

1 A bill to be entitled
2 An act relating to sexual offenders and predators;
3 creating s. 856.022, F.S.; prohibiting loitering or
4 prowling by certain offenders within a specified distance
5 of places where children regularly congregate; providing
6 exceptions; providing penalties; amending s. 775.21, F.S.;
7 providing a definition; revising provisions relating to
8 reporting requirements for sexual predators in transient
9 status; amending s. 943.0435, F.S.; revising provisions
10 relating to reporting requirements for sexual offenders in
11 transient status; amending s. 943.04352, F.S.; requiring
12 search in an additional specified sex offender registry
13 for information regarding sexual predators and sexual
14 offenders when an offender is placed on misdemeanor
15 probation; amending s. 944.606, F.S.; revising address
16 reporting requirements for sexual offenders; amending s.
17 944.607, F.S.; requiring additional registration
18 information from sex offenders under the supervision of
19 the Department of Corrections but not incarcerated;
20 amending s. 947.1405, F.S.; revising provisions relating
21 to polygraph examinations of specified conditional
22 releasees who have committed specified sexual offenses;
23 providing additional restrictions for certain conditional
24 releasees who committed sexual offenses with minors under
25 the age of 16; amending s. 948.30, F.S.; revising
26 provisions relating to polygraph examinations of specified
27 probationers or community controllees who have committed
28 specified sexual offenses; providing additional

29 restrictions for certain probationers or community
 30 controllees who committed sexual offenses with minors
 31 under the age of 16; amending s. 948.31, F.S.; deleting a
 32 requirement for diagnosis of certain sexual predators and
 33 sexual offenders on community control; revising provisions
 34 relating to treatment for such offenders and predators;
 35 amending s. 985.481, F.S.; providing additional address
 36 reporting requirements for sexual offenders adjudicated
 37 delinquent; amending s. 985.4815, F.S.; providing
 38 transient and temporary residence reporting requirements
 39 for sexual offenders adjudicated delinquent; providing an
 40 effective date.

41

42 Be It Enacted by the Legislature of the State of Florida:

43

44 Section 1. Section 856.022, Florida Statutes, is created
 45 to read:

46 856.022 Loitering or prowling by certain offenders in
 47 close proximity to children; penalty.--

48 (1) As used in this section, the term "loiter or prowl"
 49 shall have the same meaning as in s. 856.021.

50 (2) This section applies to an offender convicted of
 51 committing, or attempting, soliciting, or conspiring to commit,
 52 any of the criminal offenses proscribed in the following
 53 statutes in this state or similar offenses in another
 54 jurisdiction:

55 (a) Section 787.01, s. 787.02, or s. 787.025(2)(c), where
 56 the victim is a minor and the offender was not the victim's

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57 parent or guardian; s. 794.011 , excluding s. 794.011(10); s.
58 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s.
59 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s.
60 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any
61 similar offense committed in this state that has been
62 redesignated from a former statute number to one of those listed
63 in this paragraph;

64 (b) The offender has not received a pardon for any felony
65 or similar law of another jurisdiction that is necessary for the
66 operation of this subsection; and

67 (c) A conviction of a felony or similar law of another
68 jurisdiction necessary to the operation of this subsection has
69 not been set aside in any postconviction proceeding.

70 (3) If an offender as provided in subsection (2) committed
71 one or more of his or her qualifying offenses against a victim
72 who was under the age of 18 at the time of the offense, it is
73 unlawful for the offender to:

74 (a) Loiter or prowl within 300 feet of a place where
75 children regularly congregate, including, but not limited to, a
76 school, day care center, playground, or park without a
77 justifiable reason or purpose;

78 (b) Knowingly approach, contact, or communicate with a
79 child under 18 years of age in any public park building or on
80 real property comprising any public park or playground unless
81 the offender is a parent or guardian of a person under 18 years
82 of age who is also present within close proximity in the
83 building or on the grounds; or

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84 (c)1.a. Knowingly be present in any child care facility or
85 pre-K through 12 school or on real property comprising any child
86 care facility or pre-K through 12 school unless the offender has
87 provided written notification of his or her intent to be present
88 to the school board, superintendent, principal, or child care
89 facility owner. The offender is responsible for notifying the
90 child care facility owner or the principal's office when he or
91 she arrives and departs the child care facility or school. If
92 the offender is to be present in the vicinity of children, the
93 offender has the duty to remain under direct supervision of a
94 child care facility or school official or designated chaperone.

95 b. The offender is not in violation of this section if:

96 (I) The child care facility or school is a voting location
97 and the offender is present for the purpose of voting during the
98 hours designated for voting; or

99 (II) The offender is only dropping off or picking up his
100 or her own children or grandchildren at the child care facility
101 or school.

102 2. As used in this paragraph, the term "school official"
103 means a principal, school resource officer, teacher, or any
104 other certified employee of the school, the superintendent of
105 schools, a member of the school board, a child care facility
106 owner, or a child care provider.

107 (4) Any person who violates this section commits a
108 misdemeanor of the first degree, punishable as provided in s.
109 775.082 or s. 775.083.

110 Section 2. Paragraph (g) of subsection (2), paragraph (c)
111 of subsection (4), paragraph (a) of subsection (5), paragraphs

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112 (a), (f), (g), (i), and (j) of subsection (6), paragraph (a) of
 113 subsection (7), and paragraph (a) of subsection (8) of section
 114 775.21, Florida Statutes, are amended, and paragraph (l) is
 115 added to subsection (2) of that section, to read:

116 775.21 The Florida Sexual Predators Act.--

117 (2) DEFINITIONS.--As used in this section, the term:

118 (g) "Temporary residence" means a place where the person
 119 abides, lodges, or resides, including, but not limited to,
 120 vacation, business, or personal travel destinations in or out of
 121 this state, for a period of 5 or more days in the aggregate
 122 during any calendar year and which is not the person's permanent
 123 address or, for a person whose permanent residence is not in
 124 this state, a place where the person is employed, practices a
 125 vocation, or is enrolled as a student for any period of time in
 126 this state.

127 (1) "Transient residence" means a place or county where a
 128 person lives, remains, or is located for a period of 5 or more
 129 days in the aggregate during a calendar year and which is not
 130 the person's permanent or temporary address. The term may
 131 include, but is not limited to, a place where the person sleeps
 132 or seeks shelter and a location that has no specific street
 133 address.

134 (4) SEXUAL PREDATOR CRITERIA.--

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

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

141 2. The offender was administratively registered as a
142 sexual predator because the Department of Corrections, the
143 department, or any other law enforcement agency obtained
144 information that indicated that the offender met the criteria
145 for designation as a sexual predator based on a violation of a
146 similar law in another jurisdiction,

147
148 the department shall remove that offender from the department's
149 list of sexual predators and, for an offender described under
150 subparagraph 1., shall notify the state attorney who prosecuted
151 the offense that met the criteria for administrative designation
152 as a sexual predator, and, for an offender described under this
153 paragraph, shall notify the state attorney of the county where
154 the offender establishes or maintains a permanent, ~~or~~ temporary,
155 or transient residence. The state attorney shall bring the
156 matter to the court's attention in order to establish that the
157 offender meets the criteria for designation as a sexual
158 predator. If the court makes a written finding that the offender
159 is a sexual predator, the offender must be designated as a
160 sexual predator, must register or be registered as a sexual
161 predator with the department as provided in subsection (6), and
162 is subject to the community and public notification as provided
163 in subsection (7). If the court does not make a written finding
164 that the offender is a sexual predator, the offender may not be
165 designated as a sexual predator with respect to that offense and

166 is not required to register or be registered as a sexual
 167 predator with the department.

