

By Senator Dean

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1                   A bill to be entitled  
2           An act relating to sexual offenders and predators;  
3           amending s. 775.21, F.S.; revising a definition and  
4           defining the terms "transient residence" and "secondary  
5           educational institution"; listing additional felonies as  
6           criteria to be used to designate a person as a sexual  
7           predator; requiring the Department of Corrections and  
8           state law enforcement agencies to notify the state  
9           attorney of a predator's transient residence; requiring a  
10          sexual predator to provide certain additional information  
11          to the Department of Law Enforcement when registering as a  
12          sexual predator; requiring the sexual predator to submit a  
13          set of palm prints during registration after a specified  
14          date; requiring a sexual predator to report enrollment or  
15          employment at a secondary educational institution;  
16          requiring a sexual predator to report changes in residency  
17          within a specified time; requiring that law enforcement  
18          agencies provide additional information to the public  
19          concerning the identify and location of sexual predators;  
20          requiring a sexual predator to provide additional  
21          information to the sheriff's office when reregistering as  
22          a sexual predator; amending s. 943.0435, F.S.; redefining  
23          the term "sexual offender" to add additional felony  
24          convictions that qualify a person as a sexual offender;  
25          defining the terms "transient residence" and "secondary  
26          educational institution"; requiring a sexual predator to  
27          provide certain additional information to the sheriff when  
28          registering as a sexual offender, including any transient  
29          residence; requiring a sexual offender to report

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30 enrollment or employment at a secondary educational  
31 institution; requiring a sexual offender to provide  
32 additional information to the sheriff when reregistering  
33 as a sexual offender; requiring a sexual offender to  
34 submit a set of palm prints during registration or  
35 reregistration after a specified date; creating s.  
36 943.04355, F.S.; authorizing the Department of Law  
37 Enforcement, with the cooperation of local law enforcement  
38 agencies, to assume the duties and functions of  
39 registering sexual offenders and notifying the community  
40 as such duties and functions relate to registrants under  
41 the jurisdiction of any federally recognized Native  
42 American tribe that maintains a reservation or tribal  
43 property in the state; amending s. 944.606, F.S.;  
44 redefining the term "sexual offender" to revise the  
45 criminal offenses that qualify a person as a sexual  
46 offender for the purpose of the Department of Corrections  
47 giving community notice of the release of sexual offenders  
48 from incarceration; revising the content of the  
49 information the Department of Corrections must give when  
50 the sexual offender is released; amending s. 944.607,  
51 F.S.; redefining the term "sexual offender" to revise the  
52 criminal offenses that qualify a person as a sexual  
53 offender for the purpose of requiring a sexual offender  
54 who is under the supervision of the Department of  
55 Corrections but is not incarcerated to register with the  
56 department; defining the term "secondary educational  
57 institution"; requiring a sexual offender to provide  
58 certain additional information to the Department of

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59 | Corrections at the time of registration; requiring the  
60 | department to provide the information to the Department of  
61 | Law Enforcement; requiring a sexual offender to report  
62 | enrollment or employment at a secondary educational  
63 | institution; requiring a sexual offender under the  
64 | supervision of the Department of Corrections to provide  
65 | additional information concerning changes to the sheriff  
66 | when reregistering as a sexual offender; requiring the  
67 | sexual offender to submit a set of palm prints during  
68 | registration or reregistration after a specified date;  
69 | amending s. 985.481, F.S.; requiring the Department of  
70 | Juvenile Justice to provide additional information in its  
71 | community notice of the release of a juvenile sexual  
72 | offender following a period of residential commitment;  
73 | amending s. 985.4815, F.S.; defining the term "secondary  
74 | educational institution"; requiring a juvenile sexual  
75 | offender who is under the supervision of the Department of  
76 | Juvenile Justice but who is not committed to a residential  
77 | placement to register as a juvenile sexual offender with  
78 | the Department of Juvenile Justice; requiring the juvenile  
79 | sexual offender to provide certain additional information  
80 | to the department at the time of registration; requiring  
81 | the Department of Juvenile Justice to provide certain  
82 | additional information to the Department of Law  
83 | Enforcement; requiring a sexual offender to report  
84 | enrollment or employment at a secondary educational  
85 | institution; requiring a sexual offender under the  
86 | supervision of the Department of Juvenile Justice to  
87 | provide additional information concerning changes to the

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88 | sheriff when reregistering as a sexual offender; amending  
89 | s. 322.141, F.S.; providing requirements for the driver's  
90 | license and identification card issued to a juvenile  
91 | sexual offender; amending s. 775.25, F.S.; specifying the  
92 | venue for prosecuting a sexual offender adjudicated  
93 | delinquent or a juvenile sexual offender; amending s.  
94 | 943.0436, F.S.; prohibiting the court from entering  
95 | certain orders with respect to a sexual offender  
96 | adjudicated delinquent or a juvenile sexual offender;  
97 | providing an effective date.

98

99 | Be It Enacted by the Legislature of the State of Florida:

100

101 | Section 1. Subsections (2) and (4), paragraphs (a) and (d)  
102 | of subsection (5), subsection (6), paragraph (a) of subsection  
103 | (7), subsection (8), and paragraphs (a), (b), and (c) of  
104 | subsection (10) of section 775.21, Florida Statutes, are amended  
105 | to read:

106 | 775.21 The Florida Sexual Predators Act.--

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

108 | (a) "Chief of police" means the chief law enforcement  
109 | officer of a municipality.

110 | (b) "Community" means any county where the sexual predator  
111 | lives or otherwise establishes or maintains a temporary or  
112 | permanent residence.

113 | (c) "Conviction" means a determination of guilt which is  
114 | the result of a trial or the entry of a plea of guilty or nolo  
115 | contendere, regardless of whether adjudication is withheld. A  
116 | conviction for a similar offense includes, but is not limited to,

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117 a conviction by a federal or military tribunal, including courts-  
118 martial conducted by the Armed Forces of the United States, and  
119 includes a conviction or entry of a plea of guilty or nolo  
120 contendere resulting in a sanction in any state of the United  
121 States or other jurisdiction. A sanction includes, but is not  
122 limited to, a fine, probation, community control, parole,  
123 conditional release, control release, or incarceration in a state  
124 prison, federal prison, private correctional facility, or local  
125 detention facility.

126 (d) "Department" means the Department of Law Enforcement.

127 (e) "Entering the county" includes being discharged from a  
128 correctional facility or jail or secure treatment facility within  
129 the county or being under supervision within the county for the  
130 commission of a violation enumerated in subsection (4).

131 (f) "Permanent residence" means a place where the person  
132 abides, lodges, or resides for 5 or more consecutive days.

133 (g) "Temporary residence" means a place where the person  
134 abides, lodges, or resides, including, but not limited to, a  
135 vacation, business, or personal travel destination inside or  
136 outside this state, for a period of 5 or more days in the  
137 aggregate during any calendar year and which is not the person's  
138 permanent address or, for a person whose permanent residence is  
139 not in this state, a place where the person is employed,  
140 practices a vocation, or is enrolled as a student for any period  
141 of time in this state.

142 (h) "Transient residence" means a place or county where a  
143 person lives, remains, or is located for a period of 5 or more  
144 days in the aggregate during a calendar year, which is not the  
145 person's permanent or temporary address, and may include, but is

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146 not limited to, places where the person sleeps or seeks shelter,  
147 and may include a location that has no specific street address.

148 (i)~~(h)~~ "Institution of higher education" means a career  
149 center, community college, college, state university, or  
150 independent postsecondary institution.

151 (j)~~(i)~~ "Change in enrollment or employment status" means  
152 the commencement or termination of enrollment or employment or a  
153 change in location of enrollment or employment.

154 (k)~~(j)~~ "Electronic mail address" has the same meaning as  
155 provided in s. 668.602.

156 (l)~~(k)~~ "Instant message name" means an identifier that  
157 allows a person to communicate in real time with another person  
158 using the Internet.

159 (m) "Secondary educational institution" means any trade,  
160 professional, or secondary school, including a public, private,  
161 religious, denominational, parochial, or nonparochial  
162 institution, attended for any purpose, including, but not limited  
163 to, secular, religious, or cultural studies.

164 (4) SEXUAL PREDATOR CRITERIA.--

165 (a) For a current offense committed on or after October 1,  
166 1993, upon conviction, an offender shall be designated as a  
167 "sexual predator" under subsection (5), and subject to  
168 registration under subsection (6) and community and public  
169 notification under subsection (7) if:

170 1. The felony is:

171 a. A capital, life, or first-degree felony violation, or  
172 any attempt thereof, of s. 787.01 or s. 787.02, where the victim  
173 is a minor and the defendant is not the victim's parent or  
174 guardian, or s. 794.011, s. 800.04, or s. 847.0145, any

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175 conviction for a similar offense committed in this state which  
176 has been redesignated from a former statute number to one of  
177 those listed in this subsection, or a violation of a similar law  
178 of another jurisdiction; or

179       b. Any felony violation, or any attempt, solicitation, or  
180 conspiracy to commit such violation thereof, of s. 787.01, s.  
181 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
182 defendant is not the victim's parent or guardian; s. 794.011,  
183 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.  
184 800.04; s. 810.145, when the victim was a minor; s.  
185 825.1025(2)(b); s. 827.071; s. 847.0145; or s. 985.701(1); any  
186 conviction for a similar offense committed in this state which  
187 has been redesignated from a former statute number to one of  
188 those listed in this subsection; or a violation of a similar law  
189 of another jurisdiction, and the offender has previously been  
190 convicted of or found to have committed, attempted, solicited, or  
191 conspired to commit, or has pled nolo contendere or guilty to,  
192 regardless of adjudication, any violation of s. 787.01, s.  
193 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
194 defendant is not the victim's parent or guardian; s. 794.011,  
195 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.  
196 800.04; s. 810.145, when the victim was a minor; s. 825.1025; s.  
197 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(5) ~~s.~~  
198 ~~847.0135(4)~~; s. 847.0145; or s. 985.701(1); any conviction for a  
199 similar offense committed in this state which has been  
200 redesignated from a former statute number to one of those listed  
201 in this subsection; or a violation of a similar law of another  
202 jurisdiction;

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

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

209           (b) In order to be counted as a prior felony for purposes  
210 of this subsection, the felony must have resulted in a conviction  
211 sentenced separately, or an adjudication of delinquency entered  
212 separately, prior to the current offense and sentenced or  
213 adjudicated separately from any other felony conviction that is  
214 to be counted as a prior felony regardless of the date of offense  
215 of the prior felony.

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

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

222           2. The offender was administratively registered as a sexual  
223 predator because the Department of Corrections, the department,  
224 or any other law enforcement agency obtained information that  
225 indicated that the offender met the criteria for designation as a  
226 sexual predator based on a violation of a similar law in another  
227 jurisdiction,

228  
229 the department shall remove that offender from the department's  
230 list of sexual predators and, for an offender described under  
231 subparagraph 1., shall notify the state attorney who prosecuted



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232 the offense that met the criteria for administrative designation  
233 as a sexual predator, and, for an offender described under this  
234 paragraph, shall notify the state attorney of the county where  
235 the offender establishes or maintains a permanent, transient, or  
236 temporary residence. The state attorney shall bring the matter to  
237 the court's attention in order to establish that the offender  
238 meets the criteria for designation as a sexual predator. If the  
239 court makes a written finding that the offender is a sexual  
240 predator, the offender must be designated as a sexual predator,  
241 must register or be registered as a sexual predator with the  
242 department as provided in subsection (6), and is subject to the  
243 community and public notification as provided in subsection (7).  
244 If the court does not make a written finding that the offender is  
245 a sexual predator, the offender may not be designated as a sexual  
246 predator with respect to that offense and is not required to  
247 register or be registered as a sexual predator with the  
248 department.

249 (d) An offender who has been determined to be a sexually  
250 violent predator pursuant to a civil commitment proceeding under  
251 chapter 394 shall be designated as a "sexual predator" under  
252 subsection (5) and subject to registration under subsection (6)  
253 and community and public notification under subsection (7).

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

256 (a)1. An offender who meets the sexual predator criteria  
257 described in paragraph (4)(d) is a sexual predator, and the court  
258 shall make a written finding at the time such offender is  
259 determined to be a sexually violent predator under chapter 394  
260 that such person meets the criteria for designation as a sexual

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261 predator for purposes of this section. The clerk shall transmit a  
262 copy of the order containing the written finding to the  
263 department within 48 hours after the entry of the order;

264 2. An offender who meets the sexual predator criteria  
265 described in paragraph (4) (a) who is before the court for  
266 sentencing for a current offense committed on or after October 1,  
267 1993, is a sexual predator, and the sentencing court must make a  
268 written finding at the time of sentencing that the offender is a  
269 sexual predator, and the clerk of the court shall transmit a copy  
270 of the order containing the written finding to the department  
271 within 48 hours after the entry of the order; or

272 3. If the Department of Corrections, the department, or any  
273 other law enforcement agency obtains information indicating ~~which~~  
274 ~~indicates~~ that an offender who establishes or maintains a  
275 permanent, transient, or temporary residence in this state meets  
276 the sexual predator criteria described in paragraph (4) (a) or  
277 paragraph (4) (d) because the offender was civilly committed or  
278 committed a similar violation in another jurisdiction on or after  
279 October 1, 1993, the Department of Corrections, the department,  
280 or the law enforcement agency shall notify the state attorney of  
281 the county where the offender establishes or maintains a  
282 permanent, transient, or temporary residence of the offender's  
283 presence in the community. The state attorney shall file a  
284 petition with the criminal division of the circuit court for the  
285 purpose of holding a hearing to determine if the offender's  
286 criminal record or record of civil commitment from another  
287 jurisdiction meets the sexual predator criteria. If the court  
288 finds that the offender meets the sexual predator criteria  
289 because the offender has violated a similar law or similar laws

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290 | in another jurisdiction, the court shall make a written finding  
291 | that the offender is a sexual predator.

292

293 | When the court makes a written finding that an offender is a  
294 | sexual predator, the court shall inform the sexual predator of  
295 | the registration and community and public notification  
296 | requirements described in this section. Within 48 hours after the  
297 | court designating an offender as a sexual predator, the clerk of  
298 | the circuit court shall transmit a copy of the court's written  
299 | sexual predator finding to the department. If the offender is  
300 | sentenced to a term of imprisonment or supervision, a copy of the  
301 | court's written sexual predator finding must be submitted to the  
302 | Department of Corrections.

