



622386

CHAMBER ACTION

| <u>Senate</u> | . | <u>House</u> |
|---------------|---|--------------|
| Comm: RCS | . | |
| 4/3/2008 | . | |
| | . | |
| | . | |

1 The Committee on Community Affairs (Geller) recommended the
 2 following **amendment**:

3
 4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
 6 and insert:

7 Section 1. Section 943.04355, Florida Statutes, is created
 8 to read:

9 943.04355 Dwelling rental or solicitation; sexual offenders
 10 and predators.--

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



622386

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

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

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

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

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

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

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

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

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

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



622386

47 | attorney's fees and costs. A civil penalty collected under this
48 | subsection shall accrue to the state and be deposited as received
49 | into the General Revenue Fund unallocated.

50 | Section 2. This act shall take effect July 1, 2008.

51 |

52 |

53 | ===== T I T L E A M E N D M E N T =====

54 | And the title is amended as follows:

55 |

56 | Delete everything before the enacting clause
57 | and insert:

58 |

A bill to be entitled

59 | An act relating to sexual offenders and sexual predators;
60 | creating s. 943.04355, F.S.; requiring a landlord who
61 | knowingly solicits, rents, or leases a dwelling unit to a
62 | sexual offender or sexual predator to verify that
63 | individual's address; requiring that the landlord notify
64 | the sheriff in certain instances; providing definitions;
65 | providing that the Attorney General may enforce the stated
66 | obligations; providing that a circuit court may assess a
67 | civil penalty against a landlord who willfully violates
68 | the required obligations; limiting the amount of the civil
69 | penalty; providing that the Attorney General is entitled
70 | to reasonable attorney's fees and costs if a civil penalty
71 | is assessed; providing an effective date.