168 (5) SEXUAL PREDATOR DESIGNATION.--An offender is
 169 designated as a sexual predator as follows:

170 (a)1. An offender who meets the sexual predator criteria
 171 described in paragraph (4)(d) is a sexual predator, and the
 172 court shall make a written finding at the time such offender is
 173 determined to be a sexually violent predator under chapter 394
 174 that such person meets the criteria for designation as a sexual
 175 predator for purposes of this section. The clerk shall transmit
 176 a copy of the order containing the written finding to the
 177 department within 48 hours after the entry of the order;

178 2. An offender who meets the sexual predator criteria
 179 described in paragraph (4)(a) who is before the court for
 180 sentencing for a current offense committed on or after October
 181 1, 1993, is a sexual predator, and the sentencing court must
 182 make a written finding at the time of sentencing that the
 183 offender is a sexual predator, and the clerk of the court shall
 184 transmit a copy of the order containing the written finding to
 185 the department within 48 hours after the entry of the order; or

186 3. If the Department of Corrections, the department, or
 187 any other law enforcement agency obtains information which
 188 indicates that an offender who establishes or maintains a
 189 permanent, ~~or~~ temporary, or transient residence in this state
 190 meets the sexual predator criteria described in paragraph (4)(a)
 191 or paragraph (4)(d) because the offender was civilly committed
 192 or committed a similar violation in another jurisdiction on or
 193 after October 1, 1993, the Department of Corrections, the

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194 department, or the law enforcement agency shall notify the state
195 attorney of the county where the offender establishes or
196 maintains a permanent, ~~or~~ temporary, or transient residence of
197 the offender's presence in the community. The state attorney
198 shall file a petition with the criminal division of the circuit
199 court for the purpose of holding a hearing to determine if the
200 offender's criminal record or record of civil commitment from
201 another jurisdiction meets the sexual predator criteria. If the
202 court finds that the offender meets the sexual predator criteria
203 because the offender has violated a similar law or similar laws
204 in another jurisdiction, the court shall make a written finding
205 that the offender is a sexual predator.

206
207 When the court makes a written finding that an offender is a
208 sexual predator, the court shall inform the sexual predator of
209 the registration and community and public notification
210 requirements described in this section. Within 48 hours after
211 the court designating an offender as a sexual predator, the
212 clerk of the circuit court shall transmit a copy of the court's
213 written sexual predator finding to the department. If the
214 offender is sentenced to a term of imprisonment or supervision,
215 a copy of the court's written sexual predator finding must be
216 submitted to the Department of Corrections.

217 (6) REGISTRATION.--

218 (a) A sexual predator must register with the department
219 through the sheriff's office by providing the following
220 information to the department:

221 1. Name, social security number, age, race, sex, date of
 222 birth, height, weight, hair and eye color, photograph, address
 223 of legal residence and address of any current temporary
 224 residence, within the state or out of state, including a rural
 225 route address and a post office box, if no permanent or
 226 temporary address, any transient residence within the state,
 227 address, location, or description and dates of any current or
 228 known future temporary residence within the state or out of
 229 state, any electronic mail address and any instant message name
 230 required to be provided pursuant to subparagraph (g)4., date and
 231 place of any employment, date and place of each conviction,
 232 fingerprints, and a brief description of the crime or crimes
 233 committed by the offender. A post office box shall not be
 234 provided in lieu of a physical residential address.

235 a. If the sexual predator's place of residence is a motor
 236 vehicle, trailer, mobile home, or manufactured home, as defined
 237 in chapter 320, the sexual predator shall also provide to the
 238 department written notice of the vehicle identification number;
 239 the license tag number; the registration number; and a
 240 description, including color scheme, of the motor vehicle,
 241 trailer, mobile home, or manufactured home. If a sexual
 242 predator's place of residence is a vessel, live-aboard vessel,
 243 or houseboat, as defined in chapter 327, the sexual predator
 244 shall also provide to the department written notice of the hull
 245 identification number; the manufacturer's serial number; the
 246 name of the vessel, live-aboard vessel, or houseboat; the
 247 registration number; and a description, including color scheme,
 248 of the vessel, live-aboard vessel, or houseboat.

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249 b. If the sexual predator is enrolled, employed, or
250 carrying on a vocation at an institution of higher education in
251 this state, the sexual predator shall also provide to the
252 department the name, address, and county of each institution,
253 including each campus attended, and the sexual predator's
254 enrollment or employment status. Each change in enrollment or
255 employment status shall be reported in person at the sheriff's
256 office, or the Department of Corrections if the sexual predator
257 is in the custody or control of or under the supervision of the
258 Department of Corrections, within 48 hours after any change in
259 status. The sheriff or the Department of Corrections shall
260 promptly notify each institution of the sexual predator's
261 presence and any change in the sexual predator's enrollment or
262 employment status.

263 2. Any other information determined necessary by the
264 department, including criminal and corrections records;
265 nonprivileged personnel and treatment records; and evidentiary
266 genetic markers when available.

267 (f) Within 48 hours after the registration required under
268 paragraph (a) or paragraph (e), a sexual predator who is not
269 incarcerated and who resides in the community, including a
270 sexual predator under the supervision of the Department of
271 Corrections, shall register in person at a driver's license
272 office of the Department of Highway Safety and Motor Vehicles
273 and shall present proof of registration. At the driver's license
274 office the sexual predator shall:

275 1. If otherwise qualified, secure a Florida driver's
276 license, renew a Florida driver's license, or secure an

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277 identification card. The sexual predator shall identify himself
278 or herself as a sexual predator who is required to comply with
279 this section, provide his or her place of permanent, ~~or~~
280 temporary, or transient residence, including a rural route
281 address and a post office box, and submit to the taking of a
282 photograph for use in issuing a driver's license, renewed
283 license, or identification card, and for use by the department
284 in maintaining current records of sexual predators. A post
285 office box shall not be provided in lieu of a physical
286 residential address. If the sexual predator's place of residence
287 is a motor vehicle, trailer, mobile home, or manufactured home,
288 as defined in chapter 320, the sexual predator shall also
289 provide to the Department of Highway Safety and Motor Vehicles
290 the vehicle identification number; the license tag number; the
291 registration number; and a description, including color scheme,
292 of the motor vehicle, trailer, mobile home, or manufactured
293 home. If a sexual predator's place of residence is a vessel,
294 live-aboard vessel, or houseboat, as defined in chapter 327, the
295 sexual predator shall also provide to the Department of Highway
296 Safety and Motor Vehicles the hull identification number; the
297 manufacturer's serial number; the name of the vessel, live-
298 aboard vessel, or houseboat; the registration number; and a
299 description, including color scheme, of the vessel, live-aboard
300 vessel, or houseboat.

