

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
 21 offenders 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.

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
49 rent or lease a dwelling unit, where such sexual offender or
50 sexual predator has expressed no previous interest in renting or
51 leasing the dwelling unit.

52 (3) Any person who willfully violates this section is
53 liable for a civil penalty that may not exceed \$10,000 for each
54 violation. A civil penalty may be recovered in any action
55 brought in the circuit court by the Attorney General to enforce

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

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