. The distance in this sub-
269 subparagraph shall be measured in a straight line from the
270 offender's place of residence to the nearest boundary line of
271 any designated school bus stop, school, child care facility,
272 park as defined in s. 794.0701, playground, or other place where
273 children regularly congregate. The distance may not be measured
274 by a pedestrian route or automobile route.

275 3. Active participation in and successful completion of a
276 sex offender treatment program with qualified practitioners
277 specifically trained to treat sex offenders, at the releasee's
278 own expense. If a qualified practitioner is not available within
279 a 50-mile radius of the releasee's residence, the offender shall
280 participate in other appropriate therapy.

281 4. A prohibition on any contact with the victim, directly
282 or indirectly, including through a third person, unless approved
283 by the victim, the offender's therapist, and the sentencing
284 court.

285 5. If the victim was under the age of 18, a prohibition
286 against contact with children under the age of 18 without review
287 and approval by the commission. The commission may approve
288 supervised contact with a child under the age of 18 if the
289 approval is based upon a recommendation for contact issued by a
290 qualified practitioner who is basing the recommendation on a
291 risk assessment. Further, the sex offender must be currently
292 enrolled in or have successfully completed a sex offender
293 therapy program. The commission may not grant supervised contact

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294 with a child if the contact is not recommended by a qualified
295 practitioner and may deny supervised contact with a child at any
296 time. When considering whether to approve supervised contact
297 with a child, the commission must review and consider the
298 following:

299 a. A risk assessment completed by a qualified
300 practitioner. The qualified practitioner must prepare a written
301 report that must include the findings of the assessment and
302 address each of the following components:

303 (I) The sex offender's current legal status;

304 (II) The sex offender's history of adult charges with
305 apparent sexual motivation;

306 (III) The sex offender's history of adult charges without
307 apparent sexual motivation;

308 (IV) The sex offender's history of juvenile charges,
309 whenever available;

310 (V) The sex offender's offender treatment history,
311 including a consultation from the sex offender's treating, or
312 most recent treating, therapist;

313 (VI) The sex offender's current mental status;

314 (VII) The sex offender's mental health and substance abuse
315 history as provided by the Department of Corrections;

316 (VIII) The sex offender's personal, social, educational,
317 and work history;

318 (IX) The results of current psychological testing of the
319 sex offender if determined necessary by the qualified
320 practitioner;

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321 (X) A description of the proposed contact, including the
322 location, frequency, duration, and supervisory arrangement;

323 (XI) The child's preference and relative comfort level
324 with the proposed contact, when age-appropriate;

325 (XII) The parent's or legal guardian's preference
326 regarding the proposed contact; and

327 (XIII) The qualified practitioner's opinion, along with
328 the basis for that opinion, as to whether the proposed contact
329 would likely pose significant risk of emotional or physical harm
330 to the child.

331

332 The written report of the assessment must be given to the
333 commission.

334 b. A recommendation made as a part of the risk-assessment
335 report as to whether supervised contact with the child should be
336 approved;

337 c. A written consent signed by the child's parent or legal
338 guardian, if the parent or legal guardian is not the sex
339 offender, agreeing to the sex offender having supervised contact
340 with the child after receiving full disclosure of the sex
341 offender's present legal status, past criminal history, and the
342 results of the risk assessment. The commission may not approve
343 contact with the child if the parent or legal guardian refuses
344 to give written consent for supervised contact;

345 d. A safety plan prepared by the qualified practitioner,
346 who provides treatment to the offender, in collaboration with
347 the sex offender, the child's parent or legal guardian, and the
348 child, when age appropriate, which details the acceptable

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349 conditions of contact between the sex offender and the child.

350 The safety plan must be reviewed and approved by the Department
351 of Corrections before being submitted to the commission; and

352 e. Evidence that the child's parent or legal guardian, if
353 the parent or legal guardian is not the sex offender,
354 understands the need for and agrees to the safety plan and has
355 agreed to provide, or to designate another adult to provide,
356 constant supervision any time the child is in contact with the
357 offender.

358
359 The commission may not appoint a person to conduct a risk
360 assessment and may not accept a risk assessment from a person
361 who has not demonstrated to the commission that he or she has
362 met the requirements of a qualified practitioner as defined in
363 this section.

364 6. If the victim was under age 18, a prohibition on
365 working for pay or as a volunteer at any school, child care
366 facility ~~day care center~~, park as defined in s. 794.0701,
367 playground, or other place where children regularly congregate,
368 as prescribed by the commission.