301 2. Pay the costs assessed by the Department of Highway
302 Safety and Motor Vehicles for issuing or renewing a driver's
303 license or identification card as required by this section. The

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304 driver's license or identification card issued to the sexual
305 predator must be in compliance with s. 322.141(3).

306 3. Provide, upon request, any additional information
307 necessary to confirm the identity of the sexual predator,
308 including a set of fingerprints.

309 (g)1. Each time a sexual predator's driver's license or
310 identification card is subject to renewal, and, without regard
311 to the status of the predator's driver's license or
312 identification card, within 48 hours after any change of the
313 predator's residence or change in the predator's name by reason
314 of marriage or other legal process, the predator shall report in
315 person to a driver's license office and shall be subject to the
316 requirements specified in paragraph (f). The Department of
317 Highway Safety and Motor Vehicles shall forward to the
318 department and to the Department of Corrections all photographs
319 and information provided by sexual predators. Notwithstanding
320 the restrictions set forth in s. 322.142, the Department of
321 Highway Safety and Motor Vehicles is authorized to release a
322 reproduction of a color-photograph or digital-image license to
323 the Department of Law Enforcement for purposes of public
324 notification of sexual predators as provided in this section.

325 2. A sexual predator who vacates a permanent or temporary
326 residence and fails to establish or maintain another permanent
327 or temporary residence shall, within 48 hours after vacating the
328 permanent or temporary residence, report in person to the
329 sheriff's office of the county in which he or she is located.
330 The sexual predator shall specify the date upon which he or she
331 intends to or did vacate such residence. The sexual predator

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332 must provide or update all of the registration information
333 required under paragraph (a). The sexual predator must provide
334 an address for the residence or other place ~~location~~ that he or
335 she is or will be located ~~occupying~~ during the time in which he
336 or she fails to establish or maintain a permanent or temporary
337 residence.

338 3. A sexual predator who remains at a permanent or
339 temporary residence after reporting his or her intent to vacate
340 such residence shall, within 48 hours after the date upon which
341 the predator indicated he or she would or did vacate such
342 residence, report in person to the sheriff's office to which he
343 or she reported pursuant to subparagraph 2. for the purpose of
344 reporting his or her address at such residence. When the sheriff
345 receives the report, the sheriff shall promptly convey the
346 information to the department. An offender who makes a report as
347 required under subparagraph 2. but fails to make a report as
348 required under this subparagraph commits a felony of the second
349 degree, punishable as provided in s. 775.082, s. 775.083, or s.
350 775.084.

351 4. A sexual predator must register any electronic mail
352 address or instant message name with the department prior to
353 using such electronic mail address or instant message name on or
354 after October 1, 2007. The department shall establish an online
355 system through which sexual predators may securely access and
356 update all electronic mail address and instant message name
357 information.

358 (i) A sexual predator who intends to establish a
359 temporary, permanent, or transient residence in another state or

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360 jurisdiction other than the State of Florida shall report in
361 person to the sheriff of the county of current residence within
362 48 hours before the date he or she intends to leave this state
363 to establish residence in another state or jurisdiction. The
364 sexual predator must provide to the sheriff the address,
365 municipality, county, and state of intended residence. The
366 sheriff shall promptly provide to the department the information
367 received from the sexual predator. The department shall notify
368 the statewide law enforcement agency, or a comparable agency, in
369 the intended state or jurisdiction of residence of the sexual
370 predator's intended residence. The failure of a sexual predator
371 to provide his or her intended place of residence is punishable
372 as provided in subsection (10).

373 (j) A sexual predator who indicates his or her intent to
374 reside or establish a temporary or transient residence in
375 another state or jurisdiction other than the State of Florida
376 and later decides to remain in this state shall, within 48 hours
377 after the date upon which the sexual predator indicated he or
378 she would leave this state, report in person to the sheriff to
379 which the sexual predator reported the intended change of
380 residence, and report his or her intent to remain in this state.
381 If the sheriff is notified by the sexual predator that he or she
382 intends to remain in this state, the sheriff shall promptly
383 report this information to the department. A sexual predator who
384 reports his or her intent to reside or establish a temporary or
385 transient residence in another state or jurisdiction, but who
386 remains in this state without reporting to the sheriff in the
387 manner required by this paragraph, commits a felony of the

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388 second degree, punishable as provided in s. 775.082, s. 775.083,
 389 or s. 775.084.

390 (7) COMMUNITY AND PUBLIC NOTIFICATION.--

391 (a) Law enforcement agencies must inform members of the
 392 community and the public of a sexual predator's presence. Upon
 393 notification of the presence of a sexual predator, the sheriff
 394 of the county or the chief of police of the municipality where
 395 the sexual predator establishes or maintains a permanent or
 396 temporary residence shall notify members of the community and
 397 the public of the presence of the sexual predator in a manner
 398 deemed appropriate by the sheriff or the chief of police. Within
 399 48 hours after receiving notification of the presence of a
 400 sexual predator, the sheriff of the county or the chief of
 401 police of the municipality where the sexual predator temporarily
 402 or permanently resides shall notify each licensed day care
 403 center, elementary school, middle school, and high school within
 404 a 1-mile radius of the temporary or permanent residence of the
 405 sexual predator of the presence of the sexual predator.

406 Information provided to members of the community and the public
 407 regarding a sexual predator must include:

- 408 1. The name of the sexual predator;
- 409 2. A description of the sexual predator, including a
 410 photograph;
- 411 3. The sexual predator's current permanent, temporary, and
 412 transient addresses, and descriptions of registered locations
 413 that have no specific street address, including the name of the
 414 county or municipality if known;

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415 4. The circumstances of the sexual predator's offense or
416 offenses; and

417 5. Whether the victim of the sexual predator's offense or
418 offenses was, at the time of the offense, a minor or an adult.

419

420 This paragraph does not authorize the release of the name of any
421 victim of the sexual predator.

422 (8) VERIFICATION.--The department and the Department of
423 Corrections shall implement a system for verifying the addresses
424 of sexual predators. The system must be consistent with the
425 provisions of the federal Adam Walsh Child Protection and Safety
426 Act of 2006 and any other federal standards applicable to such
427 verification or required to be met as a condition for the
428 receipt of federal funds by the state. The Department of
429 Corrections shall verify the addresses of sexual predators who
430 are not incarcerated but who reside in the community under the
431 supervision of the Department of Corrections and shall report to
432 the department any failure by a sexual predator to comply with
433 registration requirements. County and local law enforcement
434 agencies, in conjunction with the department, shall verify the
435 addresses of sexual predators who are not under the care,
436 custody, control, or supervision of the Department of
437 Corrections. Local law enforcement agencies shall report to the
438 department any failure by a sexual predator to comply with
439 registration requirements.

