

1 A bill to be entitled
2 An act relating to sexual offenders and predators;
3 amending s. 775.21, F.S.; replacing the definition of the
4 term "instant message name" with the definition of the
5 term "Internet identifier"; providing that voluntary
6 disclosure of specified information waives a disclosure
7 exemption for such information; conforming provisions;
8 requiring disclosure of passport and immigration status
9 information; requiring that a sexual predator who is
10 unable to secure or update a driver's license or
11 identification card within a specified period must report
12 specified information to the local sheriff's office within
13 a specified period after such change with confirmation
14 that he or she also reported such information to the
15 Department of Highway Safety and Motor Vehicles; revising
16 reporting requirements if a sexual predator plans to leave
17 the United States for more than a specified period;
18 creating s. 847.0141, F.S.; prohibiting a minor's
19 intentional or knowing use of an electronic communication
20 device to transmit, distribute, or display a visual
21 depiction of himself or herself that depicts nudity and is
22 harmful to minors; providing penalties; prohibiting a
23 minor's intentional or knowing possession of a visual
24 depiction of another minor that depicts nudity and is
25 harmful to minors; providing an exception; providing
26 penalties; providing duties for law enforcement officers;
27 providing for prosecution of a minor under other
28 provisions; amending s. 943.0435, F.S.; replacing the

29 definition of the term "instant message name" with the
30 definition of the term "Internet identifier"; conforming
31 provisions; requiring disclosure of passport and
32 immigration status information; requiring that a sexual
33 predator who is unable to secure or update a driver's
34 license or identification card within a specified period
35 must report specified information to the local sheriff's
36 office within a specified period of such change with
37 confirmation that he or she also reported such information
38 to the Department of Highway Safety and Motor Vehicles;
39 providing additional requirements for sexual offenders
40 intending to reside outside of the United States; amending
41 s. 943.04351, F.S.; requiring a specified national search
42 of registration information regarding sexual predators and
43 sexual offenders prior to appointment or employment of
44 persons by state agencies and governmental subdivisions;
45 amending s. 943.04354, F.S.; revising the age range
46 applicable to provisions allowing removal of the
47 requirement to register as a sexual offender or sexual
48 predator in certain circumstances; revising eligibility
49 requirements for removal of the requirement to register as
50 a sexual offender or sexual predator; amending s.
51 943.0437, F.S.; replacing the definition of the term
52 "instant message name" with the definition of the term
53 "Internet identifier"; conforming provisions; amending ss.
54 944.606 and 944.607, F.S.; replacing the definition of the
55 term "instant message name" with the definition of the
56 term "Internet identifier"; conforming provisions;

57 requiring disclosure of passport and immigration status
 58 information; amending s. 947.005, F.S.; revising the
 59 definition of the term "risk assessment"; amending s.
 60 948.31, F.S.; providing that conditions imposed under that
 61 section do not require oral pronouncement at the time of
 62 sentencing and shall be considered standard conditions of
 63 probation or community control for certain offenders;
 64 removing a provision prohibiting contact with minors if
 65 sexual offender treatment is recommended; amending ss.
 66 985.481 and 985.4815, F.S.; requiring disclosure of
 67 passport and immigration status information by certain
 68 sexual offenders adjudicated delinquent and certain
 69 juvenile sexual offenders; providing severability;
 70 providing an effective date.

71

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

73

74 Section 1. Paragraph (i) of subsection (2), paragraphs
 75 (a), (e), (g), (i), and (j) of subsection (6), paragraph (a) of
 76 subsection (8), and paragraph (a) of subsection (10) of section
 77 775.21, Florida Statutes, are amended to read:

78 775.21 The Florida Sexual Predators Act.—

79 (2) DEFINITIONS.—As used in this section, the term:

80 (i) "Internet identifier ~~Instant message name~~" means all
 81 electronic mail, chat, instant messenger, social networking, or
 82 similar name used for Internet communication, but does not
 83 include a date of birth, social security number, or personal
 84 identification number (PIN) ~~an identifier that allows a person~~

85 ~~to communicate in real time with another person using the~~
 86 Internet. Voluntary disclosure by the sexual predator of his or
 87 her date of birth, social security number, or personal
 88 identification number (PIN) as an Internet identifier waives the
 89 disclosure exemption in this paragraph for such personal
 90 information.