303 |       (d) A person who establishes or maintains a residence in  
304 | this state and who has not been designated as a sexual predator  
305 | by a court of this state but who has been designated as a sexual  
306 | predator, as a sexually violent predator, or by another sexual  
307 | offender designation in another state or jurisdiction and was, as  
308 | a result of such designation, subjected to registration or  
309 | community or public notification, or both, or would be if the  
310 | person was a resident of that state or jurisdiction, without  
311 | regard to whether the person otherwise meets the criteria for  
312 | registration as a sexual offender, shall register in the manner  
313 | provided in s. 943.0435, ~~or~~ s. 944.607, or s. 985.4815 and shall  
314 | be subject to community and public notification as provided in s.  
315 | 943.0435, ~~or~~ s. 944.607, or s. 985.4815. A person who meets the  
316 | criteria of this section is subject to the requirements and  
317 | penalty provisions of s. 943.0435, ~~or~~ s. 944.607, or s. 985.4815  
318 | until the person provides the department with an order issued by

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319 | the court that designated the person as a sexual predator, as a  
320 | sexually violent predator, or by another sexual offender  
321 | designation in the state or jurisdiction in which the order was  
322 | issued which states that such designation has been removed or  
323 | demonstrates to the department that such designation, if not  
324 | imposed by a court, has been removed by operation of law or court  
325 | order in the state or jurisdiction in which the designation was  
326 | made, and provided such person no longer meets the criteria for  
327 | registration as a sexual offender under the laws of this state.

328 | (6) REGISTRATION.--

329 | (a) A sexual predator must register with the department  
330 | through the sheriff's office by providing the following  
331 | information to the department:

332 | 1. Name, nicknames, pseudonyms, social security number, any  
333 | alias or false social security numbers ever used, age, race, sex,  
334 | date of birth, height, weight, hair and eye color, photograph,  
335 | address of legal residence and address of any current temporary  
336 | residence, within the state or outside the ~~out of~~ state,  
337 | including a rural route address and a post office box, if there  
338 | is no permanent or temporary address, any transient residence in  
339 | the state, the address, location, description, and dates of any  
340 | current or known future temporary residence within the state or  
341 | outside the state, any electronic mail address and any instant  
342 | message name required to be provided pursuant to subparagraph  
343 | (g)4., all telephone numbers, including fixed location and  
344 | cellular telephone numbers and any other designations used for  
345 | routing or self-identification in telephonic communications, date  
346 | and place of any current or known future employment, volunteer,  
347 | trade, or business activities, including the street address or,

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348 if no specific address is available, the location of the  
349 employer, all professional licenses that authorize the registrant  
350 to engage in an occupation or carry out a trade or business, all  
351 driver's license and identification card numbers and identifiers,  
352 all travel and immigration documents, including passport and visa  
353 and identifying information from such documents, including, but  
354 not limited to, unique identifiers and pertinent issue and  
355 expiration dates, location of issuance, destinations, and  
356 immigration status, date and place of each conviction, biometric  
357 identification information, including fingerprints and palm  
358 prints, and a brief description of the crime or crimes committed  
359 by the offender. A post office box ~~may shall~~ not be provided in  
360 lieu of a physical residential address. A sexual predator  
361 designated under this section on or after December 31, 2008, must  
362 submit a set of palm prints during registration. The sheriff  
363 shall promptly provide the department with the palm prints in an  
364 electronic format. The department may provide the palm prints to  
365 the Federal Bureau of Investigation or other criminal justice  
366 agencies.

367 a. If the sexual predator's place of residence is a motor  
368 vehicle, trailer, mobile home, or manufactured home, as defined  
369 in chapter 320, the sexual predator shall also provide to the  
370 department written notice of the vehicle identification number;  
371 the license tag number; the registration number; and a  
372 description, including color scheme, of the motor vehicle,  
373 trailer, mobile home, or manufactured home. If a sexual  
374 predator's place of residence is a vessel, live-aboard vessel, or  
375 houseboat, as defined in chapter 327, the sexual predator shall  
376 also provide to the department written notice of the hull

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377 identification number; the manufacturer's serial number; the name  
378 of the vessel, live-aboard vessel, or houseboat; the registration  
379 number; and a description, including color scheme, of the vessel,  
380 live-aboard vessel, or houseboat.

381 b. If the sexual predator is or will be enrolled, employed,  
382 or carrying on a vocation at an institution of higher education  
383 or a secondary educational institution ~~in this state~~, the sexual  
384 predator shall ~~also~~ provide to the department the name, address,  
385 and county of each institution, including each campus attended,  
386 and the sexual predator's enrollment or employment status. Each  
387 change in enrollment or employment status shall be reported in  
388 person at the sheriff's office, or the Department of Corrections  
389 if the sexual predator is in the custody or control of or under  
390 the supervision of the Department of Corrections, within 48 hours  
391 after any change in status. The sheriff or the Department of  
392 Corrections shall promptly notify each institution of the sexual  
393 predator's presence and any change in the sexual predator's  
394 enrollment or employment status.

395 c. If the sexual predator is employed, volunteers for, or  
396 carries out any trade or business, the sexual predator shall  
397 report the street address of the place of employment or, if no  
398 specific street address is available, the location of the  
399 employer. If the sexual predator's employer lacks a fixed street  
400 address or location, the sexual predator must report the sexual  
401 predator's probable location during the course of the business  
402 day, including normal routes or general areas, with whatever  
403 specificity is possible. Each change in the information required  
404 in this sub-subparagraph must be reported in person at the  
405 sheriff's office or the Department of Corrections, if the sexual

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406 predator is in the custody or control of or under the supervision  
407 of the Department of Corrections, within 48 hours after any  
408 change in status. The sheriff or the Department of Corrections  
409 shall promptly notify the department of this change of the sexual  
410 predator's reporting information.

411 d. If the sexual predator owns or operates a vehicle,  
412 vessel, or aircraft for personal or business use, the sexual  
413 predator must report certain information regarding the vehicle,  
414 vessel, or aircraft. The information must include the license tag  
415 and registration numbers; a description of the vehicle, vessel,  
416 or aircraft; the trade or business name for which the vehicle,  
417 vessel, or aircraft will be used; and information regarding the  
418 place or places where the vehicle, vessel, or aircraft is  
419 habitually parked, docked, stored, or otherwise kept if the  
420 location is different from the registrant's address. Each change  
421 in the information required by this sub-subparagraph must be  
422 reported in person at the sheriff's office, or the Department of  
423 Corrections if the sexual predator is in the custody or control  
424 of or under the supervision of the Department of Corrections,  
425 within 48 hours after any change in status. The sheriff or the  
426 Department of Corrections shall promptly notify the department of  
427 this change of the sexual predator's reporting information.

428 2. Any other information determined necessary by the  
429 department, including criminal and corrections records;  
430 nonprivileged personnel and treatment records; and evidentiary  
431 genetic markers when available.

432 (b) If the sexual predator is in the custody or control of,  
433 or under the supervision of, the Department of Corrections, or is  
434 in the custody of a private correctional facility, the sexual

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435 predator must register with the Department of Corrections. A  
436 sexual predator who is under the supervision of the Department of  
437 Corrections but who is not incarcerated must register with the  
438 Department of Corrections within 3 business days after the court  
439 finds the offender to be a sexual predator. The Department of  
440 Corrections shall provide to the department registration  
441 information and the location of, and local telephone number for,  
442 any Department of Corrections office that is responsible for  
443 supervising the sexual predator. In addition, the Department of  
444 Corrections shall notify the department if the sexual predator  
445 escapes or absconds from custody or supervision or if the sexual  
446 predator dies.

447 (c) If the sexual predator is in the custody of a local  
448 jail, the custodian of the local jail shall electronically  
449 register the sexual predator within 3 business days after intake  
450 of the sexual predator for any reason and upon his or her  
451 release, and shall forward the registration information to the  
452 department. The custodian of the local jail shall also take a  
453 digitized photograph of the sexual predator while the sexual  
454 predator remains in custody and shall provide the digitized  
455 photograph to the department. The custodian shall notify the  
456 department if the sexual predator escapes from custody or dies.

457 (d) If the sexual predator is under federal supervision,  
458 the federal agency responsible for supervising the sexual  
459 predator may forward to the department any information regarding  
460 the sexual predator which is consistent with the information  
461 provided by the Department of Corrections under this section, and  
462 may indicate whether use of the information is restricted to law



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463 enforcement purposes only or may be used by the department for  
464 purposes of public notification.

465 (e)1. If the sexual predator is not in the custody or  
466 control of, or under the supervision of, the Department of  
467 Corrections or is not in the custody of a private correctional  
468 facility, the sexual predator shall register in person:

469 a. At the sheriff's office in the county where he or she  
470 establishes or maintains a residence within 48 hours after  
471 establishing or maintaining a residence in this state; and

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

475 2. Any change in the sexual predator's permanent,  
476 transient, or temporary residence, name, or any electronic mail  
477 address and any instant message name required to be provided  
478 pursuant to subparagraph (g)4., after the sexual predator  
479 registers in person at the sheriff's office as provided in  
480 subparagraph 1., shall be accomplished in the manner provided in  
481 paragraphs (g), (i), and (j). When a sexual predator registers  
482 with the sheriff's office, the sheriff shall take a photograph  
483 and a set of biometric identification information, including  
484 fingerprints and palm prints of the predator, and shall forward  
485 the photographs and biometric identification information  
486 ~~fingerprints~~ to the department, along with the information that  
487 the predator is required to provide pursuant to this section.

488 (f) Within 48 hours after the registration required under  
489 paragraph (a) or paragraph (e), a sexual predator who is not  
490 incarcerated and who resides in the community, including a sexual  
491 predator under the supervision of the Department of Corrections,

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492 shall register in person at a driver's license office of the  
493 Department of Highway Safety and Motor Vehicles and shall present  
494 proof of registration. At the driver's license office the sexual  
495 predator shall:

496 1. If otherwise qualified, secure a Florida driver's  
497 license, renew a Florida driver's license, or secure an  
498 identification card. The sexual predator shall identify himself  
499 or herself as a sexual predator who is required to comply with  
500 this section, provide his or her place of permanent, transient,  
501 or temporary residence, including a rural route address and a  
502 post office box, and submit to the taking of a photograph for use  
503 in issuing a driver's license, renewed license, or identification  
504 card, and for use by the department in maintaining current  
505 records of sexual predators. A post office box may ~~shall~~ not be  
506 provided in lieu of a physical residential address. If the sexual  
507 predator's place of residence is a motor vehicle, trailer, mobile  
508 home, or manufactured home, as defined in chapter 320, the sexual  
509 predator shall also provide to the Department of Highway Safety  
510 and Motor Vehicles the vehicle identification number; the license  
511 tag number; the registration number; and a description, including  
512 color scheme, of the motor vehicle, trailer, mobile home, or  
513 manufactured home. If a sexual predator's place of residence is a  
514 vessel, live-aboard vessel, or houseboat, as defined in chapter  
515 327, the sexual predator shall also provide to the Department of  
516 Highway Safety and Motor Vehicles the hull identification number;  
517 the manufacturer's serial number; the name of the vessel, live-  
518 aboard vessel, or houseboat; the registration number; and a  
519 description, including color scheme, of the vessel, live-aboard  
520 vessel, or houseboat.

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521           2. Pay the costs assessed by the Department of Highway  
522 Safety and Motor Vehicles for issuing or renewing a driver's  
523 license or identification card as required by this section. The  
524 driver's license or identification card issued to the sexual  
525 predator must be in compliance with s. 322.141(3).

526           3. Provide, upon request, any additional information  
527 necessary to confirm the identity of the sexual predator,  
528 including a set of fingerprints.

529           (g)1. Each time a sexual predator's driver's license or  
530 identification card is subject to renewal, and, without regard to  
531 the status of the predator's driver's license or identification  
532 card, within 48 hours after any change of the predator's  
533 residence or change in the predator's name by reason of marriage  
534 or other legal process, the predator shall report in person to a  
535 driver's license office and shall be subject to the requirements  
536 specified in paragraph (f). The Department of Highway Safety and  
537 Motor Vehicles shall forward to the department and to the  
538 Department of Corrections all photographs and information  
539 provided by sexual predators. Notwithstanding the restrictions  
540 set forth in s. 322.142, the Department of Highway Safety and  
541 Motor Vehicles is authorized to release a reproduction of a  
542 color-photograph or digital-image license to the Department of  
543 Law Enforcement for purposes of public notification of sexual  
544 predators as provided in this section.

545           2. A sexual predator who vacates a permanent or temporary  
546 residence and fails to establish or maintain another permanent or  
547 temporary residence shall, within 48 hours after vacating the  
548 permanent or temporary residence, report in person to the  
549 sheriff's office of the county in which he or she is located. The

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550 sexual predator shall specify the date upon which he or she  
551 intends to or did vacate such residence. The sexual predator must  
552 provide or update all of the registration information required  
553 under paragraph (a). The sexual predator must provide an address  
554 for the residence or other place where ~~location that~~ he or she is  
555 or will be located ~~occupying~~ during the time in which he or she  
556 fails to establish or maintain a permanent or temporary  
557 residence.

558 3. A sexual predator who remains at a permanent or  
559 temporary residence after reporting his or her intent to vacate  
560 such residence shall, within 48 hours after the date upon which  
561 the predator indicated he or she would or did vacate such  
562 residence, report in person to the sheriff's office to which he  
563 or she reported pursuant to subparagraph 2. for the purpose of  
564 reporting his or her address at such residence. When the sheriff  
565 receives the report, the sheriff shall promptly convey the  
566 information to the department. An offender who makes a report as  
567 required under subparagraph 2. but fails to make a report as  
568 required under this subparagraph commits a felony of the second  
569 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
570 775.084.

571 4. A sexual predator must register any electronic mail  
572 address or instant message name with the department prior to  
573 using such electronic mail address or instant message name on or  
574 after October 1, 2007. The department shall establish an online  
575 system through which sexual predators may securely access and  
576 update all electronic mail address and instant message name  
577 information.

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578 (h) The department must notify the sheriff and the state  
579 attorney of the county and, if applicable, the police chief of  
580 the municipality, where the sexual predator maintains a  
581 residence.

582 (i) A sexual predator who intends to establish a temporary,  
583 transient, or permanent residence in another state or  
584 jurisdiction other than the State of Florida shall report in  
585 person to the sheriff of the county of current residence within  
586 48 hours before the date he or she intends to leave this state to  
587 establish residence in another state or jurisdiction. The sexual  
588 predator must provide to the sheriff the address, municipality,  
589 county, and state of intended residence. The sheriff shall  
590 promptly provide to the department the information received from  
591 the sexual predator. The department shall notify the statewide  
592 law enforcement agency, or a comparable agency, in the intended  
593 state or jurisdiction of residence of the sexual predator's  
594 intended residence. The failure of a sexual predator to provide  
595 his or her intended place of residence is punishable as provided  
596 in subsection (10).

597 (j) A sexual predator who indicates his or her intent to  
598 reside or establish a temporary or transient residence in another  
599 state or jurisdiction other than the State of Florida and later  
600 decides to remain in this state shall, within 48 hours after the  
601 date upon which the sexual predator indicated he or she would  
602 leave this state, report in person to the sheriff to which the  
603 sexual predator reported the intended change of residence, and  
604 report his or her intent to remain in this state. If the sheriff  
605 is notified by the sexual predator that he or she intends to  
606 remain in this state, the sheriff shall promptly report this

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607 information to the department. A sexual predator who reports his  
608 or her intent to reside or establish a temporary or transient  
609 residence in another state or jurisdiction, but who remains in  
610 this state without reporting to the sheriff in the manner  
611 required by this paragraph, commits a felony of the second  
612 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
613 775.084.