369 7. Unless otherwise indicated in the treatment plan
370 provided by the sexual offender treatment program, a prohibition
371 on viewing, owning, or possessing any obscene, pornographic, or
372 sexually stimulating visual or auditory material, including
373 telephone, electronic media, computer programs, or computer
374 services that are relevant to the offender's deviant behavior
375 pattern.

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376 8. Effective for a releasee whose crime is committed on or
377 after July 1, 2005, a prohibition on accessing the Internet or
378 other computer services until the offender's sex offender
379 treatment program, after a risk assessment is completed,
380 approves and implements a safety plan for the offender's
381 accessing or using the Internet or other computer services.

382 9. A requirement that the releasee must submit two
383 specimens of blood to the Florida Department of Law Enforcement
384 to be registered with the DNA database.

385 10. A requirement that the releasee make restitution to
386 the victim, as determined by the sentencing court or the
387 commission, for all necessary medical and related professional
388 services relating to physical, psychiatric, and psychological
389 care.

390 11. Submission to a warrantless search by the community
391 control or probation officer of the probationer's or community
392 controllee's person, residence, or vehicle.

393 Section 7. Subsection (4) of section 948.06, Florida
394 Statutes, is amended to read:

395 948.06 Violation of probation or community control;
396 revocation; modification; continuance; failure to pay
397 restitution or cost of supervision.--

398 (4) Notwithstanding any other provision of this section, a
399 felony probationer or an offender in community control who is
400 arrested for violating his or her probation or community control
401 in a material respect may be taken before the court in the
402 county or circuit in which the probationer or offender was
403 arrested. That court shall advise him or her of such ~~the~~ charge

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404 of a violation and, if such charge is admitted, shall cause him
405 or her to be brought before the court that granted the probation
406 or community control. If such ~~the~~ violation is not admitted by
407 the probationer or offender, the court may commit him or her or
408 release him or her with or without bail to await further
409 hearing. However, if the probationer or offender is under
410 supervision for any criminal offense proscribed in chapter 794,
411 s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a
412 registered sexual predator or a registered sexual offender, or
413 is under supervision for a criminal offense for which he or she
414 would meet the registration criteria in s. 775.21, s. 943.0435,
415 or s. 944.607 but for the effective date of those sections, the
416 court must make a finding that the probationer or offender poses
417 no is not a danger to the public prior to release with or
418 without bail. In determining whether the offender poses no
419 danger to the public ~~the danger posed by the offender's or~~
420 ~~probationer's release~~, the court may consider the nature and
421 circumstances of the violation and any new offenses charged; the
422 offender's or probationer's past and present conduct, including
423 convictions of crimes; any record of arrests without conviction
424 for crimes involving violence or sexual crimes; any other
425 evidence of allegations of unlawful sexual conduct or the use of
426 violence by the offender or probationer; the offender's or
427 probationer's family ties, length of residence in the community,
428 employment history, and mental condition; his or her history and
429 conduct during the probation or community control supervision
430 from which the violation arises and any other previous
431 supervisions, including disciplinary records of previous

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432 incarceration; the likelihood that the offender or probationer
433 will engage again in a criminal course of conduct; the weight of
434 the evidence against the offender or probationer; and any other
435 facts the court considers relevant. The court, as soon as is
436 practicable, shall give the probationer or offender an
437 opportunity to be fully heard on his or her behalf in person or
438 by counsel. After such ~~the~~ hearing, the court shall make
439 findings of fact and forward the findings to the court that
440 granted the probation or community control and to the
441 probationer or offender or his or her attorney. The findings of
442 fact by the hearing court are binding on the court that granted
443 the probation or community control. Upon the probationer or
444 offender being brought before it, the court that granted the
445 probation or community control may revoke, modify, or continue
446 the probation or community control or may place the probationer
447 into community control as provided in this section. However, the
448 probationer or offender shall not be released and shall not be
449 admitted to bail, but shall be brought before the court that
450 granted the probation or community control if any violation of
451 felony probation or community control other than a failure to
452 pay costs or fines or make restitution payments is alleged to
453 have been committed by:

454 (a) A violent felony offender of special concern, as
455 defined in this section;

456 (b) A person who is on felony probation or community
457 control for any offense committed on or after the effective date
458 of this act and who is arrested for a qualifying offense as
459 defined in this section; or

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460 (c) A person who is on felony probation or community
461 control and has previously been found by a court to be a
462 habitual violent felony offender as defined in s. 775.084(1)(b),
463 a three-time violent felony offender as defined in s.
464 775.084(1)(c), or a sexual predator under s. 775.21, and who is
465 arrested for committing a qualifying offense as defined in this
466 section on or after the effective date of this act.