440 (a) A sexual predator must report in person each year
441 during the month of the sexual predator's birthday and during
442 every third month thereafter to the sheriff's office in the

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443 county in which he or she resides or is otherwise located to
444 reregister. The sheriff's office may determine the appropriate
445 times and days for reporting by the sexual predator, which shall
446 be consistent with the reporting requirements of this paragraph.
447 Reregistration shall include any changes to the following
448 information:

449 1. Name; social security number; age; race; sex; date of
450 birth; height; weight; hair and eye color; address of any
451 permanent residence and address of any current temporary
452 residence, within the state or out of state, including a rural
453 route address and a post office box; if no permanent or
454 temporary address, any transient residence within the state;
455 address, location, or description and dates of any current or
456 known future temporary residence within the state or out of
457 state; any electronic mail address and any instant message name
458 required to be provided pursuant to subparagraph (6)(g)4.; date
459 and place of any employment; vehicle make, model, color, and
460 license tag number; fingerprints; and photograph. A post office
461 box shall not be provided in lieu of a physical residential
462 address.

463 2. If the sexual predator is enrolled, employed, or
464 carrying on a vocation at an institution of higher education in
465 this state, the sexual predator shall also provide to the
466 department the name, address, and county of each institution,
467 including each campus attended, and the sexual predator's
468 enrollment or employment status.

469 3. If the sexual predator's place of residence is a motor
470 vehicle, trailer, mobile home, or manufactured home, as defined

471 in chapter 320, the sexual predator shall also provide the
 472 vehicle identification number; the license tag number; the
 473 registration number; and a description, including color scheme,
 474 of the motor vehicle, trailer, mobile home, or manufactured
 475 home. If the sexual predator's place of residence is a vessel,
 476 live-aboard vessel, or houseboat, as defined in chapter 327, the
 477 sexual predator shall also provide the hull identification
 478 number; the manufacturer's serial number; the name of the
 479 vessel, live-aboard vessel, or houseboat; the registration
 480 number; and a description, including color scheme, of the
 481 vessel, live-aboard vessel, or houseboat.

482 Section 3. Paragraph (c) of subsection (1), paragraphs (a)
 483 and (b) of subsection (2), paragraphs (a), (b), and (c) of
 484 subsection (4), subsections (7), (8), and (10), and paragraph
 485 (c) of subsection (14) of section 943.0435, Florida Statutes,
 486 are amended to read:

487 943.0435 Sexual offenders required to register with the
 488 department; penalty.--

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

490 (c) "Permanent residence," ~~and~~ "temporary residence," and
 491 "transient residence" have the same meaning ascribed in s.

492 775.21.

493 (2) A sexual offender shall:

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

495 1. In the county in which the offender establishes or
 496 maintains a permanent, ~~or~~ temporary, or transient residence
 497 within 48 hours after:

498 a. Establishing permanent or temporary residence in this
 499 state or attaining transient status; or

500 b. Being released from the custody, control, or
 501 supervision of the Department of Corrections or from the custody
 502 of a private correctional facility; or

503 2. In the county where he or she was convicted within 48
 504 hours after being convicted for a qualifying offense for
 505 registration under this section if the offender is not in the
 506 custody or control of, or under the supervision of, the
 507 Department of Corrections, or is not in the custody of a private
 508 correctional facility.

509
 510 Any change in the information required to be provided pursuant
 511 to paragraph (b), including, but not limited to, any change in
 512 the sexual offender's permanent, ~~or~~ temporary, or transient
 513 residence, name, any electronic mail address, and any instant
 514 message name required to be provided pursuant to paragraph
 515 (4) (d), after the sexual offender reports in person at the
 516 sheriff's office, shall be accomplished in the manner provided
 517 in subsections (4), (7), and (8).

518
 519 When a sexual offender reports at the sheriff's office, the
 520 sheriff shall take a photograph and a set of fingerprints of the
 521 offender and forward the photographs and fingerprints to the
 522 department, along with the information provided by the sexual
 523 offender. The sheriff shall promptly provide to the department
 524 the information received from the sexual offender.

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525 (b) Provide his or her name, date of birth, social
526 security number, race, sex, height, weight, hair and eye color,
527 tattoos or other identifying marks, occupation and place of
528 employment, address of permanent or legal residence or address
529 of any current temporary residence, within the state and out of
530 state, including a rural route address and a post office box, if
531 no permanent or temporary address, any transient residence
532 within the state, address, location, or description and dates of
533 any current or known future temporary residence within the state
534 or out of state, any electronic mail address and any instant
535 message name required to be provided pursuant to paragraph
536 (4) (d), date and place of each conviction, and a brief
537 description of the crime or crimes committed by the offender. A
538 post office box shall not be provided in lieu of a physical
539 residential address.

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

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552 houseboat; the registration number; and a description, including
553 color scheme, of the vessel, live-aboard vessel, or houseboat.

554 2. If the sexual offender is enrolled, employed, or
555 carrying on a vocation at an institution of higher education in
556 this state, the sexual offender shall also provide to the
557 department through the sheriff's office the name, address, and
558 county of each institution, including each campus attended, and
559 the sexual offender's enrollment or employment status. Each
560 change in enrollment or employment status shall be reported in
561 person at the sheriff's office, within 48 hours after any change
562 in status. The sheriff shall promptly notify each institution of
563 the sexual offender's presence and any change in the sexual
564 offender's enrollment or employment status.

565 (4) (a) Each time a sexual offender's driver's license or
566 identification card is subject to renewal, and, without regard
567 to the status of the offender's driver's license or
568 identification card, within 48 hours after any change in the
569 offender's permanent, ~~or~~ temporary, or transient residence or
570 change in the offender's name by reason of marriage or other
571 legal process, the offender shall report in person to a driver's
572 license office, and shall be subject to the requirements
573 specified in subsection (3). The Department of Highway Safety
574 and Motor Vehicles shall forward to the department all
575 photographs and information provided by sexual offenders.
576 Notwithstanding the restrictions set forth in s. 322.142, the
577 Department of Highway Safety and Motor Vehicles is authorized to
578 release a reproduction of a color-photograph or digital-image
579 license to the Department of Law Enforcement for purposes of

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580 public notification of sexual offenders as provided in this
581 section and ss. 943.043 and 944.606.

582 (b) A sexual offender who vacates a permanent or temporary
583 residence and fails to establish or maintain another permanent
584 or temporary residence shall, within 48 hours after vacating the
585 permanent residence, report in person to the sheriff's office of
586 the county in which he or she is located. The sexual offender
587 shall specify the date upon which he or she intends to or did
588 vacate such residence. The sexual offender must provide or
589 update all of the registration information required under
590 paragraph (2)(b). The sexual offender must provide an address
591 for the residence or other place ~~location~~ that he or she is or
592 will be located ~~occupying~~ during the time in which he or she
593 fails to establish or maintain a permanent or temporary
594 residence.

595 (c) A sexual offender who remains at a permanent or
596 temporary residence after reporting his or her intent to vacate
597 such residence shall, within 48 hours after the date upon which
598 the offender indicated he or she would or did vacate such
599 residence, report in person to the agency to which he or she
600 reported pursuant to paragraph (b) for the purpose of reporting
601 his or her address at such residence. When the sheriff receives
602 the report, the sheriff shall promptly convey the information to
603 the department. An offender who makes a report as required under
604 paragraph (b) but fails to make a report as required under this
605 paragraph commits a felony of the second degree, punishable as
606 provided in s. 775.082, s. 775.083, or s. 775.084.

