

By the Committee on Community Affairs; and Senator Aronberg

578-06625-08

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1 A bill to be entitled

2 An act relating to sexual offenders and sexual predators;
3 creating s. 943.04355, 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 definitions;
8 providing that the Attorney General may enforce the stated
9 obligations; providing that a circuit court may assess a
10 civil penalty against a landlord who willfully violates
11 the required obligations; limiting the amount of the civil
12 penalty; providing that the Attorney General is entitled
13 to reasonable attorney's fees and costs if a civil penalty
14 is assessed; providing an effective date.

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

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18 Section 1. Section 943.04355, Florida Statutes, is created
19 to read:

20 943.04355 Dwelling rental or solicitation; sexual offenders
21 and predators.--

22 (1) A landlord who knowingly solicits an individual who is
23 registered as a sexual offender or a sexual predator to rent or
24 lease a dwelling unit because of his or her status as a
25 registered sexual offender or a sexual predator, shall, within 5
26 days after the date the individual occupies the dwelling unit as
27 a tenant, do all of the following:

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

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30 (b) Confirm that the address of the tenant identified as a
31 sexual offender or sexual predator is correctly reflected on the
32 sexual offender database.

33 (c) Notify the sheriff of the county in which the dwelling
34 is located if the address of a tenant identified as a sexual
35 offender or sexual predator is not correctly reflected on the
36 sexual offender database.

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

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

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

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

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

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

52 (3) Any person who willfully violates this section is
53 liable for a civil penalty that may not be more than \$10,000 for
54 each violation. A civil penalty may be recovered in any action
55 brought in the circuit court by the Attorney General to enforce
56 this section. If a civil penalty is assessed against the
57 landlord, the Attorney General is entitled to recover reasonable
58 attorney's fees and costs. A civil penalty collected under this

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59 subsection shall accrue to the state and be deposited as received
60 into the General Revenue Fund unallocated.

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