



310934

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/14/2009	.	
	.	
	.	
	.	

---

The Committee on Criminal Justice (Crist) recommended the following:

**Senate Amendment to Amendment (875572)**

Delete lines 995 - 1031  
and insert:

(4) In addition to all other conditions imposed, for a releasee who is subject to conditional release for a crime that was committed on or after July 1, 2009, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction against a victim who was under the age of



310934

12 18 at the time of the offense: s. 787.01, s. 787.02, or s.  
13 787.025(2)(c), where the victim is a minor and the offender was  
14 not the victim's parent or guardian; s. 794.011, excluding s.  
15 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.  
16 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.  
17 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; or s.  
18 985.701(1); or any similar offense committed in this state that  
19 has been redesignated from a former statute number to one of  
20 those listed in this subsection, provided the offender has not  
21 received a pardon for any felony or similar law of another  
22 jurisdiction that is necessary for the operation of this  
23 subsection and a conviction of a felony or similar law of  
24 another jurisdiction necessary to the operation of this  
25 subsection has not been set aside in any postconviction  
26 proceeding, when at the time of conviction of the crime the  
27 victim was 16 or 17 years of age and the releasee was not more  
28 than 21 years of age; the court must impose the following  
29 conditions:

30 (a) A prohibition on visiting areas where children  
31 regularly congregate, including, but not limited to, schools,  
32 day care centers, parks, and playgrounds. The commission may  
33 also designate additional locations to protect a victim. The  
34 prohibition ordered under this subparagraph does not prohibit  
35 the releasee's attendance at religious services as defined in s.  
36 775.0861.

37 (b) A prohibition on distributing candy or other items to  
38 children on Halloween; wearing a Santa Claus costume, or other  
39 costume to appeal to children, on or preceding Christmas;  
40 wearing an Easter Bunny costume, or other costume to appeal to



310934

41 children, on or preceding Easter; entertaining at children's  
42 parties; or wearing a clown costume; without prior approval from  
43 the commission.  
44