467 Section 8. Paragraph (b) of subsection (1) and subsection
468 (3) of section 948.30, Florida Statutes, are amended, and
469 subsection (4) is added to that section, to read:

470 948.30 Additional terms and conditions of probation or
471 community control for certain sex offenses.--Conditions imposed
472 pursuant to this section do not require oral pronouncement at
473 the time of sentencing and shall be considered standard
474 conditions of probation or community control for offenders
475 specified in this section.

476 (1) Effective for probationers or community controllees
477 whose crime was committed on or after October 1, 1995, and who
478 are placed under supervision for violation of chapter 794, s.
479 800.04, s. 827.071, or s. 847.0145, the court must impose the
480 following conditions in addition to all other standard and
481 special conditions imposed:

482 (b)1. Except as provided in subparagraph 2., if the victim
483 was under the age of 18, a prohibition on living within 1,000
484 feet of a school, child care facility ~~day care center~~, park as
485 defined in s. 794.0701, playground, or other place where
486 children regularly congregate, as prescribed by the court. The
487 1,000-foot distance shall be measured in a straight line from

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488 the offender's place of residence to the nearest boundary line
489 of the school, child care facility ~~day care center~~, park as
490 defined in s. 794.0701, playground, or other place where
491 children regularly congregate. The distance may not be measured
492 by a pedestrian route or automobile route.

493 2. For a probationer or community controllee whose crime
494 was committed on or after October 1, 2008, if the victim was
495 younger than 18 years of age, a prohibition on living within
496 1,500 feet of a school, child care facility, park as defined in
497 s. 794.0701, playground, or other place where children regularly
498 congregate, as prescribed by the court. This distance shall be
499 measured in a straight line from the offender's place of
500 residence to the nearest boundary line of the school, child care
501 facility, park as defined in s. 794.0701, playground, or other
502 place where children regularly congregate. The distance may not
503 be measured by a pedestrian route or automobile route.

504 (3) Effective for a probationer or community controllee
505 whose crime was committed on or after September 1, 2005, and
506 who:

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

512 (b) Is designated a sexual predator pursuant to s. 775.21;
513 or

514 (c) Has previously been convicted of a violation of
515 chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s.
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516 847.0145 and the unlawful sexual activity involved a victim
517 younger than 16 ~~15~~ years of age ~~or younger~~ and the offender is
518 18 years of age or older,

519
520 the court must order, in addition to any other provision of this
521 section, mandatory electronic monitoring as a condition of the
522 probation or community control supervision.

523
524 -----

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

525 Remove lines 26-27 and insert:

526 Section 1. Paragraph (b) of subsection (3) and paragraph
527 (b) of subsection (10) of section 775.21, Florida Statutes, are
528 amended to read:

529
530
531 -----

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

532 Remove lines 3-22 and insert:

533 amending s. 775.21, F.S.; revising provisions relating to
534 reimbursement of specified costs by sexual predators;
535 providing criminal penalties; prohibiting sexual predators
536 from working at certain locations; providing criminal
537 penalties; creating s. 775.215, F.S.; specifying residency
538 distance limitations for persons convicted of certain
539 sexual offenses; preempting certain local ordinances and
540 providing for repeal of such ordinances; providing an
541 exception for charter counties; amending s. 775.24, F.S.;

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543
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544 uphold certain laws; amending s. 794.065, F.S.; providing
545 additional residency restrictions on certain offenders;
546 providing penalties; creating s. 794.0701, F.S.;
547 prohibiting loitering or prowling by persons convicted of
548 certain sex offenses; providing criminal penalties;
549 amending s. 947.1405, F.S.; providing additional
550 conditional release restrictions for certain offenders;
551 amending s. 948.06, F.S.; revising provisions relating to
552 release of probationers or offenders arrested for
553 violating their probation or community control in a
554 material respect; amending s. 948.30, F.S.; revising
555 provisions relating to terms and conditions of probation
556 or community control for certain sex offenses; providing
557 additional restrictions for certain probationers or
558 community controllees who committed sexual offenses with
559 minors under the age of 16; providing an effective date.