91 (6) REGISTRATION.—

92 (a) A sexual predator must register with the department
 93 through the sheriff's office by providing the following
 94 information to the department:

- 95 1. Name; social security number; age; race; sex; date of
 96 birth; height; weight; hair and eye color; photograph; address
 97 of legal residence and address of any current temporary
 98 residence, within the state or out of state, including a rural
 99 route address and a post office box; if no permanent or
 100 temporary address, any transient residence within the state;
 101 address, location or description, and dates of any current or
 102 known future temporary residence within the state or out of
 103 state; all any electronic mail addresses ~~address~~ and all
 104 Internet identifiers ~~any instant message name~~ required to be
 105 provided pursuant to subparagraph (g)4.; all home telephone
 106 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date
 107 and place of any employment; date and place of each conviction;
 108 fingerprints; and a brief description of the crime or crimes
 109 committed by the offender. A post office box shall not be
 110 provided in lieu of a physical residential address. The sexual
 111 predator must also produce or provide information about his or
 112 her passport, if he or she has a passport, and, if he or she is

113 an alien, must produce or provide information about documents
114 establishing his or her immigration status.

115 a. If the sexual predator's place of residence is a motor
116 vehicle, trailer, mobile home, or manufactured home, as defined
117 in chapter 320, the sexual predator shall also provide to the
118 department written notice of the vehicle identification number;
119 the license tag number; the registration number; and a
120 description, including color scheme, of the motor vehicle,
121 trailer, mobile home, or manufactured home. If a sexual
122 predator's place of residence is a vessel, live-aboard vessel,
123 or houseboat, as defined in chapter 327, the sexual predator
124 shall also provide to the department written notice of the hull
125 identification number; the manufacturer's serial number; the
126 name of the vessel, live-aboard vessel, or houseboat; the
127 registration number; and a description, including color scheme,
128 of the vessel, live-aboard vessel, or houseboat.

129 b. If the sexual predator is enrolled, employed, or
130 carrying on a vocation at an institution of higher education in
131 this state, the sexual predator shall also provide to the
132 department the name, address, and county of each institution,
133 including each campus attended, and the sexual predator's
134 enrollment or employment status. Each change in enrollment or
135 employment status shall be reported in person at the sheriff's
136 office, or the Department of Corrections if the sexual predator
137 is in the custody or control of or under the supervision of the
138 Department of Corrections, within 48 hours after any change in
139 status. The sheriff or the Department of Corrections shall
140 promptly notify each institution of the sexual predator's

141 presence and any change in the sexual predator's enrollment or
142 employment status.

143 2. Any other information determined necessary by the
144 department, including criminal and corrections records;
145 nonprivileged personnel and treatment records; and evidentiary
146 genetic markers when available.

147 (e)1. If the sexual predator is not in the custody or
148 control of, or under the supervision of, the Department of
149 Corrections or is not in the custody of a private correctional
150 facility, the sexual predator shall register in person:

151 a. At the sheriff's office in the county where he or she
152 establishes or maintains a residence within 48 hours after
153 establishing or maintaining a residence in this state; and

154 b. At the sheriff's office in the county where he or she
155 was designated a sexual predator by the court within 48 hours
156 after such finding is made.

157 2. Any change in the sexual predator's permanent or
158 temporary residence, name, or all ~~any~~ electronic mail addresses
159 ~~address~~ and all Internet identifiers ~~any instant message name~~
160 required to be provided pursuant to subparagraph (g)4., after
161 the sexual predator registers in person at the sheriff's office
162 as provided in subparagraph 1., shall be accomplished in the
163 manner provided in paragraphs (g), (i), and (j). When a sexual
164 predator registers with the sheriff's office, the sheriff shall
165 take a photograph and a set of fingerprints of the predator and
166 forward the photographs and fingerprints to the department,
167 along with the information that the predator is required to
168 provide pursuant to this section.

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169 (g)1. Each time a sexual predator's driver's license or
170 identification card is subject to renewal, and, without regard
171 to the status of the predator's driver's license or
172 identification card, within 48 hours after any change of the
173 predator's residence or change in the predator's name by reason
174 of marriage or other legal process, the predator shall report in
175 person to a driver's license office and shall be subject to the
176 requirements specified in paragraph (f). The Department of
177 Highway Safety and Motor Vehicles shall forward to the
178 department and to the Department of Corrections all photographs
179 and information provided by sexual predators. Notwithstanding
180 the restrictions set forth in s. 322.142, the Department of
181 Highway Safety and Motor Vehicles is authorized to release a
182 reproduction of a color-photograph or digital-image license to
183 the Department of Law Enforcement for purposes of public
184 notification of sexual predators as provided in this section. A
185 sexual predator who is unable to secure or update a driver's
186 license or identification card with the Department of Highway
187 Safety and Motor Vehicles as provided in paragraph (f) and this
188 paragraph must also report any change of the predator's
189 residence or change in the predator's name by reason of marriage
190 or other legal process within 48 hours after the change to the
191 sheriff's office in the county where the predator resides or is
192 located and provide confirmation that he or she reported such
193 information to the Department of Highway Safety and Motor
194 Vehicles.