614 (k)1. The department is responsible for the online  
615 maintenance of current information regarding each registered  
616 sexual predator. The department must maintain hotline access for  
617 state, local, and federal law enforcement agencies to obtain  
618 instantaneous locator file and offender characteristics  
619 information on all released registered sexual predators for  
620 purposes of monitoring, tracking, and prosecution. The photograph  
621 and biometric identification information need fingerprints ~~do not~~  
622 ~~have to~~ be stored in a computerized format.

623 2. The department's sexual predator registration list,  
624 containing the information described in subparagraph (a)1., is a  
625 public record. The department is authorized to disseminate this  
626 public information by any means deemed appropriate, including  
627 operating a toll-free telephone number for this purpose. When the  
628 department provides information regarding a registered sexual  
629 predator to the public, department personnel must advise the  
630 person making the inquiry that positive identification of a  
631 person believed to be a sexual predator cannot be established  
632 unless a fingerprint comparison is made, and that it is illegal  
633 to use public information regarding a registered sexual predator  
634 to facilitate the commission of a crime.

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635 3. The department shall adopt guidelines as necessary  
636 regarding the registration of sexual predators and the  
637 dissemination of information regarding sexual predators as  
638 required by this section.

639 (1) A sexual predator must maintain registration with the  
640 department for the duration of his or her life, unless the sexual  
641 predator has received a full pardon or has had a conviction set  
642 aside in a postconviction proceeding for any offense that met the  
643 criteria for the sexual predator designation.

644 (7) COMMUNITY AND PUBLIC NOTIFICATION.--

645 (a) Law enforcement agencies must inform members of the  
646 community and the public of a sexual predator's presence. Upon  
647 notification of the presence of a sexual predator, the sheriff of  
648 the county or the chief of police of the municipality where the  
649 sexual predator establishes or maintains a permanent or temporary  
650 residence shall notify members of the community and the public of  
651 the presence of the sexual predator in a manner deemed  
652 appropriate by the sheriff or the chief of police. Within 48  
653 hours after receiving notification of the presence of a sexual  
654 predator, the sheriff of the county or the chief of police of the  
655 municipality where the sexual predator temporarily or permanently  
656 resides shall notify each licensed day care center, elementary  
657 school, middle school, and high school within a 1-mile radius of  
658 the temporary or permanent residence of the sexual predator of  
659 the presence of the sexual predator. Information provided to  
660 members of the community and the public regarding a sexual  
661 predator must include:

662 1. The name, nicknames, aliases, and pseudonyms of the  
663 sexual predator;

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664 2. A description of the sexual predator, including a  
665 photograph;

666 3. The sexual predator's current permanent, temporary, and  
667 transient addresses and descriptions of registered locations that  
668 have no specific street address, including the name of the county  
669 or municipality if known;

670 4. The circumstances of the sexual predator's offense or  
671 offenses; ~~and~~

672 5. Whether the victim of the sexual predator's offense or  
673 offenses was, at the time of the offense, a minor or an adult;~~-~~

674 6. The sexual predator's employment address or, if there is  
675 no fixed employment address, information describing the sexual  
676 predator's probable employment location during the course of the  
677 business day, including normal routes or general areas, with  
678 whatever specificity is possible, or places where the sexual  
679 predator volunteers for or carries out a trade or business;

680 7. The address of the sexual predator's institution of  
681 higher education or secondary educational institution; and

682 8. The license tag and registration numbers and a  
683 description of each vehicle owned or operated by the sexual  
684 predator.

685

686 This paragraph does not authorize the release of the name of any  
687 victim of the sexual predator.

688 (8) VERIFICATION.--The department and the Department of  
689 Corrections shall implement a system for verifying the addresses  
690 of sexual predators. The system must be consistent with the  
691 provisions of the federal Adam Walsh Child Protection and Safety  
692 Act of 2006 and any other federal standards applicable to such



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693 verification or required to be met as a condition for the receipt  
694 of federal funds by the state. The Department of Corrections  
695 shall verify the addresses of sexual predators who are not  
696 incarcerated but who reside in the community under the  
697 supervision of the Department of Corrections and shall report to  
698 the department any failure by a sexual predator to comply with  
699 registration requirements. County and local law enforcement  
700 agencies, in conjunction with the department, shall verify the  
701 addresses of sexual predators who are not under the care,  
702 custody, control, or supervision of the Department of  
703 Corrections. Local law enforcement agencies shall report to the  
704 department any failure by a sexual predator to comply with  
705 registration requirements.

706 (a) A sexual predator must report in person each year  
707 during the month of the sexual predator's birthday and during  
708 every third month thereafter to the sheriff's office in the  
709 county in which he or she resides or is otherwise located to  
710 reregister. The sheriff's office may determine the appropriate  
711 times and days for reporting by the sexual predator, which shall  
712 be consistent with the reporting requirements of this paragraph.  
713 Reregistration shall include any changes to the following  
714 information:

715 1. Name; nicknames; pseudonyms; social security number; any  
716 alias or false date of birth ever used; age; race; sex; date of  
717 birth; height; weight; hair and eye color; physical description,  
718 including scars, marks, and tattoos; address of any permanent  
719 residence and address of any current temporary residence, within  
720 the state or outside the ~~out of~~ state, including a rural route  
721 address and a post office box; if there is no permanent or

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722 temporary address, any transient residence within the state;  
723 address, location, description, and dates of any current or known  
724 future in-state and out-of-state temporary residence; any  
725 electronic mail address and any instant message name required to  
726 be provided pursuant to subparagraph (6)(g)4.; all telephone  
727 numbers, including fixed location and cellular telephone numbers,  
728 and any other designations used for routing or self-  
729 identification in telephonic communications; date and place of  
730 any current or known future employment; volunteer, trade, or  
731 business activities, including the street address or, if no  
732 specific address is available, the location of the employer; all  
733 professional licenses that authorize the registrant to engage in  
734 an occupation or carry out a trade or business; all driver's  
735 license and identification card numbers and identifiers; all  
736 travel and immigration documents, including passport and visa  
737 identifying information from such documents, including, but not  
738 limited to, unique identifiers and pertinent issuance and  
739 expiration dates, location of issuance, destinations, and  
740 immigration status; any owned or operated vehicle, vessel, or  
741 aircraft; a description of the make, model, color, and license  
742 tag number and registration; a description of the trade or  
743 business name or information affixed thereto, and other  
744 identifier information; information regarding the place or places  
745 where the vehicle, vessel, or aircraft is habitually parked,  
746 docked, stored, or otherwise kept if the location is different  
747 from the registrant's address; biometric identification  
748 information ~~fingerprints~~; and photograph. A post office box may  
749 ~~shall~~ not be provided in lieu of a physical residential address.  
750 On or after December 31, 2008, and by July 1, 2009, unless

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751 previously submitted as part of registration or reregistration, a  
752 sexual predator shall submit palm prints during the month of his  
753 or her reregistration. The sheriff shall promptly forward the  
754 palm prints to the department in an electronic format. The  
755 department may provide the palm prints to the Federal Bureau of  
756 Investigation or other criminal justice agencies.

757 2. If the sexual predator is or will be enrolled, employed,  
758 or carrying on a vocation at an institution of higher education  
759 or a secondary educational institution ~~in this state~~, the sexual  
760 predator shall ~~also~~ provide to the department the name, address,  
761 and county of each institution, including each campus attended,  
762 and the sexual predator's enrollment or employment status.

763 3. If the sexual predator's place of residence is a motor  
764 vehicle, trailer, mobile home, or manufactured home, as defined  
765 in chapter 320, the sexual predator shall also provide the  
766 vehicle identification number; the license tag number; the  
767 registration number; and a description, including color scheme,  
768 of the motor vehicle, trailer, mobile home, or manufactured home.  
769 If the sexual predator's place of residence is a vessel, live-  
770 aboard vessel, or houseboat, as defined in chapter 327, the  
771 sexual predator shall also provide the hull identification  
772 number; the manufacturer's serial number; the name of the vessel,  
773 live-aboard vessel, or houseboat; the registration number; and a  
774 description, including color scheme, of the vessel, live-aboard  
775 vessel, or houseboat.

776 (b) The sheriff's office shall, within 2 working days,  
777 electronically submit and update all information provided by the  
778 sexual predator to the department in a manner prescribed by the  
779 department.

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780 (10) PENALTIES.--

781 (a) Except as otherwise specifically provided, a sexual  
782 predator who fails to register; who fails, after registration, to  
783 maintain, acquire, or renew a driver's license or identification  
784 card; who fails to provide required location information,  
785 electronic mail address information, instant message name  
786 information, or change-of-name information; who fails to make a  
787 required report in connection with vacating a permanent  
788 residence; who fails to reregister as required; who fails to  
789 respond to any address verification correspondence from the  
790 department within 3 weeks of the date of the correspondence; who  
791 knowingly provides false information; or who otherwise fails, by  
792 act or omission, to comply with the requirements of this section,  
793 commits a felony of the third degree, punishable as provided in  
794 s. 775.082, s. 775.083, or s. 775.084.

795 (b) A sexual predator who has been convicted of or found to  
796 have committed, or has pled nolo contendere or guilty to,  
797 regardless of adjudication, any violation, or attempted  
798 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where  
799 the victim is a minor and the defendant is not the victim's  
800 parent or guardian; s. 794.011, excluding s. 794.011(10); s.  
801 794.05; s. 796.03; s. 796.035; s. 800.04; a felony offense under  
802 s. 810.145, when the victim is a minor; s. 827.071; s. 847.0133;  
803 s. 847.0145; or s. 985.701(1); or any conviction for a similar  
804 offense committed in this state which has been redesignated from  
805 a former statute number to one of those listed in this  
806 subsection; or a violation of a similar law of another  
807 jurisdiction when the victim of the offense was a minor, and who  
808 works, whether for compensation or as a volunteer, at any

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809 | business, school, day care center, park, playground, or other  
810 | place where children regularly congregate, commits a felony of  
811 | the third degree, punishable as provided in s. 775.082, s.  
812 | 775.083, or s. 775.084.

813 |       (c) Any person who misuses public records information  
814 | relating to a sexual predator, as defined in this section, or a  
815 | sexual offender, as defined in s. 943.0435, ~~or~~ s. 944.607, or s.  
816 | 985.4815, to secure a payment from such a predator or offender;  
817 | who knowingly distributes or publishes false information relating  
818 | to such a predator or offender which the person misrepresents as  
819 | being public records information; or who materially alters public  
820 | records information with the intent to misrepresent the  
821 | information, including documents, summaries of public records  
822 | information provided by law enforcement agencies, or public  
823 | records information displayed by law enforcement agencies on  
824 | websites or provided through other means of communication,  
825 | commits a misdemeanor of the first degree, punishable as provided  
826 | in s. 775.082 or s. 775.083.

827 |       Section 2. Subsections (1), (2), (3), (4), (7), (8), and  
828 | (10), paragraph (a) of subsection (11), and paragraphs (b) and  
829 | (c) of subsection (14) of section 943.0435, Florida Statutes, are  
830 | amended to read:

831 |       943.0435 Sexual offenders required to register with the  
832 | department; penalty.--

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

834 |       (a)1. "Sexual offender" means a person who meets the  
835 | criteria in sub-subparagraph a., sub-subparagraph b., sub-  
836 | subparagraph c., ~~or~~ sub-subparagraph e.,  
837 | as follows:

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838 a. (I) Has been convicted of committing, or attempting,  
839 soliciting, or conspiring to commit, any of the criminal offenses  
840 proscribed in the following statutes in this state or similar  
841 offenses in another jurisdiction: s. 787.01, s. 787.02, or s.  
842 787.025(2) (c), when ~~where~~ the victim is a minor and the defendant  
843 is not the victim's parent or guardian; s. 794.011, excluding s.  
844 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; a  
845 felony offense under s. 810.145, when the victim is a minor; s.  
846 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.  
847 847.0135(5) ~~s. 847.0135(4)~~; s. 847.0137; s. 847.0138; s.  
848 847.0145; or s. 985.701(1); or any conviction for a similar  
849 offense committed in this state which has been redesignated from  
850 a former statute number to one of those listed in this sub-sub-  
851 subparagraph; and

852 (II) Except as provided in sub-subparagraph e., has been  
853 released on or after October 1, 1997, from the sanction imposed  
854 for any conviction of an offense described in sub-sub-  
855 subparagraph (I). For purposes of sub-sub-subparagraph (I), a  
856 sanction imposed in this state or in any other jurisdiction  
857 includes, but is not limited to, a fine, probation, community  
858 control, parole, conditional release, control release, or  
859 incarceration in a state prison, federal prison, private  
860 correctional facility, or local detention facility;

861 b. Establishes or maintains a residence in this state and  
862 who has not been designated as a sexual predator by a court of  
863 this state but who has been designated as a sexual predator, as a  
864 sexually violent predator, or by another sexual offender  
865 designation in another state or jurisdiction and was, as a result  
866 of such designation, subjected to registration or community or

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867 public notification, or both, or would be if the person were a  
868 resident of that state or jurisdiction, without regard to whether  
869 the person otherwise meets the criteria for registration as a  
870 sexual offender;

871 c. Establishes or maintains a residence in this state who  
872 is in the custody or control of, or under the supervision of, any  
873 other state or jurisdiction as a result of a conviction for  
874 committing, or attempting, soliciting, or conspiring to commit,  
875 any of the criminal offenses proscribed in the following statutes  
876 or similar offense in another jurisdiction: s. 787.01, s. 787.02,  
877 or s. 787.025(2)(c), where the victim is a minor and the  
878 defendant is not the victim's parent or guardian; s. 794.011,  
879 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.  
880 800.04; a felony offense under s. 810.145, when the victim is a  
881 minor; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
882 excluding s. 847.0135(5) ~~s. 847.0135(4)~~; s. 847.0137; s.  
883 847.0138; s. 847.0145; or s. 985.701(1); or any conviction for a  
884 similar offense committed in this state which has been  
885 redesignated from a former statute number to one of those listed  
886 in this sub-subparagraph; ~~or~~

887 d. For an offense committed on or after July 1, 2007, has  
888 been adjudicated delinquent for committing, or attempting,  
889 soliciting, or conspiring to commit, any of the criminal offenses  
890 proscribed in the following statutes in this state or similar  
891 offenses in another jurisdiction when the juvenile was 14 years  
892 of age or older at the time of the offense:

893 (I) Section 794.011, excluding s. 794.011(10);

894 (II) Section 800.04(4)(b) when ~~where~~ the victim is under 12  
895 years of age or where the court finds sexual activity by the use

