

By Senator Aronberg

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1 A bill to be entitled
2 An act relating to sexual offenders and sexual predators;
3 creating s. 943.04354, F.S.; requiring a landlord who
4 knowingly solicits, rents, or leases a dwelling unit to a
5 sexual offender or sexual predator to verify that
6 individual's address; requiring that the landlord notify
7 the sheriff in certain instances; providing criminal
8 penalties; providing a defense; providing definitions;
9 providing an effective date.

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

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13 Section 1. Section 943.04354, Florida Statutes, is created
14 to read:

15 943.04354 Dwelling rental or solicitation; sexual offenders
16 and predators.--

17 (1) (a) A landlord who knowingly solicits an individual who
18 is registered as a sexual offender or a sexual predator to rent
19 or lease a dwelling unit, or who knowingly rents or leases a
20 dwelling unit to an individual who is registered as a sexual
21 offender or a sexual predator, shall, within 5 days after the
22 date that the individual known to be a registered sexual offender
23 or sexual predator occupies the dwelling unit as a tenant, do all
24 of the following:

25 1. Conduct a search for the tenant's name in the sexual
26 offender database.

27 2. Confirm that the address of the tenant identified as a
28 sexual offender or sexual predator is correctly reflected on the
29 sexual offender database.

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30 3. Notify the sheriff of the county in which the dwelling
31 is located if the address of a tenant identified as a sexual
32 offender or sexual predator is not correctly reflected on the
33 sexual offender database.

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35 A landlord who violates this section commits a misdemeanor of the
36 second degree, punishable as provided in s. 775.082 or s.
37 775.083.

38 (b) It is an affirmative defense to an offense under this
39 section that the landlord used due diligence and was unable to
40 determine that a tenant was a sexual offender or sexual predator.

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

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

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

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

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

51 (e) "Solicit" means to initiate contact with a sexual
52 offender or sexual predator for the purpose of attempting to rent
53 or lease a dwelling unit, where such sexual offender or sexual
54 predator has expressed no previous interest in renting or leasing
55 the dwelling unit.

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