195 2. A sexual predator who vacates a permanent, temporary,
196 or transient residence and fails to establish or maintain

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197 another permanent, temporary, or transient residence shall,
198 within 48 hours after vacating the permanent, temporary, or
199 transient residence, report in person to the sheriff's office of
200 the county in which he or she is located. The sexual predator
201 shall specify the date upon which he or she intends to or did
202 vacate such residence. The sexual predator must provide or
203 update all of the registration information required under
204 paragraph (a). The sexual predator must provide an address for
205 the residence or other place that he or she is or will be
206 located during the time in which he or she fails to establish or
207 maintain a permanent or temporary residence.

208 3. A sexual predator who remains at a permanent,
209 temporary, or transient residence after reporting his or her
210 intent to vacate such residence shall, within 48 hours after the
211 date upon which the predator indicated he or she would or did
212 vacate such residence, report in person to the sheriff's office
213 to which he or she reported pursuant to subparagraph 2. for the
214 purpose of reporting his or her address at such residence. When
215 the sheriff receives the report, the sheriff shall promptly
216 convey the information to the department. An offender who makes
217 a report as required under subparagraph 2. but fails to make a
218 report as required under this subparagraph commits a felony of
219 the second degree, punishable as provided in s. 775.082, s.
220 775.083, or s. 775.084.

221 4. A sexual predator must register all ~~any~~ electronic mail
222 addresses and Internet identifiers ~~address or instant message~~
223 ~~name~~ with the department prior to using such electronic mail
224 addresses and Internet identifiers ~~address or instant message~~

225 ~~name on or after October 1, 2007.~~ The department shall establish
 226 an online system through which sexual predators may securely
 227 access and update all electronic mail address and Internet
 228 identifier ~~instant message name~~ information.

229 (i) A sexual predator who intends to establish a
 230 permanent, temporary, or transient residence in another state or
 231 jurisdiction other than the State of Florida shall report in
 232 person to the sheriff of the county of current residence within
 233 48 hours before the date he or she intends to leave this state
 234 to establish residence in another state or jurisdiction or
 235 within 21 days before his or her planned departure date if the
 236 intended residence of 7 days or more is outside of the United
 237 States. The sexual predator must provide to the sheriff the
 238 address, municipality, county, ~~and state,~~ and country of
 239 intended residence. The sheriff shall promptly provide to the
 240 department the information received from the sexual predator.
 241 The department shall notify the statewide law enforcement
 242 agency, or a comparable agency, in the intended state, ~~or~~
 243 jurisdiction, or country of residence of the sexual predator's
 244 intended residence. The failure of a sexual predator to provide
 245 his or her intended place of residence is punishable as provided
 246 in subsection (10).

247 (j) A sexual predator who indicates his or her intent to
 248 establish a permanent, temporary, or transient residence in
 249 another state, a ~~or~~ jurisdiction other than the State of
 250 Florida, or another country and later decides to remain in this
 251 state shall, within 48 hours after the date upon which the
 252 sexual predator indicated he or she would leave this state,

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253 | report in person to the sheriff to which the sexual predator
254 | reported the intended change of residence, and report his or her
255 | intent to remain in this state. If the sheriff is notified by
256 | the sexual predator that he or she intends to remain in this
257 | state, the sheriff shall promptly report this information to the
258 | department. A sexual predator who reports his or her intent to
259 | establish a permanent, temporary, or transient residence in
260 | another state, a ~~ex~~ jurisdiction other than the State of
261 | Florida, or another country, but who remains in this state
262 | without reporting to the sheriff in the manner required by this
263 | paragraph, commits a felony of the second degree, punishable as
264 | provided in s. 775.082, s. 775.083, or s. 775.084.

265 | (8) VERIFICATION.—The department and the Department of
266 | Corrections shall implement a system for verifying the addresses
267 | of sexual predators. The system must be consistent with the
268 | provisions of the federal Adam Walsh Child Protection and Safety
269 | Act of 2006 and any other federal standards applicable to such
270 | verification or required to be met as a condition for the
271 | receipt of federal funds by the state. The Department of
272 | Corrections shall verify the addresses of sexual predators who
273 | are not incarcerated but who reside in the community under the
274 | supervision of the Department of Corrections and shall report to
275 | the department any failure by a sexual predator to comply with
276 | registration requirements. County and local law enforcement
277 | agencies, in conjunction with the department, shall verify the
278 | addresses of sexual predators who are not under the care,
279 | custody, control, or supervision of the Department of
280 | Corrections. Local law enforcement agencies shall report to the

281 department any failure by a sexual predator to comply with
 282 registration requirements.