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896 of force or by threatening or placing the victim in fear that a  
897 person would be subjected to death, serious bodily injury, or  
898 kidnapping coercion;

899 (III) Section 800.04(5)(c)1. where the court finds  
900 molestation involving unclothed genitals; or

901 (IV) Section 800.04(5)(d) when ~~where~~ the court finds the  
902 use of force or the victim was threatened or placed in fear that  
903 a person would be subjected to death, serious bodily injury, or  
904 kidnapping coercion and unclothed genitals; or-

905 e. Is released on or after July 1, 2008, from any sanction  
906 as a result of a conviction for a felony offense in this state  
907 and who has previously been convicted in any state or  
908 jurisdiction for committing, or attempting, soliciting, or  
909 conspiring to commit, any of the criminal offenses proscribed in  
910 the following statutes or similar offense in another  
911 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), when the  
912 victim is a minor and the defendant is not the victim's parent or  
913 guardian; s. 794.011, excluding s. 794.011(10); s. 794.05; s.  
914 796.03; s. 796.035; s. 800.04; s. 810.145, when the victim is a  
915 minor; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
916 excluding s. 847.0135(5); s. 847.0137; s. 847.0138; s. 847.0145;  
917 or s. 985.701(1); or any conviction for a similar offense  
918 committed in this state which has been redesignated from a former  
919 statute number to one of those listed in this sub-subparagraph.  
920 This does not include a person who has been released from  
921 sanctions for the previous sexual offense for 25 or more years if  
922 there is no more than one prior conviction for a sexual offense  
923 and if the sexual offense was not an act prohibited under any of  
924 the following:



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925        (I) Section 787.01 or s. 787.02 when the victim is a minor  
926 and the offender is not the victim's parent or guardian;  
927        (II) Section 794.011, excluding s. 794.011 (8) (a), 794.011  
928 (10);  
929        (III) Section 800.04(4) (b) when the court finds the offense  
930 involved a victim under 12 years of age or sexual activity by the  
931 use of force;  
932        (IV) Section 800.04(5) (b);  
933        (V) Section 800.04(5) (c)1. when the court finds molestation  
934 involving unclothed genitals or genital area;  
935        (VI) Section 800.04(5)c.2. when the court finds molestation  
936 involving unclothed genitals or genital area;  
937        (VII) Section 800.04(5) (d) when the court finds the use of  
938 force and unclothed genitals or genital area;  
939        (VIII) Any attempt or conspiracy to commit such offense;  
940        (IX) A violation of a similar law of another jurisdiction;  
941 or  
942        (X) Any conviction for a similar offense committed in this  
943 state which has been redesignated from a former statute number to  
944 one of those listed in this subsection.  
945        2. For all qualifying offenses listed in sub-subparagraph  
946 (1) (a) 1.d. or sub-subparagraph (1) (a) 1.e., the court shall make a  
947 written finding of the age of the offender at the time of the  
948 offense.  
949  
950 For each violation of a qualifying offense listed in this  
951 subsection, the court shall make a written finding of the age of  
952 the victim at the time of the offense. For a violation of s.  
953 800.04(4), the court shall additionally make a written finding

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954 indicating that the offense did or did not involve sexual  
955 activity, and indicating that the offense did or did not involve  
956 the use of force or threatening or placing the victim in fear  
957 that a person would be subjected to death, serious bodily injury,  
958 or kidnapping coercion. For a violation of s. 800.04(5), the  
959 court shall additionally make a written finding that the offense  
960 did or did not involve unclothed genitals or genital area and  
961 that the offense did or did not involve the use of force or  
962 threatening or placing the victim in fear that a person would be  
963 subjected to death, serious bodily injury, or kidnapping  
964 coercion.

965 (b) "Convicted" means that there has been a determination  
966 of guilt as a result of a trial or the entry of a plea of guilty  
967 or nolo contendere, regardless of whether adjudication is  
968 withheld, and includes an adjudication of delinquency of a  
969 juvenile as specified in this section. Conviction of a similar  
970 offense includes, but is not limited to, a conviction by a  
971 federal or military tribunal, including courts-martial conducted  
972 by the Armed Forces of the United States, and includes a  
973 conviction or entry of a plea of guilty or nolo contendere  
974 resulting in a sanction in any state of the United States or  
975 other jurisdiction. A sanction includes, but is not limited to, a  
976 fine, probation, community control, parole, conditional release,  
977 control release, or incarceration in a state prison, federal  
978 prison, private correctional facility, or local detention  
979 facility.

980 (c) "Permanent residence," "transient residence," and  
981 "temporary residence" have the same meaning ascribed in s.  
982 775.21.

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983 (d) "Institution of higher education" means a career  
984 center, community college, college, state university, or  
985 independent postsecondary institution.

986 (e) "Change in enrollment or employment status" means the  
987 commencement or termination of enrollment or employment or a  
988 change in location of enrollment or employment.

989 (f) "Electronic mail address" has the same meaning as  
990 provided in s. 668.602.

991 (g) "Instant message name" means an identifier that allows  
992 a person to communicate in real time with another person using  
993 the Internet.

994 (h) "Secondary educational institution" means any trade,  
995 professional, or secondary school, including a public, private,  
996 religious, denominational, parochial, or nonparochial  
997 institution, attended for any purpose, including, but not limited  
998 to, secular, religious, or cultural studies.

999 (2) A sexual offender shall:

1000 (a) Report in person at the sheriff's office:

1001 1. In the county in which the offender establishes or  
1002 maintains a permanent, transient, or temporary residence within  
1003 48 hours after:

1004 a. Establishing permanent, transient, or temporary  
1005 residence in this state; or

1006 b. Being released from the custody, control, or supervision  
1007 of the Department of Corrections or from the custody of a private  
1008 correctional facility; or

1009 2. In the county where he or she was convicted within 48  
1010 hours after being convicted for a qualifying offense for  
1011 registration under this section if the offender is not in the

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1012 custody or control of, or under the supervision of, the  
1013 Department of Corrections, or is not in the custody of a private  
1014 correctional facility.

1015  
1016 Any change in the information required to be provided under  
1017 paragraph (b), including, but not limited to, change in the  
1018 sexual offender's permanent, transient, or temporary residence,  
1019 name, any electronic mail address and any instant message name  
1020 required to be provided pursuant to paragraph (4) (d), after the  
1021 sexual offender reports in person at the sheriff's office, shall  
1022 be accomplished in the manner provided in subsections (4), (7),  
1023 and (8).

1024 (b) Provide his or her name, nicknames, pseudonyms, date of  
1025 birth, any alias or false date of birth ever used, social  
1026 security number, any alias or false social security numbers ever  
1027 used, race, sex, height, weight, hair and eye color, physical  
1028 description, including scars, tattoos, or other identifying  
1029 marks, occupation and place of employment, address of permanent  
1030 or legal residence or address of any current temporary or  
1031 transient residence, within the state and outside the ~~out of~~  
1032 state, including a rural route address and a post office box, if  
1033 there is no permanent or temporary address or residence, any  
1034 transient residence in the state; address, location, description,  
1035 and dates of any current or known future temporary residence  
1036 within the state or outside state; all telephone numbers,  
1037 including fixed location and cellular telephone numbers and any  
1038 other designations used for routing or self-identification in  
1039 telephonic communications; any electronic mail address and any  
1040 instant message name required to be provided pursuant to

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1041 paragraph (4) (d); date and place of any current or known future  
1042 employment; volunteer, trade, or business activities, including  
1043 the street address or, if no specific street address is  
1044 available, the location of the employer; all professional  
1045 licenses that authorize the registrant to engage in an occupation  
1046 or carry out a trade or business; all driver's license and  
1047 identification card numbers and identifiers; all travel and  
1048 immigration documents, including passport and visa and  
1049 identifying information from such documents, including, but not  
1050 limited to, unique identifiers and pertinent issuance and  
1051 expiration dates, location of issuance, destinations, and  
1052 immigration status;~~;~~ date and place of each conviction;~~;~~ and a  
1053 brief description of the crime or crimes committed by the  
1054 offender. A post office box may ~~shall~~ not be provided in lieu of  
1055 a physical residential address.

1056 1. If the sexual offender's place of residence is a motor  
1057 vehicle, trailer, mobile home, or manufactured home, as defined  
1058 in chapter 320, the sexual offender shall also provide to the  
1059 department through the sheriff's office written notice of the  
1060 vehicle identification number; the license tag number; the  
1061 registration number; and a description, including color scheme,  
1062 of the motor vehicle, trailer, mobile home, or manufactured home.  
1063 If the sexual offender's place of residence is a vessel, live-  
1064 aboard vessel, or houseboat, as defined in chapter 327, the  
1065 sexual offender shall also provide to the department written  
1066 notice of the hull identification number; the manufacturer's  
1067 serial number; the name of the vessel, live-aboard vessel, or  
1068 houseboat; the registration number; and a description, including  
1069 color scheme, of the vessel, live-aboard vessel, or houseboat.

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1070           2. If the sexual offender is or will be enrolled, employed,  
1071 or carrying on a vocation at an institution of higher education  
1072 or a secondary educational institution in this state, the sexual  
1073 offender shall ~~also~~ provide to the department through the  
1074 sheriff's office the name, address, and county of each  
1075 institution, including each campus attended, and the sexual  
1076 offender's enrollment or employment status. Each change in  
1077 enrollment or employment status shall be reported in person at  
1078 the sheriff's office, within 48 hours after any change in status.  
1079 The sheriff shall promptly notify each institution of the sexual  
1080 offender's presence and any change in the sexual offender's  
1081 enrollment or employment status.

1082           3. If the sexual offender is employed, volunteers for, or  
1083 carries out any trade or business, the sexual offender shall  
1084 report the street address of the employer or, if no specific  
1085 address is available, the location of the employer. If the sexual  
1086 offender's employer lacks a fixed street address or location, the  
1087 sexual offender shall report the sexual offender's probable  
1088 location during the course of the business day, including normal  
1089 routes or general areas, with whatever specificity is possible.  
1090 Each change in the reported information required in this  
1091 subparagraph must be reported in person at the sheriff's office  
1092 within 48 hours after any change in status. The sheriff shall  
1093 promptly notify the department of this change of the sexual  
1094 offender's registration information.

1095           4. If the sexual offender owns or operates any vehicle,  
1096 vessel, or aircraft for personal or business use, the sexual  
1097 offender must report information regarding the vehicle, vessel,  
1098 or aircraft. The information must include the license tag and

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1099 registration numbers; a description of the vehicle, vessel, or  
1100 aircraft, including any trade or business names or information  
1101 affixed thereto; and information regarding the location where the  
1102 vehicle, vessel, or aircraft is habitually parked, stored,  
1103 docked, or otherwise kept if the location is different from the  
1104 registrant's address. Each change in the reportable information  
1105 required in this subparagraph must be reported in person at the  
1106 sheriff's office within 48 hours after any change in status. The  
1107 sheriff shall promptly notify the department of this change of  
1108 the sexual offender's reportable information.

1109  
1110 When a sexual offender reports at the sheriff's office, the  
1111 sheriff shall take a photograph and a set of biometric  
1112 identification information, including fingerprints and palm  
1113 prints of the offender and electronically forward the photographs  
1114 and biometric identification information, ~~fingerprints~~ to the  
1115 department, along with the information provided by the sexual  
1116 offender. The sheriff shall promptly provide to the department  
1117 the information received from the sexual offender. A sexual  
1118 offender who meets the criteria for registration as defined in  
1119 this section for an offense committed on or after December 31,  
1120 2008, must submit a set of palm prints during registration. The  
1121 sheriff shall promptly forward the palm prints to the department  
1122 in an electronic format. The department may provide the palm  
1123 prints to the Federal Bureau of Investigation or other criminal  
1124 justice agencies.

1125 (3) Within 48 hours after the report required under  
1126 subsection (2), a sexual offender shall report in person at a  
1127 driver's license office of the Department of Highway Safety and

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1128 Motor Vehicles, unless a driver's license or identification card  
1129 that complies with the requirements of s. 322.141(3) was  
1130 previously secured or updated under s. 944.607 or s. 985.4815. At  
1131 the driver's license office the sexual offender shall:

1132 (a) If otherwise qualified, secure a Florida driver's  
1133 license, renew a Florida driver's license, or secure an  
1134 identification card. The sexual offender shall identify himself  
1135 or herself as a sexual offender who is required to comply with  
1136 this section and shall provide proof that the sexual offender  
1137 reported as required in subsection (2). The sexual offender shall  
1138 provide any of the information specified in subsection (2), if  
1139 requested. The sexual offender shall submit to the taking of a  
1140 photograph for use in issuing a driver's license, renewed  
1141 license, or identification card, and for use by the department in  
1142 maintaining current records of sexual offenders.

1143 (b) Pay the costs assessed by the Department of Highway  
1144 Safety and Motor Vehicles for issuing or renewing a driver's  
1145 license or identification card as required by this section. The  
1146 driver's license or identification card issued must be in  
1147 compliance with s. 322.141(3).

1148 (c) Provide, upon request, any additional information  
1149 necessary to confirm the identity of the sexual offender,  
1150 including a set of fingerprints.

1151 (4) (a) Each time a sexual offender's driver's license or  
1152 identification card is subject to renewal, and, without regard to  
1153 the status of the offender's driver's license or identification  
1154 card, within 48 hours after any change in the offender's  
1155 permanent, transient, or temporary residence or change in the  
1156 offender's name by reason of marriage or other legal process, the



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1157 offender shall report in person to a driver's license office, and  
1158 shall be subject to the requirements specified in subsection (3).  
1159 The Department of Highway Safety and Motor Vehicles shall forward  
1160 to the department all photographs and information provided by  
1161 sexual offenders. Notwithstanding the restrictions set forth in  
1162 s. 322.142, the Department of Highway Safety and Motor Vehicles  
1163 is authorized to release a reproduction of a color-photograph or  
1164 digital-image license to the Department of Law Enforcement for  
1165 purposes of public notification of sexual offenders as provided  
1166 in this section and ss. 943.043 and 944.606.

1167 (b) A sexual offender who vacates a permanent or temporary  
1168 residence and fails to establish or maintain another permanent or  
1169 temporary residence shall, within 48 hours after vacating the  
1170 permanent or temporary residence, report in person to the  
1171 sheriff's office of the county in which he or she is located. The  
1172 sexual offender shall specify the date upon which he or she  
1173 intends to or did vacate such residence. The sexual offender must  
1174 provide or update all of the registration information required  
1175 under paragraph (2) (b). The sexual offender must provide an  
1176 address for the residence or other place where ~~location that~~ he  
1177 or she is or will be located ~~occupying~~ during the time in which  
1178 he or she fails to establish or maintain a permanent or temporary  
1179 residence.