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607 (7) A sexual offender who intends to establish temporary,
608 permanent, or transient residence in another state or
609 jurisdiction other than the State of Florida shall report in
610 person to the sheriff of the county of current residence within
611 48 hours before the date he or she intends to leave this state
612 to establish residence in another state or jurisdiction. The
613 notification must include the address, municipality, county, and
614 state of intended residence. The sheriff shall promptly provide
615 to the department the information received from the sexual
616 offender. The department shall notify the statewide law
617 enforcement agency, or a comparable agency, in the intended
618 state or jurisdiction of residence of the sexual offender's
619 intended residence. The failure of a sexual offender to provide
620 his or her intended place of residence is punishable as provided
621 in subsection (9).

622 (8) A sexual offender who indicates his or her intent to
623 reside or establish a temporary or transient residence in
624 another state or jurisdiction other than the State of Florida
625 and later decides to remain in this state shall, within 48 hours
626 after the date upon which the sexual offender indicated he or
627 she would leave this state, report in person to the sheriff to
628 which the sexual offender reported the intended change of
629 temporary or transient residence, and report his or her intent
630 to remain in this state. The sheriff shall promptly report this
631 information to the department. A sexual offender who reports his
632 or her intent to reside or establish a temporary or transient
633 residence in another state or jurisdiction but who remains in
634 this state without reporting to the sheriff in the manner

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635 required by this subsection commits a felony of the second
 636 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 637 775.084.

638 (10) The department, the Department of Highway Safety and
 639 Motor Vehicles, the Department of Corrections, the Department of
 640 Juvenile Justice, any law enforcement agency in this state, and
 641 the personnel of those departments; an elected or appointed
 642 official, public employee, or school administrator; or an
 643 employee, agency, or any individual or entity acting at the
 644 request or upon the direction of any law enforcement agency is
 645 immune from civil liability for damages for good faith
 646 compliance with the requirements of this section or for the
 647 release of information under this section, and shall be presumed
 648 to have acted in good faith in compiling, recording, reporting,
 649 or releasing the information. The presumption of good faith is
 650 not overcome if a technical or clerical error is made by the
 651 department, the Department of Highway Safety and Motor Vehicles,
 652 the Department of Corrections, the Department of Juvenile
 653 Justice, the personnel of those departments, or any individual
 654 or entity acting at the request or upon the direction of any of
 655 those departments in compiling or providing information, or if
 656 information is incomplete or incorrect because a sexual offender
 657 fails to report or falsely reports his or her current place of
 658 permanent, ~~or~~ temporary, or transient residence.

659 (14)

660 (c) The sheriff's office may determine the appropriate
 661 times and days for reporting by the sexual offender, which shall
 662 be consistent with the reporting requirements of this

663 subsection. Reregistration shall include any changes to the
664 following information:

665 1. Name; social security number; age; race; sex; date of
666 birth; height; weight; hair and eye color; address of any
667 permanent residence and address of any current temporary
668 residence, within the state or out of state, including a rural
669 route address and a post office box; if no permanent or
670 temporary address, any transient residence within the state;
671 address, location, or description and dates of any current or
672 known future temporary residence within the state or out of
673 state; any electronic mail address and any instant message name
674 required to be provided pursuant to paragraph (4) (d); date and
675 place of any employment; vehicle make, model, color, and license
676 tag number; fingerprints; and photograph. A post office box
677 shall not be provided in lieu of a physical residential address.

678 2. If the sexual offender is enrolled, employed, or
679 carrying on a vocation at an institution of higher education in
680 this state, the sexual offender shall also provide to the
681 department the name, address, and county of each institution,
682 including each campus attended, and the sexual offender's
683 enrollment or employment status.

684 3. If the sexual offender's place of residence is a motor
685 vehicle, trailer, mobile home, or manufactured home, as defined
686 in chapter 320, the sexual offender shall also provide the
687 vehicle identification number; the license tag number; the
688 registration number; and a description, including color scheme,
689 of the motor vehicle, trailer, mobile home, or manufactured
690 home. If the sexual offender's place of residence is a vessel,

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691 live-aboard vessel, or houseboat, as defined in chapter 327, the
692 sexual offender shall also provide the hull identification
693 number; the manufacturer's serial number; the name of the
694 vessel, live-aboard vessel, or houseboat; the registration
695 number; and a description, including color scheme, of the
696 vessel, live-aboard vessel or houseboat.

697 4. Any sexual offender who fails to report in person as
698 required at the sheriff's office, or who fails to respond to any
699 address verification correspondence from the department within 3
700 weeks of the date of the correspondence or who fails to report
701 electronic mail addresses or instant message names, commits a
702 felony of the third degree, punishable as provided in s.
703 775.082, s. 775.083, or s. 775.084.

704 Section 4. Section 943.04352, Florida Statutes, is amended
705 to read:

706 943.04352 Search of registration information regarding
707 sexual predators and sexual offenders required when placement on
708 misdemeanor probation.--When the court places a defendant on
709 misdemeanor probation pursuant to ss. 948.01 and 948.15, the
710 public or private entity providing probation services must
711 conduct a search of the probationer's name or other identifying
712 information against the registration information regarding
713 sexual predators and sexual offenders maintained by the
714 Department of Law Enforcement under s. 943.043. The probation
715 services provider may conduct the search using the Internet site
716 maintained by the Department of Law Enforcement. Also, a
717 national search must be conducted through the National Sex

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718 Offender Registry maintained by the United States Department of
719 Justice.

720 Section 5. Paragraph (a) of subsection (3) of section
721 944.606, Florida Statutes, is amended to read:

722 944.606 Sexual offenders; notification upon release.--

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

726 1. The department must provide: the sexual offender's
727 name, any change in the offender's name by reason of marriage or
728 other legal process, and any alias, if known; the correctional
729 facility from which the sexual offender is released; the sexual
730 offender's social security number, race, sex, date of birth,
731 height, weight, and hair and eye color; address of any planned
732 permanent residence or temporary residence, within the state or
733 out of state, including a rural route address and a post office
734 box; if no permanent or temporary address, any transient
735 residence within the state; address, location, or description
736 and dates of any known future temporary residence within the
737 state or out of state; date and county of sentence and each
738 crime for which the offender was sentenced; a copy of the
739 offender's fingerprints and a digitized photograph taken within
740 60 days before release; the date of release of the sexual
741 offender; any electronic mail address and any instant message
742 name required to be provided pursuant to s. 943.0435(4)(d); and
743 the offender's intended residence address, if known. The
744 department shall notify the Department of Law Enforcement if the
745 sexual offender escapes, absconds, or dies. If the sexual

746 offender is in the custody of a private correctional facility,
 747 the facility shall take the digitized photograph of the sexual
 748 offender within 60 days before the sexual offender's release and
 749 provide this photograph to the Department of Corrections and
 750 also place it in the sexual offender's file. If the sexual
 751 offender is in the custody of a local jail, the custodian of the
 752 local jail shall register the offender within 3 business days
 753 after intake of the offender for any reason and upon release,
 754 and shall notify the Department of Law Enforcement of the sexual
 755 offender's release and provide to the Department of Law
 756 Enforcement the information specified in this paragraph and any
 757 information specified in subparagraph 2. that the Department of
 758 Law Enforcement requests.

