

By Senator Ring

32-00275-08

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1 A bill to be entitled

2 An act relating to repeat sexual offenders; amending s.  
3 947.1405, F.S.; requiring that a person designated as a  
4 repeat sexual offender be electronically monitored for the  
5 duration of the person's supervision following conditional  
6 release; amending s. 948.11, F.S.; requiring that a sexual  
7 predator or repeat sexual offender be monitored by an  
8 electronic monitoring system meeting certain designated  
9 specifications following release on probation, community  
10 control, or conditional release; amending s. 948.30, F.S.;  
11 requiring a court to order that a repeat sexual offender  
12 be electronically monitored as a condition of probation or  
13 community control; providing an effective date.

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

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17 Section 1. Subsection (10) of section 947.1405, Florida  
18 Statutes, is amended to read:

19 947.1405 Conditional release program.--

20 (10) Effective for a releasee whose crime was committed on  
21 or after September 1, 2005, in violation of chapter 794, s.  
22 800.04(4), (5), or (6), s. 827.071, or s. 847.0145, and the  
23 unlawful activity involved a victim who was 15 years of age or  
24 younger and the offender is 18 years of age or older, or for a  
25 releasee who is designated as a sexual predator pursuant to s.  
26 775.21 or who is designated as a repeat sexual offender, in  
27 addition to any other provision of this section, the commission  
28 must order electronic monitoring for the duration of the  
29 releasee's supervision. As used in this subsection, the term

32-00275-08

2008350\_\_

30 "repeat sexual offender" means a person who has been convicted  
31 two or more times of an offense listed in s. 943.0435(1)(a).

32 Section 2. Subsection (6) of section 948.11, Florida  
33 Statutes, is amended to read:

34 948.11 Electronic monitoring devices.--

35 (6) For probationers, community controllees, or conditional  
36 releasees who have current or prior convictions for violent or  
37 sexual offenses or who have been designated as sexual predators  
38 or repeat sexual offenders, the department, in carrying out a  
39 court or commission order to electronically monitor an offender,  
40 must use a system that actively monitors and identifies the  
41 offender's location and timely reports or records the offender's  
42 presence near or within a crime scene or in a prohibited area or  
43 the offender's departure from specified geographic limitations.  
44 Procurement of electronic monitoring services under this  
45 subsection shall be by invitation to bid as defined in s.  
46 287.057. As used in this subsection, the term "repeat sexual  
47 offender" means a person who has been convicted two or more times  
48 of an offense listed in s. 943.0435(1)(a).

49 Section 3. Subsection (3) of section 948.30, Florida  
50 Statutes, is amended to read:

51 948.30 Additional terms and conditions of probation or  
52 community control for certain sex offenses.--Conditions imposed  
53 pursuant to this section do not require oral pronouncement at the  
54 time of sentencing and shall be considered standard conditions of  
55 probation or community control for offenders specified in this  
56 section.

57 (3) Effective for a probationer or community controllee  
58 whose crime was committed on or after September 1, 2005, and who:

32-00275-08

2008350\_\_

59 (a) Is placed on probation or community control for a  
60 violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071,  
61 or s. 847.0145 and the unlawful sexual activity involved a victim  
62 15 years of age or younger and the offender is 18 years of age or  
63 older;

64 (b) Is designated a sexual predator pursuant to s. 775.21;  
65 ~~or~~

66 (c) Is designated a repeat sexual offender; or

67 (d)~~(e)~~ Has previously been convicted of a violation of  
68 chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s.  
69 847.0145 and the unlawful sexual activity involved a victim 15  
70 years of age or younger and the offender is 18 years of age or  
71 older,

72

73 the court must order, in addition to any other provision of this  
74 section, mandatory electronic monitoring as a condition of the  
75 probation or community control supervision.

76 Section 4. This act shall take effect July 1, 2008.