1180 (c) A sexual offender who remains at a permanent or  
1181 temporary residence after reporting his or her intent to vacate  
1182 the ~~such~~ residence shall, within 48 hours after the date upon  
1183 which the offender indicated he or she would or did vacate the  
1184 ~~such~~ residence, report in person to the agency to which he or she  
1185 reported pursuant to paragraph (b) for the purpose of reporting

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1186 his or her address at the ~~such~~ residence. When the sheriff  
1187 receives the report, the sheriff shall promptly convey the  
1188 information to the department. An offender who makes a report as  
1189 required under paragraph (b) but fails to make a report as  
1190 required under this paragraph commits a felony of the second  
1191 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
1192 775.084.

1193 (d) A sexual offender must register any electronic mail  
1194 address or instant message name with the department before ~~prior~~  
1195 ~~to~~ using the ~~such~~ electronic mail address or instant message name  
1196 on or after October 1, 2007. The department shall establish an  
1197 online system through which sexual offenders may securely access  
1198 and update all electronic mail address and instant message name  
1199 information.

1200 (7) A sexual offender who intends to establish a permanent,  
1201 temporary, or transient residence in another state or  
1202 jurisdiction other than the State of Florida shall report in  
1203 person to the sheriff of the county of current residence within  
1204 48 hours before the date he or she intends to leave this state to  
1205 establish residence in another state or jurisdiction. The  
1206 notification must include the address, municipality, county, and  
1207 state of intended residence. The sheriff shall promptly provide  
1208 to the department the information received from the sexual  
1209 offender. The department shall notify the statewide law  
1210 enforcement agency, or a comparable agency, in the intended state  
1211 or jurisdiction of residence of the sexual offender's intended  
1212 residence. The failure of a sexual offender to provide his or her  
1213 intended place of residence is punishable as provided in  
1214 subsection (9).

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1215 (8) A sexual offender who indicates his or her intent to  
1216 reside or establish a permanent, temporary, or transient  
1217 residence in another state or jurisdiction other than the State  
1218 of Florida and later decides to remain in this state shall,  
1219 within 48 hours after the date upon which the sexual offender  
1220 indicated he or she would leave this state, report in person to  
1221 the sheriff to which the sexual offender reported the intended  
1222 change of permanent, temporary, or transient residence, and  
1223 report his or her intent to remain in this state. The sheriff  
1224 shall promptly report this information to the department. A  
1225 sexual offender who reports his or her intent to reside or  
1226 establish a permanent, temporary, or transient residence in  
1227 another state or jurisdiction but who remains in this state  
1228 without reporting to the sheriff in the manner required by this  
1229 subsection commits a felony of the second degree, punishable as  
1230 provided in s. 775.082, s. 775.083, or s. 775.084.

1231 (10) The department, the Department of Highway Safety and  
1232 Motor Vehicles, the Department of Corrections, the Department of  
1233 Juvenile Justice, any law enforcement agency in this state, and  
1234 the personnel of those departments; an elected or appointed  
1235 official, public employee, or school administrator; or an  
1236 employee, agency, or any individual or entity acting at the  
1237 request or upon the direction of any law enforcement agency is  
1238 immune from civil liability for damages for good faith compliance  
1239 with the requirements of this section or for the release of  
1240 information under this section, and shall be presumed to have  
1241 acted in good faith in compiling, recording, reporting, or  
1242 releasing the information. The presumption of good faith is not  
1243 overcome if a technical or clerical error is made by the

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1244 department, the Department of Highway Safety and Motor Vehicles,  
1245 the Department of Corrections, the Department of Juvenile  
1246 Justice, the personnel of those departments, or any individual or  
1247 entity acting at the request or upon the direction of any of  
1248 those departments in compiling or providing information, or if  
1249 information is incomplete or incorrect because a sexual offender  
1250 fails to report or falsely reports his or her current place of  
1251 permanent, transient, or temporary residence.

1252 (11) Except as provided in s. 943.04354, a sexual offender  
1253 must maintain registration with the department for the duration  
1254 of his or her life, unless the sexual offender has received a  
1255 full pardon or has had a conviction set aside in a postconviction  
1256 proceeding for any offense that meets the criteria for  
1257 classifying the person as a sexual offender for purposes of  
1258 registration. However, a sexual offender:

1259 (a)1. Who has been lawfully released from confinement,  
1260 supervision, or sanction, whichever is later, for at least 25  
1261 years and has not been arrested for any felony or misdemeanor  
1262 offense since release, provided that the sexual offender's  
1263 requirement to register was not based upon an adult conviction:

1264 a. For a violation of s. 787.01 or s. 787.02;

1265 b. For a violation of s. 794.011, excluding ss.  
1266 794.011(8)(a) and ~~s.~~ 794.011(10);

1267 c. For a violation of s. 800.04(4)(b) when ~~where~~ the court  
1268 finds the offense involved a victim under 12 years of age or  
1269 sexual activity by the use of force or by threatening or placing  
1270 the victim in fear that a person would be subjected to death,  
1271 serious bodily injury, or kidnapping ~~exercise~~;

1272 d. For a violation of s. 800.04(5)(b);

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1273 e. For a violation of s. 800.04(5)c.2. where the court  
1274 finds the offense involved unclothed genitals or genital area;

1275 f. For any attempt or conspiracy to commit any such  
1276 offense; ~~or~~

1277 g. For a violation of similar law of another jurisdiction;  
1278 or

1279 h. For any conviction for a similar offense committed in  
1280 this state which has been redesignated from a former statute  
1281 number to one of those listed in this subsection,

1282  
1283 may petition the criminal division of the circuit court of the  
1284 circuit in which the sexual offender resides for the purpose of  
1285 removing the requirement for registration as a sexual offender.

1286 2. The court may grant or deny relief if the offender  
1287 demonstrates to the court that he or she has not been arrested  
1288 for any crime since release; the requested relief complies with  
1289 the provisions of the federal Adam Walsh Child Protection and  
1290 Safety Act of 2006 and any other federal standards applicable to  
1291 the removal of registration requirements for a sexual offender or  
1292 required to be met as a condition for the receipt of federal  
1293 funds by the state; and the court is otherwise satisfied that the  
1294 offender is not a current or potential threat to public safety.  
1295 The state attorney in the circuit in which the petition is filed  
1296 must be given notice of the petition at least 3 weeks before the  
1297 hearing on the matter. The state attorney may present evidence in  
1298 opposition to the requested relief or may otherwise demonstrate  
1299 the reasons why the petition should be denied. If the court  
1300 denies the petition, the court may set a future date at which the

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1301 sexual offender may again petition the court for relief, subject  
1302 to the standards for relief provided in this subsection.

1303 3. The department shall remove an offender from  
1304 classification as a sexual offender for purposes of registration  
1305 if the offender provides to the department a certified copy of  
1306 the court's written findings or order that indicates that the  
1307 offender is no longer required to comply with the requirements  
1308 for registration as a sexual offender.

1309 (14)

1310 (b) However, a sexual offender who is required to register  
1311 as a result of a conviction under ~~for~~:

1312 1. Section 787.01 or s. 787.02 where the victim is a minor  
1313 and the offender is not the victim's parent or guardian;

1314 2. Section 794.011, excluding ss. 794.011(8)(a) and s.  
1315 794.011(10);

1316 3. Section 800.04(4)(b) when ~~where~~ the court finds the  
1317 offense involved a victim under 12 years of age or sexual  
1318 activity by the use of force or by threatening or placing the  
1319 victim in fear that a person would be subjected to death, serious  
1320 bodily injury, or kidnapping ~~coercion~~;

1321 4. Section 800.04(5)(b);

1322 5. Section 800.04(5)(c)1. where the court finds molestation  
1323 involving unclothed genitals or genital area;

1324 6. Section 800.04(5)c.2. where the court finds molestation  
1325 involving unclothed genitals or genital area;

1326 7. Section 800.04(5)(d) when ~~where~~ the court finds the use  
1327 of force or the victim was threatened or placed in fear that a  
1328 person would be subjected to death, serious bodily injury, or  
1329 kidnapping ~~coercion~~ and unclothed genitals or genital area;

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1330 8. Any attempt or conspiracy to commit such offense; ~~or~~  
1331 9. A violation of a similar law of another jurisdiction; or  
1332 10. Any conviction for a similar offense committed in this  
1333 state which has been redesignated from a former statute number to  
1334 one of those listed in this subsection,  
1335  
1336 must reregister each year during the month of the sexual  
1337 offender's birthday and every third month thereafter.

1338 (c) The sheriff's office may determine the appropriate  
1339 times and days for reporting by the sexual offender, which shall  
1340 be consistent with the reporting requirements of this subsection.  
1341 Reregistration shall include any changes to the following  
1342 information:

1343 1. Name; nicknames; pseudonyms; social security number; any  
1344 alias or false social security numbers ever used; age; race; sex;  
1345 date of birth; any alias or false date of birth ever used;  
1346 height; weight; hair and eye color; physical description  
1347 including scars, marks, and tattoos; address of any permanent  
1348 residence and address of any current temporary residence, within  
1349 the state or outside the ~~out of~~ state, including a rural route  
1350 address and a post office box; if there is no permanent or  
1351 temporary address, any transient residence in the state; address,  
1352 location, description, and dates of any current or known future  
1353 temporary residence both within the state and outside the state;  
1354 any electronic mail address and any instant message name required  
1355 to be provided pursuant to paragraph (4) (d); all telephone  
1356 numbers, including fixed location and cellular telephone numbers  
1357 and any other designations used for routing or self-  
1358 identification in telephonic communications; date and place of

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1359 | any current or known future employment; volunteer, trade, or  
1360 | business activities, including the street address or, if no  
1361 | specific street address is available, the location of the  
1362 | employer; all professional licenses that authorize the registrant  
1363 | to engage in an occupation or carry out a trade or business; all  
1364 | driver's license and identification card numbers and identifiers;  
1365 | all travel and immigration documents, including passport and visa  
1366 | identifying information from such documents, including, but not  
1367 | limited to, unique identifiers and pertinent issuance and  
1368 | expiration dates, location of issuance, destinations, and  
1369 | immigration status; any owned or operated vehicle, vessel, or  
1370 | aircraft; a description of the make, model, color, and the  
1371 | license tag number and registration, a description of any trade  
1372 | or business names or information affixed thereto, and other  
1373 | identifier; information regarding the place or places where the  
1374 | vehicle, vessel, or aircraft is habitually parked, docked,  
1375 | stored, or otherwise kept if the location is different from the  
1376 | registrant's address; biometric identification information,  
1377 | including fingerprints and palm prints; and photograph. A post  
1378 | office box may ~~shall~~ not be provided in lieu of a physical  
1379 | residential address. On or after December 31, 2008, and by July  
1380 | 1, 2009, unless previously submitted as part of registration or  
1381 | reregistration as required under s. 943.0435(14), s. 944.607(13),  
1382 | or s. 985.4815, a sexual offender shall submit palm prints during  
1383 | the month of his or her reregistration as required under s.  
1384 | 943.0435(14), s. 944.607(13), or s. 985.4815. The sheriff shall  
1385 | promptly forward the palm prints to the department in an  
1386 | electronic format. The department may provide the palm prints to



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1387 the Federal Bureau of Investigation or other criminal justice  
1388 agencies.

1389 2. If the sexual offender is or will be enrolled, employed,  
1390 or carrying on a vocation at an institution of higher education  
1391 or a secondary educational institution ~~in this state~~, the sexual  
1392 offender shall ~~also~~ provide to the department the name, address,  
1393 and county of each institution, including each campus attended,  
1394 and the sexual offender's enrollment or employment status.

1395 3. If the sexual offender's place of residence is a motor  
1396 vehicle, trailer, mobile home, or manufactured home, as defined  
1397 in chapter 320, the sexual offender shall also provide the  
1398 vehicle identification number; the license tag number; the  
1399 registration number; and a description, including color scheme,  
1400 of the motor vehicle, trailer, mobile home, or manufactured home.  
1401 If the sexual offender's place of residence is a vessel, live-  
1402 aboard vessel, or houseboat, as defined in chapter 327, the  
1403 sexual offender shall also provide the hull identification  
1404 number; the manufacturer's serial number; the name of the vessel,  
1405 live-aboard vessel, or houseboat; the registration number; and a  
1406 description, including color scheme, of the vessel, live-aboard  
1407 vessel or houseboat.

1408 4. Any sexual offender who fails to report in person as  
1409 required at the sheriff's office, or who fails to respond to any  
1410 address verification correspondence from the department within 3  
1411 weeks of the date of the correspondence or who fails to report  
1412 electronic mail addresses or instant message names, or knowingly  
1413 provides false information, commits a felony of the third degree,  
1414 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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1415 Section 3. Section 943.04355, Florida Statutes, is created  
1416 to read:

1417 943.04355 Registration of sexual offenders on Native  
1418 American reservations.--Pursuant to s. 285.16 and s. 127 of the  
1419 federal Sex Offender Registration Act of 2006, the department,  
1420 with the cooperation of local law enforcement agencies, may  
1421 assume the duties and functions of registering sexual offenders  
1422 and notifying the community as such duties and functions relate  
1423 to registrants under the jurisdiction of any federally recognized  
1424 Native American tribe that maintains a reservation or tribal  
1425 property in the state.

1426 Section 4. Subsection (1) and paragraph (a) of subsection  
1427 (3) of section 944.606, Florida Statutes, are amended to read:

1428 944.606 Sexual offenders; notification upon release.--

1429 (1) As used in this section, the term:

1430 (a) "Convicted" means there has been a determination of  
1431 guilt as a result of a trial or the entry of a plea of guilty or  
1432 nolo contendere, regardless of whether adjudication is withheld.  
1433 A conviction for a similar offense includes, but is not limited  
1434 to, a conviction by a federal or military tribunal, including  
1435 courts-martial conducted by the Armed Forces of the United  
1436 States, and includes a conviction or entry of a plea of guilty or  
1437 nolo contendere resulting in a sanction in any state of the  
1438 United States or other jurisdiction. A sanction includes, but is  
1439 not limited to, a fine; probation; community control; parole;  
1440 conditional release; control release; or incarceration in a state  
1441 prison, federal prison, private correctional facility, or local  
1442 detention facility.

1443 (b) "Sexual offender" means a person who:

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1444        1. Has been convicted of committing, or attempting,  
1445 soliciting, or conspiring to commit, any of the criminal offenses  
1446 proscribed in the following statutes in this state or similar  
1447 offenses in another jurisdiction: s. 787.01, s. 787.02, or s.  
1448 787.025(2)(c), when ~~where~~ the victim is a minor and the defendant  
1449 is not the victim's parent or guardian; s. 794.011, excluding s.  
1450 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; a  
1451 felony offense under s. 810.145, when the victim is a minor, s.  
1452 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.  
1453 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s.  
1454 985.701(1); or any conviction for a similar offense committed in  
1455 this state which has been redesignated from a former statute  
1456 number to one of those listed in this subsection, when the  
1457 department has received verified information regarding such  
1458 conviction; an offender's computerized criminal history record is  
1459 not, in and of itself, verified information.