759 2. The department may provide any other information deemed
 760 necessary, including criminal and corrections records,
 761 nonprivileged personnel and treatment records, when available.

762 Section 6. Paragraph (a) of subsection (4), paragraph (b)
 763 of subsection (6), and paragraph (c) of subsection (13) of
 764 section 944.607, Florida Statutes, are amended to read:

765 944.607 Notification to Department of Law Enforcement of
 766 information on sexual offenders.--

767 (4) A sexual offender, as described in this section, who
 768 is under the supervision of the Department of Corrections but is
 769 not incarcerated must register with the Department of
 770 Corrections within 3 business days after sentencing for a
 771 registrable ~~registerable~~ offense and otherwise provide
 772 information as required by this subsection.

773 (a) The sexual offender shall provide his or her name;
 774 date of birth; social security number; race; sex; height;
 775 weight; hair and eye color; tattoos or other identifying marks;
 776 any electronic mail address and any instant message name
 777 required to be provided pursuant to s. 943.0435(4)(d); and
 778 permanent or legal residence and address of temporary residence
 779 within the state or out of state while the sexual offender is
 780 under supervision in this state, including any rural route
 781 address or post office box; if no permanent or temporary
 782 address, any transient residence within the state; address,
 783 location, or description and dates of any current or known
 784 future temporary residence within the state or out of state. The
 785 Department of Corrections shall verify the address of each
 786 sexual offender in the manner described in ss. 775.21 and
 787 943.0435. The department shall report to the Department of Law
 788 Enforcement any failure by a sexual predator or sexual offender
 789 to comply with registration requirements.

790 (6) The information provided to the Department of Law
 791 Enforcement must include:

792 (b) The sexual offender's most current address and place
 793 of permanent and temporary residence within the state or out of
 794 state or transient residence, and address, location, or
 795 description and dates of any current or known future temporary
 796 residence within the state or out of state, while the sexual
 797 offender is under supervision in this state, including the name
 798 of the county or municipality in which the offender permanently
 799 or temporarily resides or transient residence, and address,
 800 location, or description and dates of any current or known

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801 future temporary residence within the state or out of state,
 802 and, if known, the intended place of permanent or temporary
 803 residence or transient residence, and address, location, or
 804 description and dates of any current or known future temporary
 805 residence within the state or out of state upon satisfaction of
 806 all sanctions;

807
 808 If any information provided by the department changes during the
 809 time the sexual offender is under the department's control,
 810 custody, or supervision, including any change in the offender's
 811 name by reason of marriage or other legal process, the
 812 department shall, in a timely manner, update the information and
 813 provide it to the Department of Law Enforcement in the manner
 814 prescribed in subsection (2).

815 (13)

816 (c) The sheriff's office may determine the appropriate
 817 times and days for reporting by the sexual offender, which shall
 818 be consistent with the reporting requirements of this
 819 subsection. Reregistration shall include any changes to the
 820 following information:

821 1. Name; social security number; age; race; sex; date of
 822 birth; height; weight; hair and eye color; address of any
 823 permanent residence and address of any current temporary
 824 residence, within the state or out of state, including a rural
 825 route address and a post office box; if no permanent or
 826 temporary address, any transient residence; address, location,
 827 or description and dates of any current or known future
 828 temporary residence both within the state and out of state; any

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829 | electronic mail address and any instant message name required to
830 | be provided pursuant to s. 943.0435(4)(d); date and place of any
831 | employment; vehicle make, model, color, and license tag number;
832 | fingerprints; and photograph. A post office box shall not be
833 | provided in lieu of a physical residential address.

834 | 2. If the sexual offender is enrolled, employed, or
835 | carrying on a vocation at an institution of higher education in
836 | this state, the sexual offender shall also provide to the
837 | department the name, address, and county of each institution,
838 | including each campus attended, and the sexual offender's
839 | enrollment or employment status.

840 | 3. If the sexual offender's place of residence is a motor
841 | vehicle, trailer, mobile home, or manufactured home, as defined
842 | in chapter 320, the sexual offender shall also provide the
843 | vehicle identification number; the license tag number; the
844 | registration number; and a description, including color scheme,
845 | of the motor vehicle, trailer, mobile home, or manufactured
846 | home. If the sexual offender's place of residence is a vessel,
847 | live-aboard vessel, or houseboat, as defined in chapter 327, the
848 | sexual offender shall also provide the hull identification
849 | number; the manufacturer's serial number; the name of the
850 | vessel, live-aboard vessel, or houseboat; the registration
851 | number; and a description, including color scheme, of the
852 | vessel, live-aboard vessel or houseboat.

853 | 4. Any sexual offender who fails to report in person as
854 | required at the sheriff's office, or who fails to respond to any
855 | address verification correspondence from the department within 3
856 | weeks of the date of the correspondence, or who fails to report

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857 | electronic mail addresses or instant message names, commits a
858 | felony of the third degree, punishable as provided in s.
859 | 775.082, s. 775.083, or s. 775.084.

860 | Section 7. Paragraph (b) of subsection (7) of section
861 | 947.1405, Florida Statutes, is amended, and subsection (11) is
862 | added to that section, to read:

863 | 947.1405 Conditional release program.--

864 | (7)

865 | (b) For a releasee whose crime was committed on or after
866 | October 1, 1997, in violation of chapter 794, s. 800.04, s.
867 | 827.071, or s. 847.0145, and who is subject to conditional
868 | release supervision, in addition to any other provision of this
869 | subsection, the commission shall impose the following additional
870 | conditions of conditional release supervision:

871 | 1. As part of a treatment program, participation in a
872 | minimum of one annual polygraph examination to obtain
873 | information necessary for risk management and treatment and to
874 | reduce the sex offender's denial mechanisms. The polygraph
875 | examination must be conducted by a polygrapher trained
876 | specifically in the use of the polygraph for the monitoring of
877 | sex offenders who has been authorized by the department and
878 | approved by the commission, where available, and at the expense
879 | of the releasee ~~sex offender~~. The results of the polygraph
880 | examination shall be provided to the releasee's probation
881 | officer and therapist and shall not be used as evidence in a
882 | hearing to prove that a violation of supervision has occurred.

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883 2. Maintenance of a driving log and a prohibition against
884 driving a motor vehicle alone without the prior approval of the
885 supervising officer.

886 3. A prohibition against obtaining or using a post office
887 box without the prior approval of the supervising officer.

888 4. If there was sexual contact, a submission to, at the
889 releasee's ~~probationer's or community controllee's~~ expense, an
890 HIV test with the results to be released to the victim or the
891 victim's parent or guardian.

892 5. Electronic monitoring of any form when ordered by the
893 commission.

894 (11) (a) For a releasee whose crime was committed on or
895 after July 1, 2008, the commission must, in addition to all
896 other provisions of this section, impose the special conditions
897 in paragraph (b) on the following releasees:

898 1. A releasee whose crime was committed on or after July
899 1, 2008, in violation of s. 800.04(4), (5), or (6); s. 827.071;
900 or s. 847.0145 in this state or a similar offense in another
901 jurisdiction when, at the time of the offense, the victim was
902 under 16 years of age and the releasee was 18 years of age or
903 older.