1460        2. As of July 1, 2008, is currently incarcerated or serving  
1461 any sanction as a result of a conviction for a criminal offense  
1462 in this state and who has previously been convicted in any state  
1463 or jurisdiction for committing, or attempting, soliciting, or  
1464 conspiring to commit, any of the criminal offenses proscribed in  
1465 the following statutes or similar offense in another  
1466 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), when the  
1467 victim is a minor and the defendant is not the victim's parent or  
1468 guardian; s. 794.011, excluding s. 794.011(10); s. 794.05; s.  
1469 796.03; s. 796.035; s. 800.04; a felony offense of s. 810.145,  
1470 when the victim is a minor; s. 825.1025; s. 827.071; s. 847.0133;  
1471 s. 847.0135, excluding s. 847.0135(5); s. 847.0137; s. 847.0138;  
1472 s. 847.0145; or s. 985.701(1); or any conviction for a similar

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1473 offense committed in this state which has been redesignated from  
1474 a former statute number to one of those listed in this  
1475 subparagraph. This does not include persons who have been  
1476 released from sanctions for the previous sexual offense for 25 or  
1477 more years if there is no more than one prior sexual offense  
1478 conviction and if the sexual offense was not an act prohibited  
1479 under any of the following:

1480 a. Section 787.01 or s. 787.02 when the victim is a minor  
1481 and the offender is not the victim's parent or guardian;

1482 b. Section 794.011, excluding ss. 794.011(8) (a) and  
1483 794.011(10);

1484 c. Section 800.04(4) (b) when the court finds the offense  
1485 involved a victim under 12 years of age or sexual activity by the  
1486 use of force;

1487 d. Section 800.04(5) (b);

1488 e. Section 800.04(5) (c)1. when the court finds molestation  
1489 involving unclothed genitals or genital area;

1490 f. Section 800.04(5)c.2. when the court finds molestation  
1491 involving unclothed genitals or genital area;

1492 g. Section 800.04(5) (d) when the court finds the use of  
1493 force and unclothed genitals or genital area;

1494 h. Any attempt or conspiracy to commit such offense;

1495 i. A violation of a similar law of another jurisdiction; or

1496 j. Any conviction for a similar offense committed in this

1497 state which has been redesignated from a former statute number to  
1498 one of those listed in this subparagraph.

1499 (c) "Electronic mail address" has the same meaning as  
1500 provided in s. 668.602.

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1501 (d) "Instant message name" means an identifier that allows  
1502 a person to communicate in real time with another person using  
1503 the Internet.

1504 (3) (a) The department must provide information regarding  
1505 any sexual offender who is being released after serving a period  
1506 of incarceration for any offense, as follows:

1507 1. The department must provide: the sexual offender's name,  
1508 any change in the offender's name by reason of marriage or other  
1509 legal process, and any alias, if known; any nicknames or  
1510 pseudonyms, if known; the correctional facility from which the  
1511 sexual offender is released; the sexual offender's social  
1512 security number, any alias or false social security numbers ever  
1513 used, race, sex, date of birth, height, weight, and hair and eye  
1514 color; physical description, including scars, marks, and tattoos;  
1515 address of any planned permanent residence or temporary  
1516 residence, in the state or outside the state, including a rural  
1517 route address and a post office box; if there is no permanent or  
1518 temporary address, any transient residence in the state; address,  
1519 location, or description and dates of any known future temporary  
1520 residence in the state or outside the state; all telephone  
1521 numbers, including fixed location and cellular telephone numbers  
1522 and any other designations used for routing or self-  
1523 identification in telephonic communications; date and place of  
1524 any current or known future employment; volunteer, trade, or  
1525 business activities, including the street address or, if no  
1526 specific street address is available, the location of the  
1527 employer; all professional licenses that authorize the registrant  
1528 to engage in an occupation or carry out a trade or business; all  
1529 driver's license and identification card numbers and identifiers;

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1530 all travel and immigration documents, including passport and visa  
1531 and identifying information from such documents, including, but  
1532 not limited to, unique identifiers and pertinent issue and  
1533 expiration dates, location of issuance, destinations, and  
1534 immigration status; date and county of sentence and each crime  
1535 for which the offender was sentenced; a copy of the offender's  
1536 fingerprints and a digitized photograph taken within 60 days  
1537 before release; the date of release of the sexual offender; any  
1538 electronic mail address and any instant message name required to  
1539 be provided pursuant to s. 943.0435(4)(d); and the offender's  
1540 intended residence address, if known. The department shall notify  
1541 the Department of Law Enforcement if the sexual offender escapes,  
1542 absconds, or dies. If the sexual offender is in the custody of a  
1543 private correctional facility, the facility shall take the  
1544 digitized photograph of the sexual offender within 60 days before  
1545 the sexual offender's release and provide this photograph to the  
1546 Department of Corrections and also place it in the sexual  
1547 offender's file. If the sexual offender is in the custody of a  
1548 local jail, the custodian of the local jail shall electronically  
1549 register the offender within 3 business days after intake of the  
1550 offender for any reason and upon release, and shall notify the  
1551 Department of Law Enforcement of the sexual offender's release  
1552 and provide to the Department of Law Enforcement the information  
1553 specified in this paragraph and any information specified in  
1554 subparagraph 2. that the Department of Law Enforcement requests.  
1555       2. The department may provide any other information deemed  
1556 necessary, including criminal and corrections records,  
1557 nonprivileged personnel and treatment records, when available.

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1558 Section 5. Paragraph (a) of subsection (1) and subsections  
1559 (4), (6), (7), (11), and (13) of section 944.607, Florida  
1560 Statutes, are amended, and paragraph (g) is added to subsection  
1561 (1) of that section, to read:

1562 944.607 Notification to Department of Law Enforcement of  
1563 information on sexual offenders.--

1564 (1) As used in this section, the term:

1565 (a) "Sexual offender" means a person who is in the custody  
1566 or control of, or under the supervision of, the department or is  
1567 in the custody of a private correctional facility:

1568 1. On or after October 1, 1997, as a result of a conviction  
1569 for committing, or attempting, soliciting, or conspiring to  
1570 commit, any of the criminal offenses proscribed in the following  
1571 statutes in this state or similar offenses in another  
1572 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where  
1573 the victim is a minor and the defendant is not the victim's  
1574 parent or guardian; s. 794.011, excluding s. 794.011(10); s.  
1575 794.05; s. 796.03; s. 796.035; s. 800.04; a felony offense under  
1576 s. 810.145, when the victim is a minor; s. 825.1025; s. 827.071;  
1577 s. 847.0133; s. 847.0135, excluding s. 847.0135(5) ~~s.~~  
1578 ~~847.0135(4)~~; s. 847.0137; s. 847.0138; s. 847.0145; or s.  
1579 985.701(1); or any conviction for a similar offense committed in  
1580 this state which has been redesignated from a former statute  
1581 number to one of those listed in this paragraph; ~~or~~

1582 2. Who establishes or maintains a residence in this state  
1583 and who has not been designated as a sexual predator by a court  
1584 of this state but who has been designated as a sexual predator,  
1585 as a sexually violent predator, or by another sexual offender  
1586 designation in another state or jurisdiction and was, as a result

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1587 of such designation, subjected to registration or community or  
1588 public notification, or both, or would be if the person were a  
1589 resident of that state or jurisdiction, without regard as to  
1590 whether the person otherwise meets the criteria for registration  
1591 as a sexual offender; ~~or-~~

1592 3. Who as of July 1, 2008, is currently incarcerated or  
1593 servicing any sanction as a result of a conviction for a criminal  
1594 offense in this state and who has previously been convicted in  
1595 any state or jurisdiction for committing, or attempting,  
1596 soliciting, or conspiring to commit, any of the criminal offenses  
1597 proscribed in the following statutes or a similar offense in  
1598 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c),  
1599 when the victim is a minor and the defendant is not the victim's  
1600 parent or guardian; s. 794.011, excluding s. 794.011(10); s.  
1601 794.05; s. 796.03; s. 796.035; s. 800.04; felony offense of s.  
1602 810.145, when the victim is a minor; s. 825.1025; s. 827.071; s.  
1603 847.0133; s. 847.0135, excluding s. 847.0135(5); s. 847.0137; s.  
1604 847.0138; s. 847.0145; or s. 985.701(1); or any conviction for a  
1605 similar offense committed in this state which has been  
1606 redesignated from a former statute number to one of those listed  
1607 in this subparagraph. This subparagraph does not include persons  
1608 who have been released from sanctions for the previous sexual  
1609 offense for 25 or more years if there is no more than one prior  
1610 sexual offense conviction and if the sexual offense was not an  
1611 act prohibited under any of the following:

1612 a. Section 787.01 or s. 787.02 when the victim is a minor  
1613 and the offender is not the victim's parent or guardian;

1614 b. Section 794.011, excluding ss. 794.011(8)(a) and 794.011  
1615 (10);



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1616 c. Section 800.04(4)(b) when the court finds the offense  
1617 involved a victim under 12 years of age or sexual activity by the  
1618 use of force;

1619 d. Section 800.04(5)(b);

1620 e. Section 800.04(5)(c)1. when the court finds molestation  
1621 involving unclothed genitals or genital area;

1622 f. Section 800.04(5)c.2. when the court finds molestation  
1623 involving unclothed genitals or genital area;

1624 g. Section 800.04(5)(d) when the court finds the use of  
1625 force and unclothed genitals or genital area;

1626 h. Any attempt or conspiracy to commit such offense;

1627 i. A violation of a similar law of another jurisdiction; or

1628 j. Any conviction for a similar offense committed in this  
1629 state which has been redesignated from a former statute number to  
1630 one of those listed in this subsection.

1631 (g) "Secondary educational institution" means any trade,  
1632 professional, or secondary school, including a public, private,  
1633 religious, denominational, parochial, or nonparochial  
1634 institution, attended for any purpose, including, but not limited  
1635 to, secular, religious, or cultural studies.

1636 (4) A sexual offender, as described in this section, who is  
1637 under the supervision of the Department of Corrections but is not  
1638 incarcerated must register with the Department of Corrections  
1639 within 3 business days after sentencing for a registerable  
1640 offense and otherwise provide information as required by this  
1641 subsection.

1642 (a) The sexual offender shall provide his or her name;  
1643 nicknames; pseudonyms; date of birth; any alias or false date of  
1644 birth ever used; social security number; race; sex; height;

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1645 weight; hair and eye color; physical description, including  
1646 tattoos or other identifying marks or scars; any electronic mail  
1647 address and any instant message name required to be provided  
1648 pursuant to s. 943.0435(4)(d); all telephone numbers, including  
1649 fixed location and cellular telephone numbers and any other  
1650 designations used for routing or self-identification in  
1651 telephonic communications; ~~and~~ permanent or legal residence and  
1652 address of temporary residence within the state or outside the  
1653 ~~out of~~ state while the sexual offender is under supervision in  
1654 this state, including any rural route address or post office box;  
1655 if there is no permanent or temporary address, any transient  
1656 residence in the state; the address, location, or description and  
1657 dates of any current or known future temporary residence in the  
1658 state or outside the state; date and place of any current or  
1659 known future employment; volunteer, trade, or business  
1660 activities, including the street address or, if no specific  
1661 street address is available, the location of the employer; all  
1662 professional licenses that authorize the registrant to engage in  
1663 an occupation or carry out a trade or business; all driver's  
1664 license and identification card numbers and identifiers; and all  
1665 travel and immigration documents, including passport and visa and  
1666 identifying information from such documents, including, but not  
1667 limited to, unique identifiers and pertinent issue and expiration  
1668 dates, location of issuance, destinations, and immigration  
1669 status. The Department of Corrections shall verify the address of  
1670 each sexual offender in the manner described in ss. 775.21 and  
1671 943.0435. The department shall report to the Department of Law  
1672 Enforcement any failure by a sexual predator or sexual offender  
1673 to comply with registration requirements.

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1674 (b) If the sexual offender is or will be enrolled,  
1675 employed, or carrying on a vocation at an institution of higher  
1676 education or a secondary educational institution ~~in this state~~,  
1677 the sexual offender shall provide the name, address, and county  
1678 of each institution, including each campus attended, and the  
1679 sexual offender's enrollment or employment status. Each change in  
1680 enrollment or employment status shall be reported to the  
1681 department within 48 hours after the change in status. The  
1682 Department of Corrections shall promptly notify each institution  
1683 of the sexual offender's presence and any change in the sexual  
1684 offender's enrollment or employment status.

1685 (c) If the sexual offender is employed, volunteers, or  
1686 carries out any trade or business, the sexual offender shall  
1687 report the street address or, if no specific street address is  
1688 available, the location of the predator's employer. If the sexual  
1689 offender's employer lacks a fixed street address or location, the  
1690 sexual offender shall report the sexual offender's probable  
1691 location during the business day, including the normal routes or  
1692 general areas, with whatever specificity is possible. Each change  
1693 in the reportable information required in this paragraph must be  
1694 reported in person at the department within 48 hours after any  
1695 change in status. The department shall promptly notify the  
1696 Department of Law Enforcement of this change of the sexual  
1697 offender's reportable information.

1698 (d) If the sexual offender owns or operates any vehicle,  
1699 vessel, or aircraft for personal or business use, the sexual  
1700 offender shall report information regarding the vehicle, vessel,  
1701 or aircraft, including license tag and registration numbers; a  
1702 description of the vehicle, vessel, or aircraft, including the

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1703 trade or business names or information affixed thereto; and  
1704 information regarding the place or places where the vehicle,  
1705 vessel, or aircraft is habitually parked, docked, stored, or  
1706 otherwise kept if the location is different from the registrant's  
1707 address. Each change in the reportable information required in  
1708 this paragraph must be reported in person at the department  
1709 within 48 hours after any change in status. The department shall  
1710 promptly notify the Department of Law Enforcement of this change  
1711 of the sexual offender's reportable information.

1712 (6) The information provided to the Department of Law  
1713 Enforcement must include:

1714 (a) The information obtained from the sexual offender under  
1715 subsection (4);

1716 (b) The sexual offender's most current address and place of  
1717 permanent, transient, or ~~and~~ temporary residence within the state  
1718 or outside the ~~out of~~ state; the address, location, or  
1719 description and dates of any current or known future temporary  
1720 residence in the state or outside the state while the sexual  
1721 offender is under supervision in this state, including the name  
1722 of the county or municipality in which the offender permanently  
1723 or temporarily resides; the address, location, or description and  
1724 dates of any current or known future temporary residence in the  
1725 state or outside the state; and, if known, the intended place of  
1726 permanent or temporary residence or transient residence, and  
1727 address, location, or description and dates of any current or  
1728 known future temporary residence in the state or outside the  
1729 state upon satisfaction of all sanctions;

1730 (c) The legal status of the sexual offender and the  
1731 scheduled termination date of that legal status;

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1732 (d) The location of, and local telephone number for, any  
1733 Department of Corrections' office that is responsible for  
1734 supervising the sexual offender;

1735 (e) An indication of whether the victim of the offense that  
1736 resulted in the offender's status as a sexual offender was a  
1737 minor;

1738 (f) The offense or offenses at conviction which resulted in  
1739 the determination of the offender's status as a sex offender; and

1740 (g) A digitized photograph of the sexual offender which  
1741 must have been taken within 60 days before the offender is  
1742 released from the custody of the department or a private  
1743 correctional facility by expiration of sentence under s. 944.275  
1744 or must have been taken by January 1, 1998, or within 60 days  
1745 after the onset of the department's supervision of any sexual  
1746 offender who is on probation, community control, conditional  
1747 release, parole, provisional release, or control release or who  
1748 is supervised by the department under the Interstate Compact  
1749 Agreement for Probationers and Parolees. If the sexual offender  
1750 is in the custody of a private correctional facility, the  
1751 facility shall take a digitized photograph of the sexual offender  
1752 within the time period provided in this paragraph and shall  
1753 provide the photograph to the department.