904 2. A releasee who is designated as a sexual predator under
905 s. 775.21 or is determined to be a sexually violent predator
906 under chapter 394 or who has received a similar designation or
907 determination in another jurisdiction.

908 3. A releasee subject to registration as a sexual predator
909 under s. 775.21 or as a sexual offender under s. 943.0435 who
910 has committed an offense that would meet the criteria for the

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911 designation or registration when at the time of the offense the
 912 victim was under 16 years of age and the releasee was 18 years
 913 of age or older, who commits a violation of s. 775.21 or s.
 914 943.0435 on or after July 1, 2008, and who is not otherwise
 915 subject to this paragraph.

916 (b) The commission must order:

917 1. A prohibition on visiting areas where children
 918 regularly congregate, including, but not limited to, schools,
 919 day care centers, parks, and playgrounds. The commission may
 920 also designate additional locations to protect a victim.

921 2. A prohibition on participation in holiday events,
 922 including, but not limited to, distributing candy or other items
 923 to children on Halloween, wearing a Santa Claus costume on or
 924 preceding Christmas, wearing an Easter Bunny costume on or
 925 preceding Easter, entertaining at children's parties, or wearing
 926 a clown costume without prior approval from the court.

927 Section 8. Paragraph (a) of subsection (2) of section
 928 948.30, Florida Statutes, is amended, and subsection (4) is
 929 added to that section, to read:

930 948.30 Additional terms and conditions of probation or
 931 community control for certain sex offenses.--Conditions imposed
 932 pursuant to this section do not require oral pronouncement at
 933 the time of sentencing and shall be considered standard
 934 conditions of probation or community control for offenders
 935 specified in this section.

936 (2) Effective for a probationer or community controllee
 937 whose crime was committed on or after October 1, 1997, and who
 938 is placed on community control or sex offender probation for a

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939 violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145,
940 in addition to any other provision of this section, the court
941 must impose the following conditions of probation or community
942 control:

943 (a) As part of a treatment program, participation at least
944 annually in polygraph examinations to obtain information
945 necessary for risk management and treatment and to reduce the
946 sex offender's denial mechanisms. A polygraph examination must
947 be conducted by a polygrapher trained specifically in the use of
948 the polygraph for the monitoring of sex offenders who has been
949 authorized by the department and approved by the court, where
950 available, and shall be paid for by the probationer or community
951 controllee ~~sex offender~~. The results of the polygraph
952 examination shall be provided to the probationer's or community
953 controllee's probation officer and therapist and shall not be
954 used as evidence in court to prove that a violation of community
955 supervision has occurred.

956 (4) (a) The court must, in addition to all other provisions
957 of this section, impose the special conditions in paragraph (b)
958 on the following probationers or community controllees whose
959 crime was committed on or after July 1, 2008:

960 1. A probationer or community controllee who violated s.
961 800.04(4), (5), or (6); s. 827.071; or s. 847.0145 in this state
962 or committed a similar offense in another jurisdiction when, at
963 the time of the offense, the victim was under 16 years of age
964 and the probationer or community controllee was 18 years of age
965 or older.

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966 2. A probationer or community controllee who is designated
 967 as a sexual predator under s. 775.21 or is determined to be a
 968 sexually violent predator under chapter 394 or who has received
 969 a similar designation or determination in another jurisdiction.

970 3. A probationer or community controllee subject to
 971 registration as a sexual predator under s. 775.21 or as a sexual
 972 offender pursuant to s. 943.0435 who has committed an offense
 973 that would meet the criteria for the designation or registration
 974 when at the time of the offense the victim was under 16 years of
 975 age and the probationer or community controllee was 18 years of
 976 age or older, who commits a violation of s. 775.21 or s.
 977 943.0435 on or after July 1, 2008, and who is not otherwise
 978 subject to this paragraph.

979 (b) The court must order:

980 1. A prohibition on visiting areas where children
 981 regularly congregate, including, but not limited to, schools,
 982 day care centers, parks, and playgrounds. The court may also
 983 designate additional locations to protect the victim.

984 2. A prohibition on participation in holiday events,
 985 including, but not limited to, distributing candy or other items
 986 to children on Halloween, wearing a Santa Claus costume on or
 987 preceding Christmas, wearing an Easter Bunny costume on or
 988 preceding Easter, entertaining at children's parties, or wearing
 989 a clown costume without prior approval from the court.

990 Section 9. Section 948.31, Florida Statutes, is amended to
 991 read:

992 948.31 ~~Diagnosis,~~ Evaluation, and treatment of sexual
 993 predators and offenders placed on probation or community control

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994 ~~for certain sex offenses or child exploitation.--~~The court shall
 995 require an ~~a diagnosis and~~ evaluation to determine the need of a
 996 probationer or community controllee ~~offender in community~~
 997 ~~control~~ for treatment. If the court determines that a need
 998 therefor is established by the ~~such diagnosis and~~ evaluation
 999 process, the court shall require sexual offender treatment
 1000 ~~outpatient counseling~~ as a term or condition of probation or
 1001 community control for any person who meets the criteria to be
 1002 designated as a sexual predator under s. 775.21 or to be subject
 1003 to registration as a sexual offender under s. 943.0435. ~~was~~
 1004 ~~found guilty of any of the following, or whose plea of guilty or~~
 1005 ~~nolo contendere to any of the following was accepted by the~~
 1006 ~~court.~~

1007 ~~(1) Lewd or lascivious battery, lewd or lascivious~~
 1008 ~~molestation, lewd or lascivious conduct, or lewd or lascivious~~
 1009 ~~exhibition, as defined in s. 800.04.~~

1010 ~~(2) Sexual battery, as defined in chapter 794, against a~~
 1011 ~~child.~~

1012 ~~(3) Exploitation of a child as provided in s. 450.151, or~~
 1013 ~~for prostitution.~~

1014
 1015 Such treatment ~~counseling~~ shall be required to be obtained from
 1016 a qualified practitioner specifically trained to treat sex
 1017 offenders. The court shall impose a restriction against contact
 1018 with minors if sexual offender treatment is recommended
 1019 ~~community mental health center, a recognized social service~~
 1020 ~~agency providing mental health services, or a private mental~~
 1021 ~~health professional or through other professional counseling.~~

1022 The evaluation and recommendations ~~plan~~ for treatment of
 1023 ~~counseling for~~ the probationer or community controllee
 1024 ~~individual~~ shall be provided to the court for review.

1025 Section 10. Paragraph (a) of subsection (3) of section
 1026 985.481, Florida Statutes, is amended to read:

1027 985.481 Sexual offenders adjudicated delinquent;
 1028 notification upon release.--

1029 (3)(a) The department must provide information regarding
 1030 any sexual offender who is being released after serving a period
 1031 of residential commitment under the department for any offense,
 1032 as follows:

1033 1. The department must provide the sexual offender's name,
 1034 any change in the offender's name by reason of marriage or other
 1035 legal process, and any alias, if known; the correctional
 1036 facility from which the sexual offender is released; the sexual
 1037 offender's social security number, race, sex, date of birth,
 1038 height, weight, and hair and eye color; address of any planned
 1039 permanent residence or temporary residence, within the state or
 1040 out of state, including a rural route address and a post office
 1041 box; if no permanent or temporary address, any transient
 1042 residence within the state; address, location, or description
 1043 and dates of any known future temporary residence within the
 1044 state or out of state; date and county of disposition and each
 1045 crime for which there was a disposition; a copy of the
 1046 offender's fingerprints and a digitized photograph taken within
 1047 60 days before release; the date of release of the sexual
 1048 offender; and the offender's intended residence address, if
 1049 known. The department shall notify the Department of Law

1050 Enforcement if the sexual offender escapes, absconds, or dies.
 1051 If the sexual offender is in the custody of a private
 1052 correctional facility, the facility shall take the digitized
 1053 photograph of the sexual offender within 60 days before the
 1054 sexual offender's release and also place it in the sexual
 1055 offender's file. If the sexual offender is in the custody of a
 1056 local jail, the custodian of the local jail shall register the
 1057 offender within 3 business days after intake of the offender for
 1058 any reason and upon release, and shall notify the Department of
 1059 Law Enforcement of the sexual offender's release and provide to
 1060 the Department of Law Enforcement the information specified in
 1061 this subparagraph and any information specified in subparagraph
 1062 2. which the Department of Law Enforcement requests.

1063 2. The department may provide any other information
 1064 considered necessary, including criminal and delinquency
 1065 records, when available.

1066 Section 11. Paragraph (a) of subsection (4), paragraph (a)
 1067 of subsection (6), and paragraph (b) of subsection (13) of
 1068 section 985.4815, Florida Statutes, are amended to read:

1069 985.4815 Notification to Department of Law Enforcement of
 1070 information on juvenile sexual offenders.--

1071 (4) A sexual offender, as described in this section, who
 1072 is under the supervision of the department but who is not
 1073 committed must register with the department within 3 business
 1074 days after adjudication and disposition for a registrable
 1075 offense and otherwise provide information as required by this
 1076 subsection.

1077 (a) The sexual offender shall provide his or her name;
 1078 date of birth; social security number; race; sex; height;
 1079 weight; hair and eye color; tattoos or other identifying marks;
 1080 and permanent or legal residence and address of temporary
 1081 residence within the state or out of state while the sexual
 1082 offender is in the care or custody or under the jurisdiction or
 1083 supervision of the department in this state, including any rural
 1084 route address or post office box, if no permanent or temporary
 1085 address, any transient residence; address, location, or
 1086 description and dates of any current or known future temporary
 1087 residence within the state or out of state, and the name and
 1088 address of each school attended. The department shall verify the
 1089 address of each sexual offender and shall report to the
 1090 Department of Law Enforcement any failure by a sexual offender
 1091 to comply with registration requirements.

1092 (6) (a) The information provided to the Department of Law
 1093 Enforcement must include the following:

1094 1. The information obtained from the sexual offender under
 1095 subsection (4).

1096 2. The sexual offender's most current address and place of
 1097 permanent or temporary residence within the state or out of
 1098 state or transient residence; and address, location, or
 1099 description and dates of any current or known future temporary
 1100 residence within the state or out of state while the sexual
 1101 offender is in the care or custody or under the jurisdiction or
 1102 supervision of the department in this state, including the name
 1103 of the county or municipality in which the offender permanently
 1104 or temporarily resides or transient residence; and address,

1105 location, or description and dates of any current or known
 1106 future temporary residence within the state or out of state;
 1107 and, if known, the intended place of permanent or temporary
 1108 residence or transient residence; and address, location, or
 1109 description and dates of any current or known future temporary
 1110 residence within the state or out of state upon satisfaction of
 1111 all sanctions.

1112 3. The legal status of the sexual offender and the
 1113 scheduled termination date of that legal status.

1114 4. The location of, and local telephone number for, any
 1115 department office that is responsible for supervising the sexual
 1116 offender.

1117 5. An indication of whether the victim of the offense that
 1118 resulted in the offender's status as a sexual offender was a
 1119 minor.

1120 6. The offense or offenses at adjudication and disposition
 1121 that resulted in the determination of the offender's status as a
 1122 sex offender.

1123 7. A digitized photograph of the sexual offender, which
 1124 must have been taken within 60 days before the offender was
 1125 released from the custody of the department or a private
 1126 correctional facility by expiration of sentence under s.
 1127 944.275, or within 60 days after the onset of the department's
 1128 supervision of any sexual offender who is on probation,
 1129 postcommitment probation, residential commitment, nonresidential
 1130 commitment, licensed child-caring commitment, community control,
 1131 conditional release, parole, provisional release, or control
 1132 release or who is supervised by the department under the

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1133 Interstate Compact Agreement for Probationers and Parolees. If
 1134 the sexual offender is in the custody of a private correctional
 1135 facility, the facility shall take a digitized photograph of the
 1136 sexual offender within the time period provided in this
 1137 subparagraph and shall provide the photograph to the department.

1138 (13)

1139 (b) The sheriff's office may determine the appropriate
 1140 times and days for reporting by the sexual offender, which shall
 1141 be consistent with the reporting requirements of this
 1142 subsection. Reregistration shall include any changes to the
 1143 following information:

1144 1. Name; social security number; age; race; sex; date of
 1145 birth; height; weight; hair and eye color; address of any
 1146 permanent residence and address of any current temporary
 1147 residence, within the state or out of state, including a rural
 1148 route address and a post office box; if no permanent or
 1149 temporary address, any transient residence; address, location,
 1150 or description and dates of any current or known future
 1151 temporary residence within the state or out of state; name and
 1152 address of each school attended; date and place of any
 1153 employment; vehicle make, model, color, and license tag number;
 1154 fingerprints; and photograph. A post office box shall not be
 1155 provided in lieu of a physical residential address.

1156 2. If the sexual offender is enrolled, employed, or
 1157 carrying on a vocation at an institution of higher education in
 1158 this state, the sexual offender shall also provide to the
 1159 department the name, address, and county of each institution,

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1160 including each campus attended, and the sexual offender's
1161 enrollment or employment status.

1162 3. If the sexual offender's place of residence is a motor
1163 vehicle, trailer, mobile home, or manufactured home, as defined
1164 in chapter 320, the sexual offender shall also provide the
1165 vehicle identification number; the license tag number; the
1166 registration number; and a description, including color scheme,
1167 of the motor vehicle, trailer, mobile home, or manufactured
1168 home. If the sexual offender's place of residence is a vessel,
1169 live-aboard vessel, or houseboat, as defined in chapter 327, the
1170 sexual offender shall also provide the hull identification
1171 number; the manufacturer's serial number; the name of the
1172 vessel, live-aboard vessel, or houseboat; the registration
1173 number; and a description, including color scheme, of the
1174 vessel, live-aboard vessel, or houseboat.

1175 4. Any sexual offender who fails to report in person as
1176 required at the sheriff's office, or who fails to respond to any
1177 address verification correspondence from the department within 3
1178 weeks after the date of the correspondence, commits a felony of
1179 the third degree, punishable as provided in ss. 775.082,
1180 775.083, and 775.084.

1181 Section 12. This act shall take effect July 1, 2008.