1754  
1755 If any information provided by the department changes during the  
1756 time the sexual offender is under the department's control,  
1757 custody, or supervision, including any change in the offender's  
1758 name by reason of marriage or other legal process, the department  
1759 shall, in a timely manner, update the information and provide it

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1760 to the Department of Law Enforcement in the manner prescribed in  
1761 subsection (2).

1762 (7) If the sexual offender is in the custody of a local  
1763 jail, the custodian of the local jail shall electronically  
1764 register the offender within 3 business days after intake of the  
1765 offender for any reason and upon release, and shall forward the  
1766 information to the Department of Law Enforcement. The custodian  
1767 of the local jail shall also take a digitized photograph of the  
1768 sexual offender while the offender remains in custody and shall  
1769 provide the digitized photograph to the Department of Law  
1770 Enforcement.

1771 (11) The department, the Department of Highway Safety and  
1772 Motor Vehicles, the Department of Law Enforcement, ~~the Department~~  
1773 ~~of Corrections,~~ the Department of Juvenile Justice, personnel of  
1774 those departments, and any individual or entity acting at the  
1775 request or upon the direction of those departments are immune  
1776 from civil liability for damages for good faith compliance with  
1777 this section, and shall be presumed to have acted in good faith  
1778 in compiling, recording, reporting, or providing information. The  
1779 presumption of good faith is not overcome if technical or  
1780 clerical errors are made by the department, the Department of  
1781 Highway Safety and Motor Vehicles, the Department of Law  
1782 Enforcement, the Department of Juvenile Justice, personnel of  
1783 those departments, or any individual or entity acting at the  
1784 request or upon the direction of those departments in compiling,  
1785 recording, reporting, or providing information, or, if the  
1786 information is incomplete or incorrect because the information  
1787 has not been provided by a person or agency required to provide

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1788 the information, or because the information was not reported or  
1789 was falsely reported.

1790 (13) (a) A sexual offender must report in person each year  
1791 during the month of the sexual offender's birthday and during the  
1792 sixth month following the sexual offender's birth month to the  
1793 sheriff's office in the county in which he or she resides or is  
1794 otherwise located to reregister.

1795 (b) However, a sexual offender who is required to register  
1796 as a result of a conviction for an act prohibited under:

1797 1. Section 787.01 or s. 787.02 where the victim is a minor  
1798 and the offender is not the victim's parent or guardian;

1799 2. Section 794.011, excluding ss. 794.011(8)(a) and ~~s.~~  
1800 794.011(10);

1801 3. Section 800.04(4)(b) when ~~where~~ the victim is under 12  
1802 years of age or where the court finds sexual activity by the use  
1803 of force or threatening or placing the victim in fear that a  
1804 person would be subjected to death, serious bodily injury, or  
1805 kidnapping ~~coercion~~;

1806 4. Section 800.04(5)(b);

1807 5. Section 800.04(5)(c)1. where the court finds molestation  
1808 involving unclothed genitals or genital area;

1809 6. Section 800.04(5)c.2. where the court finds molestation  
1810 involving unclothed genitals or genital area;

1811 7. Section 800.04(5)(d) when ~~where~~ the court finds the use  
1812 of force or the victim was threatened or placed in fear that a  
1813 person would be subjected to death, serious bodily injury, or  
1814 kidnapping ~~coercion~~ and unclothed genitals or genital area;

1815 8. Any attempt or conspiracy to commit such offense; ~~or~~

1816 9. A violation of a similar law of another jurisdiction; or

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1817 10. Any conviction for a similar offense committed in this  
1818 state which has been redesignated from a former statute number to  
1819 one of those listed in this subsection,

1820  
1821 must reregister each year during the month of the sexual  
1822 offender's birthday and every third month thereafter.

1823 (c) The sheriff's office may determine the appropriate  
1824 times and days for reporting by the sexual offender, which shall  
1825 be consistent with the reporting requirements of this subsection.  
1826 Reregistration shall include any changes to the following  
1827 information:

1828 1. Name; nicknames; pseudonyms; social security number; any  
1829 alias or false social security numbers ever used; age; race; sex;  
1830 date of birth; height; weight; hair and eye color; physical  
1831 description, including scars, marks, and tattoos; address of any  
1832 permanent residence and address of any current temporary  
1833 residence, within the state or outside the ~~out of~~ state,  
1834 including a rural route address and a post office box; if there  
1835 is no permanent or temporary address, any transient residence;  
1836 the address, location, description, and dates of any current or  
1837 known future temporary residence both in the state and outside  
1838 state; any electronic mail address and any instant message name  
1839 required to be provided pursuant to s. 943.0435(4)(d); all  
1840 telephone numbers, including fixed location and cellular  
1841 telephone numbers and any other designations used for routing or  
1842 self-identification in telephonic communications; date and place  
1843 of any current or known future employment; volunteer, trade, or  
1844 business activities, including the street address or, if no  
1845 specific street address is available, the location of the



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1846 employer; all professional licenses that authorize the registrant  
1847 to engage in an occupation or carry out a trade or business; all  
1848 driver's license and identification card numbers and identifiers;  
1849 all travel and immigration documents, including passport and visa  
1850 identifying information from such documents, including, but not  
1851 limited to, unique identifiers and pertinent issuance and  
1852 expiration dates, location of issuance, destinations, and  
1853 immigration status; any owned or operated vehicle, vessel, or  
1854 aircraft; a description of the make, model, color, and license  
1855 tag number and registration, a description of the vehicle,  
1856 vessel, or aircraft, including trade or business names or  
1857 information affixed thereto, and information regarding the place  
1858 or places where the vehicle, vessel, or aircraft is habitually  
1859 parked, docked, stored, or otherwise kept if the location is  
1860 different from the registrant's address; biometric identification  
1861 information, including fingerprints and palm prints;  
1862 ~~fingerprints;~~ and photograph. A post office box may ~~shall~~ not be  
1863 provided in lieu of a physical residential address.

1864 2. If the sexual offender is or will be enrolled, employed,  
1865 or carrying on a vocation at an institution of higher education  
1866 or a secondary educational institution in this state, the sexual  
1867 offender shall also provide to the department the name, address,  
1868 and county of each institution, including each campus attended,  
1869 and the sexual offender's enrollment or employment status.

1870 3. If the sexual offender's place of residence is a motor  
1871 vehicle, trailer, mobile home, or manufactured home, as defined  
1872 in chapter 320, the sexual offender shall also provide the  
1873 vehicle identification number; the license tag number; the  
1874 registration number; and a description, including color scheme,

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1875 of the motor vehicle, trailer, mobile home, or manufactured home.  
1876 If the sexual offender's place of residence is a vessel, live-  
1877 aboard vessel, or houseboat, as defined in chapter 327, the  
1878 sexual offender shall also provide the hull identification  
1879 number; the manufacturer's serial number; the name of the vessel,  
1880 live-aboard vessel, or houseboat; the registration number; and a  
1881 description, including color scheme, of the vessel, live-aboard  
1882 vessel or houseboat.

1883 4. Any sexual offender who fails to report in person as  
1884 required at the sheriff's office, or who fails to respond to any  
1885 address verification correspondence from the department within 3  
1886 weeks of the date of the correspondence, or who fails to report  
1887 electronic mail addresses or instant message names, or knowingly  
1888 provides false information, commits a felony of the third degree,  
1889 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1890 5. If the sexual offender is employed, volunteers, or  
1891 carries out any trade or business, the sexual offender shall  
1892 report the street address or, if no specific street address is  
1893 available, the location of the employer. If the sexual offender's  
1894 employer lacks a fixed street address or location, the sexual  
1895 offender shall report the sexual offender's probable location  
1896 during the course of the business day, including the normal  
1897 routes or general areas, with whatever specificity is possible.  
1898 Each change in the reportable information required in this  
1899 subparagraph shall be reported in person at the sheriff's office  
1900 within 48 hours after any change in status. The sheriff shall  
1901 promptly notify the Department of Law Enforcement of this change  
1902 of the sexual offender's reportable information.

1903 6. If the sexual offender owns or operates a vehicle,

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1904 vessel, or aircraft for personal or business use, the sexual  
1905 offender shall register information regarding the vehicle,  
1906 vessel, or aircraft, including the license tag and registration  
1907 numbers, a description of the vehicle, vessel, or aircraft,  
1908 including any trade or business names or information affixed  
1909 thereto, and information regarding the place or places where the  
1910 vehicle, vessel, or aircraft is habitually parked, docked,  
1911 stored, or otherwise kept if the location is different from the  
1912 registrant's address. Each change in the reportable information  
1913 required in this paragraph must be reported in person at the  
1914 sheriff's office within 48 hours after any change in status. The  
1915 sheriff shall promptly notify the Department of Law Enforcement  
1916 of this change of the sexual offender's reportable information.

1917 7. Each sexual offender who meets the criteria for  
1918 registration as defined in this section for a conviction of an  
1919 offense on or after December 31, 2008, must submit a set of palm  
1920 prints during registration. On or after December 31, 2008, and by  
1921 July 1, 2009, unless previously submitted as part of registration  
1922 or reregistration as required under s. 943.0435(14), s.  
1923 944.607(13), or s. 985.4815, a sexual offender shall submit palm  
1924 prints during the month of his or her reregistration as required  
1925 under s. 943.0435(14), s. 944.607(13), or s. 985.4815. The  
1926 sheriff shall promptly provide the palm prints to the department  
1927 in an electronic format. The department may provide the palm  
1928 prints to the Federal Bureau of Investigation or other criminal  
1929 justice agencies.

1930 (d) The sheriff's office shall, within 2 working days,  
1931 electronically submit and update all information provided by the  
1932 sexual offender to the Department of Law Enforcement in a manner

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1933 prescribed by that department.

1934 Section 6. Paragraph (a) of subsection (3) of section  
1935 985.481, Florida Statutes, is amended to read:

1936 985.481 Sexual offenders adjudicated delinquent;  
1937 notification upon release.--

1938 (3) (a) The department must provide information regarding  
1939 any sexual offender who is being released after serving a period  
1940 of residential commitment under the department for any offense,  
1941 as follows:

1942 1. The department must provide the sexual offender's name,  
1943 any change in the offender's name by reason of marriage or other  
1944 legal process, and any alias, if known; any nicknames or  
1945 pseudonyms, if known; the correctional facility from which the  
1946 sexual offender is released; the sexual offender's social  
1947 security number, and any alias or false social security numbers  
1948 ever used; race, sex, date of birth, height, weight, and hair and  
1949 eye color; physical description, including scars, marks, and  
1950 tattoos; address of any planned permanent residence or temporary  
1951 residence, in the state or outside the state, including a rural  
1952 route address and a post office box; if there is no permanent or  
1953 temporary address, any transient residence in the state; the  
1954 address, location, description, and dates of any known future  
1955 temporary residence in the state or outside the state; all  
1956 telephone numbers, including fixed location and cellular  
1957 telephone numbers and any other designations used for routing or  
1958 self-identification in telephonic communications; date and place  
1959 of any current or known future employment; volunteer, trade, or  
1960 business activities, including the street address or, if no  
1961 specific street address is available, the location of the

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1962 juvenile sexual offender's employer; all professional licenses  
1963 that authorize the registrant to engage in an occupation or carry  
1964 out a trade or business; all driver's license and identification  
1965 card numbers and identifiers; all travel and immigration  
1966 documents, including passport and visa and identifying  
1967 information from the documents, including, but not limited to,  
1968 unique identifiers and pertinent issue and expiration dates,  
1969 location of issuance, destinations, and immigration status; date  
1970 and county of disposition and each crime for which there was a  
1971 disposition; a copy of the offender's fingerprints and a  
1972 digitized photograph taken within 60 days before release; the  
1973 date of release of the sexual offender; and the offender's  
1974 intended residence address, if known. The department shall notify  
1975 the Department of Law Enforcement if the sexual offender escapes,  
1976 absconds, or dies. If the sexual offender is in the custody of a  
1977 private correctional facility, the facility shall take the  
1978 digitized photograph of the sexual offender within 60 days before  
1979 the sexual offender's release and also place it in the sexual  
1980 offender's file. If the sexual offender is in the custody of a  
1981 local jail, the custodian of the local jail shall electronically  
1982 register the offender within 3 business days after intake of the  
1983 offender for any reason and upon release, and shall notify the  
1984 Department of Law Enforcement of the sexual offender's release  
1985 and provide to the Department of Law Enforcement the information  
1986 specified in this subparagraph and any information specified in  
1987 subparagraph 2. which the Department of Law Enforcement requests.  
1988       2. The department may provide any other information  
1989 considered necessary, including criminal and delinquency records,  
1990 when available.

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1991 Section 7. Paragraph (e) is added to subsection (1) of  
1992 section 985.4815, Florida Statutes, and subsection (4), paragraph  
1993 (a) of subsection (6), subsection (7), and paragraph (b) of  
1994 subsection (13) of that section are amended, to read:

1995 985.4815 Notification to Department of Law Enforcement of  
1996 information on juvenile sexual offenders.--

1997 (1) As used in this section, the term:

1998 (e) "Secondary educational institution" means any trade,  
1999 professional, or secondary school, including public, private,  
2000 religious, denominational, parochial, or nonparochial  
2001 institutions, attended for any purpose, including, but not  
2002 limited to, secular, religious, or cultural studies.

2003 (4) A sexual offender, as described in this section, who is  
2004 under the supervision of the department but who is not committed  
2005 must register with the department within 3 business days after  
2006 adjudication and disposition for a registrable offense and  
2007 otherwise provide information as required by this subsection.

2008 (a) The sexual offender shall provide his or her name;  
2009 nicknames; pseudonyms; date of birth; social security number; any  
2010 alias or false social security numbers ever used; race; sex;  
2011 height; weight; hair and eye color; physical description  
2012 including scars, tattoos, or other identifying marks; any  
2013 electronic mail address and any instant message name required to  
2014 be provided pursuant to s. 943.0435(4) (d); all telephone numbers,  
2015 including fixed location and cellular telephone numbers and any  
2016 other designations used for purposes of routing or self-  
2017 identification in telephonic communications; and permanent or  
2018 legal residence and address of temporary residence within the  
2019 state or outside the ~~out~~ of state while the sexual offender is in

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2020 the care or custody or under the jurisdiction or supervision of  
2021 the department in this state, including any rural route address  
2022 or post office box, if there is no permanent or temporary  
2023 address, any transient residence; the address or location,  
2024 description, and dates of any current or known future temporary  
2025 residence in the state or outside the state; date and place of  
2026 any current or known future employment; volunteer, trade, or  
2027 business activities, including the street address or, if no  
2028 specific street address is available, the location of the  
2029 employer; all professional licenses that authorize the registrant  
2030 to engage in an occupation or carry out a trade or business; all  
2031 driver's license and identification card numbers and identifiers;  
2032 all travel and immigration documents, including passport and visa  
2033 and identifying information from such documents, including, but  
2034 not limited to, unique identifiers and pertinent issue and  
2035 expiration dates, location of issuance, destinations, and  
2036 immigration status; and the name and address of each school  
2037 attended. The department shall verify the address of each sexual  
2038 offender and shall report to the Department of Law Enforcement  
2039 any failure by a sexual offender to comply with registration  
2040 requirements.

2041 (b) If the sexual offender is or will be enrolled,  
2042 employed, or carrying on a vocation at an institution of higher  
2043 education or a secondary educational institution ~~in this state,~~  
2044 the sexual offender shall provide the name, address, and county  
2045 of each institution, including each campus attended, and the  
2046 sexual offender's enrollment or employment status. Each change in  
2047 enrollment or employment status shall be reported to the  
2048 department within 48 hours after the change in status. The

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2049 department shall promptly notify each institution of the sexual  
2050 offender's presence and any change in the sexual offender's  
2051 enrollment or employment status.

2052 (c) If the sexual offender is employed, volunteers, or  
2053 carries out any trade or business, the sexual offender shall  
2054 register the street address or, if no specific street address is  
2055 available, the location of the employer. If the employer of the  
2056 sexual offender lacks a fixed business address or location, the  
2057 sexual offender shall report the sexual offender's probable  
2058 location during the course of the business day, including the  
2059 normal routes or general areas, with whatever specificity is  
2060 possible. Each change in the reportable information required in  
2061 this paragraph must be reported in person at the department  
2062 within 48 hours after any change in status. The department shall  
2063 promptly notify the Department of Law Enforcement of this change  
2064 of the sexual offender's reportable information.

2065 (d) If the sexual offender owns or operates any vehicle,  
2066 vessel, or aircraft for personal or business use, the sexual  
2067 offender shall report information regarding the vehicle, vessel,  
2068 or aircraft, including the license tag and registration numbers,  
2069 a description of the vehicle, vessel, or aircraft, including any  
2070 trade or business names or information affixed thereto, and  
2071 information regarding the place or places where such vehicle,  
2072 vessel, or aircraft is habitually parked, docked, stored, or  
2073 otherwise kept if the location is different from the registrant's  
2074 address. Each change in the reportable information required in  
2075 this paragraph must be reported in person at the department  
2076 within 48 hours after any change in status. The department shall  
2077 promptly notify the Department of Law Enforcement of this change



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2078 of the sexual offender's reportable information.

2079 (6) (a) The information provided to the Department of Law  
2080 Enforcement must include the following:

2081 1. The information obtained from the sexual offender under  
2082 subsection (4).

2083 2. The sexual offender's most current address and place of  
2084 permanent, transient, or temporary residence within the state or  
2085 outside the ~~out~~ of state; and address, location, or description  
2086 and dates of any current or known future temporary residence in  
2087 the state or outside the state while the sexual offender is in  
2088 the care or custody or under the jurisdiction or supervision of  
2089 the department in this state, including the name of the county or  
2090 municipality in which the offender permanently or temporarily  
2091 resides or any transient residence; any address, location, or  
2092 description and dates of any current or known future temporary  
2093 residence in the state or outside the state; and, if known, the  
2094 intended place of permanent, transient, or temporary residence;  
2095 and the address, location, or description and dates of any  
2096 current or known future temporary residence in the state or  
2097 outside the state upon satisfaction of all sanctions.

2098 3. The legal status of the sexual offender and the  
2099 scheduled termination date of that legal status.

2100 4. The location of, and local telephone number for, any  
2101 department office that is responsible for supervising the sexual  
2102 offender.

2103 5. An indication of whether the victim of the offense that  
2104 resulted in the offender's status as a sexual offender was a  
2105 minor.

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2106           6. The offense or offenses at adjudication and disposition  
2107 that resulted in the determination of the offender's status as a  
2108 sex offender.

2109           7. A digitized photograph of the sexual offender, which  
2110 must have been taken within 60 days before the offender was  
2111 released from the custody of the department or a private  
2112 correctional facility by expiration of sentence under s. 944.275,  
2113 or within 60 days after the onset of the department's supervision  
2114 of any sexual offender who is on probation, postcommitment  
2115 probation, residential commitment, nonresidential commitment,  
2116 licensed child-caring commitment, community control, conditional  
2117 release, parole, provisional release, or control release or who  
2118 is supervised by the department under the Interstate Compact  
2119 Agreement for Probationers and Parolees. If the sexual offender  
2120 is in the custody of a private correctional facility, the  
2121 facility shall take a digitized photograph of the sexual offender  
2122 within the time period provided in this subparagraph and shall  
2123 provide the photograph to the department.

2124           (7) If the sexual offender is in the custody of a local  
2125 jail, the custodian of the local jail shall electronically  
2126 register the offender within 3 business days after intake of the  
2127 offender for any reason and upon release, and shall forward the  
2128 information to the Department of Law Enforcement. The custodian  
2129 of the local jail shall also take a digitized photograph of the  
2130 sexual offender while the offender remains in custody and shall  
2131 provide the digitized photograph to the Department of Law  
2132 Enforcement.

2133           (13)

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2134 (b) The sheriff's office may determine the appropriate  
2135 times and days for reporting by the sexual offender, which shall  
2136 be consistent with the reporting requirements of this subsection.  
2137 Reregistration shall include any changes to the following  
2138 information:

2139 1. Name; nicknames; pseudonyms; social security number; any  
2140 alias or false social security numbers ever used; age; race; sex;  
2141 date of birth; any alias or false date of birth ever used;  
2142 height; weight; hair and eye color; address of any permanent  
2143 residence and address of any current temporary residence, within  
2144 the state or outside the ~~out of~~ state, including a rural route  
2145 address and a post office box; if there is no permanent or  
2146 temporary address, any transient residence; street address or  
2147 location, description, and dates of any current or known future  
2148 temporary residence in the state or outside the state; any  
2149 electronic mail address and any instant message name required to  
2150 be provided under paragraph s. 943.0435(4) (d); all telephone  
2151 numbers, including fixed location and cellular telephone numbers  
2152 and any other designations used for routing or self-  
2153 identification in telephonic communications; name and address of  
2154 each school, institution of higher education, and secondary  
2155 educational institution attended; date and place of any current  
2156 or future known employment; volunteer, trade, or business  
2157 activities, including the street address or, if no specific  
2158 address is available, the location of the employer; all  
2159 professional licenses that authorize the registrant to engage in  
2160 an occupation or carry out a trade or business; all driver's  
2161 license and identification card numbers and identifiers; all  
2162 travel and immigration documents, including passport and visa and

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2163 identifying information from such documents, including, but not  
2164 limited to, unique identifiers and pertinent issue and expiration  
2165 dates, location of issuance, destinations, and immigration  
2166 status; any owned or operated vehicle, vessel, or aircraft,  
2167 including the make, model, color, and license tag number, a  
2168 description of the vehicle, vessel, or aircraft and any trade or  
2169 business names or information affixed thereto, and other  
2170 information regarding the place or places where the vehicle,  
2171 vessel, or aircraft is habitually parked, docked, stored, or  
2172 otherwise kept if the location is different from the registrant's  
2173 address; biometric identification information, including  
2174 fingerprints and palm prints; and photograph. A post office box  
2175 may ~~shall~~ not be provided in lieu of a physical residential  
2176 address.

2177 2. If the sexual offender is or will be enrolled, employed,  
2178 or carrying on a vocation at an institution of higher education  
2179 or a secondary educational institution in this state, the sexual  
2180 offender shall ~~also~~ provide to the department the name, address,  
2181 and county of each institution, including each campus attended,  
2182 and the sexual offender's enrollment or employment status.

2183 3. If the sexual offender's place of residence is a motor  
2184 vehicle, trailer, mobile home, or manufactured home, as defined  
2185 in chapter 320, the sexual offender shall also provide the  
2186 vehicle identification number; the license tag number; the  
2187 registration number; and a description, including color scheme,  
2188 of the motor vehicle, trailer, mobile home, or manufactured home.  
2189 If the sexual offender's place of residence is a vessel, live-  
2190 aboard vessel, or houseboat, as defined in chapter 327, the  
2191 sexual offender shall also provide the hull identification

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2192 number; the manufacturer's serial number; the name of the vessel,  
2193 live-aboard vessel, or houseboat; the registration number; and a  
2194 description, including color scheme, of the vessel, live-aboard  
2195 vessel, or houseboat.

2196 4. Any sexual offender who fails to report in person as  
2197 required at the sheriff's office, or who fails to respond to any  
2198 address verification correspondence from the department within 3  
2199 weeks after the date of the correspondence, commits a felony of  
2200 the third degree, punishable as provided in ss. 775.082, 775.083,  
2201 and 775.084.

2202 5. If the sexual offender is employed, volunteers, or  
2203 carries out any trade or business, the sexual offender must  
2204 report the street address or, if no specific street address is  
2205 available, the location of the employer. If the employer of the  
2206 sexual offender lacks a fixed business street address or  
2207 location, the sexual offender shall report the sexual offender's  
2208 probable location during the business day, including the normal  
2209 routes or general areas, with whatever specificity is possible.  
2210 Each change in the reportable information required in this  
2211 subparagraph must be reported in person at the sheriff's office  
2212 within 48 hours after any change in status. The sheriff shall  
2213 promptly notify the Department of Law Enforcement of this change  
2214 of the sexual offender's reportable information.

2215 6. If the sexual offender owns or operates any vehicle,  
2216 vessel, or aircraft for personal or business use, the sexual  
2217 offender shall report information regarding the vehicle, vessel,  
2218 or aircraft, including the license tag and registration numbers;  
2219 a description of the vehicle, vessel, or aircraft, including any  
2220 trade or business names or information affixed thereto; and

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2221 information regarding the place or places where such vehicle,  
2222 vessel, or aircraft is habitually parked, docked, stored, or  
2223 otherwise kept if the location is different from the registrant's  
2224 address. Each change in the reportable information required in  
2225 this subparagraph must be reported in person at the sheriff's  
2226 office within 48 hours after any change in status. The sheriff  
2227 shall promptly notify the Department of Law Enforcement of this  
2228 change of the sexual offender's reportable information.

2229 7. A sexual offender who meets the criteria for  
2230 registration as defined in this section for an offense committed  
2231 on or after December 31, 2008, must submit a set of palm prints  
2232 during registration. On or after December 31, 2008, and by July  
2233 1, 2009, unless previously submitted as part of registration or  
2234 reregistration as required under s. 943.0435(14), s. 944.607(13),  
2235 or s. 985.4815, a sexual offender shall submit palm prints during  
2236 the month of his or her reregistration as required under s.  
2237 943.0435(14), s. 944.607(13), or s. 985.4815. The sheriff shall  
2238 promptly provide the palm prints to the department in an  
2239 electronic format. The department may provide the palm prints to  
2240 the Federal Bureau of Investigation or other criminal justice  
2241 agencies.

2242 Section 8. Subsections (3) and (4) of section 322.141,  
2243 Florida Statutes, are amended to read:

2244 322.141 Color or markings of certain licenses or  
2245 identification cards.--

2246 (3) All licenses for the operation of motor vehicles or  
2247 identification cards originally issued or reissued by the  
2248 department to persons who are designated as sexual predators  
2249 under s. 775.21 or subject to registration as sexual offenders

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2250 under s. 943.0435, ~~or~~ s. 944.607, or s. 985.4815 shall have on  
2251 the front of the license or identification card the following:

2252 (a) For a person designated as a sexual predator under s.  
2253 775.21, the marking "775.21, F.S."

2254 (b) For a person subject to registration as a sexual  
2255 offender under s. 943.0435 or s. 944.607, the marking "943.0435,  
2256 F.S."

2257 (4) Unless previously secured or updated, each sexual  
2258 offender and sexual predator shall report to the department  
2259 during the month of his or her reregistration as required under  
2260 s. 775.21(8), s. 943.0435(14), ~~or~~ s. 944.607(13), or s. 985.4815  
2261 in order to obtain an updated or renewed driver's license or  
2262 identification card as required by subsection (3).

2263 Section 9. Section 775.25, Florida Statutes, is amended to  
2264 read:

2265 775.25 Prosecutions for acts or omissions.--A sexual  
2266 predator or sexual offender who commits any act or omission in  
2267 violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s.  
2268 944.607, ~~or~~ s. 947.177, s. 985.481, or s. 985.4815 may be  
2269 prosecuted for the act or omission in the county in which the act  
2270 or omission was committed, the county of the last registered  
2271 address of the sexual predator or sexual offender, or the county  
2272 in which the conviction occurred for the offense or offenses that  
2273 meet the criteria for designating a person as a sexual predator  
2274 or sexual offender. In addition, a sexual predator may be  
2275 prosecuted for any such act or omission in the county in which he  
2276 or she was designated a sexual predator.

2277 Section 10. Subsection (2) of section 943.0436, Florida  
2278 Statutes, is amended to read:

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2279 943.0436 Duty of the court to uphold laws governing sexual  
2280 predators and sexual offenders.--

2281 (2) If a person meets the criteria in chapter 775 for  
2282 designation as a sexual predator or meets the criteria in s.  
2283 943.0435, s. 944.606, s. 944.607, s. 985.481, s. 985.4815, or any  
2284 other law for classification as a sexual offender, the court may  
2285 not enter an order, for the purpose of approving a plea agreement  
2286 or for any other reason, which:

2287 (a) Exempts a person who meets the criteria for designation  
2288 as a sexual predator or classification as a sexual offender from  
2289 such designation or classification, or exempts such person from  
2290 the requirements for registration or community and public  
2291 notification imposed upon sexual predators and sexual offenders;

2292 (b) Restricts the compiling, reporting, or release of  
2293 public records information that relates to sexual predators or  
2294 sexual offenders; or

2295 (c) Prevents any person or entity from performing its  
2296 duties or operating within its statutorily conferred authority as  
2297 such duty or authority relates to sexual predators or sexual  
2298 offenders.

2299 Section 11. This act shall take effect July 1, 2008.