283 (a) A sexual predator must report in person each year
 284 during the month of the sexual predator's birthday and during
 285 every third month thereafter to the sheriff's office in the
 286 county in which he or she resides or is otherwise located to
 287 reregister. The sheriff's office may determine the appropriate
 288 times and days for reporting by the sexual predator, which shall
 289 be consistent with the reporting requirements of this paragraph.
 290 Reregistration shall include any changes to the following
 291 information:

292 1. Name; social security number; age; race; sex; date of
 293 birth; height; weight; hair and eye color; address of any
 294 permanent residence and address of any current temporary
 295 residence, within the state or out of state, including a rural
 296 route address and a post office box; if no permanent or
 297 temporary address, any transient residence within the state;
 298 address, location or description, and dates of any current or
 299 known future temporary residence within the state or out of
 300 state; all any electronic mail addresses ~~address~~ and all
 301 Internet identifiers ~~any instant message name~~ required to be
 302 provided pursuant to subparagraph (6)(g)4.; all home telephone
 303 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date
 304 and place of any employment; vehicle make, model, color, and
 305 license tag number; fingerprints; and photograph. A post office
 306 box shall not be provided in lieu of a physical residential
 307 address. The sexual predator must also produce or provide
 308 information about his or her passport, if he or she has a

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309 passport, and, if he or she is an alien, must produce or provide
310 information about documents establishing his or her immigration
311 status.

312 2. If the sexual predator is enrolled, employed, or
313 carrying on a vocation at an institution of higher education in
314 this state, the sexual predator shall also provide to the
315 department the name, address, and county of each institution,
316 including each campus attended, and the sexual predator's
317 enrollment or employment status.

318 3. If the sexual predator's place of residence is a motor
319 vehicle, trailer, mobile home, or manufactured home, as defined
320 in chapter 320, the sexual predator shall also provide the
321 vehicle identification number; the license tag number; the
322 registration number; and a description, including color scheme,
323 of the motor vehicle, trailer, mobile home, or manufactured
324 home. If the sexual predator's place of residence is a vessel,
325 live-aboard vessel, or houseboat, as defined in chapter 327, the
326 sexual predator shall also provide the hull identification
327 number; the manufacturer's serial number; the name of the
328 vessel, live-aboard vessel, or houseboat; the registration
329 number; and a description, including color scheme, of the
330 vessel, live-aboard vessel, or houseboat.

331 (10) PENALTIES.—

332 (a) Except as otherwise specifically provided, a sexual
333 predator who fails to register; who fails, after registration,
334 to maintain, acquire, or renew a driver's license or
335 identification card; who fails to provide required location
336 information, electronic mail address information, Internet

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337 identifier ~~instant message name~~ information, all home telephone
338 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~, or
339 change-of-name information; who fails to make a required report
340 in connection with vacating a permanent residence; who fails to
341 reregister as required; who fails to respond to any address
342 verification correspondence from the department within 3 weeks
343 of the date of the correspondence; or who otherwise fails, by
344 act or omission, to comply with the requirements of this
345 section, commits a felony of the third degree, punishable as
346 provided in s. 775.082, s. 775.083, or s. 775.084.

347 Section 2. Section 847.0141, Florida Statutes, is created
348 to read:

349 847.0141 Unlawful electronic communication between minors;
350 possession of visual depiction of another minor.—

351 (1) It is unlawful for a minor to intentionally or
352 knowingly use an electronic communication device to transmit,
353 distribute, or display a visual depiction of himself or herself
354 that depicts nudity and is harmful to minors.

355 (2) (a) It is unlawful for a minor to intentionally or
356 knowingly posses a visual depiction of another minor that
357 depicts nudity and is harmful to minors.

358 (b) A minor does not violate paragraph (a) if all of the
359 following apply:

360 1. The minor did not solicit the visual depiction.

361 2. The minor took reasonable steps to report the visual
362 depiction to the minor's legal guardian or to a school or law
363 enforcement official.

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364 3. The minor did not transmit or distribute the visual
365 depiction to a third party.

366 (3) A minor who violates subsection (1) or subsection (2):

367 (a) Commits a noncriminal violation for a first violation,
368 punishable by 8 hours of community service or, if ordered by the
369 court in lieu of community service, a \$60 fine. The court may
370 also order suitable training concerning such offenses and may
371 prohibit the use or possession of electronic devices, which may
372 include, but are not limited to, cellular telephones, cameras,
373 computers, or other electronic media devices. The court shall
374 order the confiscation of such unlawful material and authorize
375 the law enforcement agency in which the material is held to
376 destroy the unlawful material.

377 (b) Commits a misdemeanor of the second degree for a
378 violation that occurs after being found to have committed a
379 noncriminal violation under paragraph (a), punishable as
380 provided in s. 775.082 or s. 775.083. The court must order
381 suitable training concerning such offenses and prohibit the use
382 or possession of electronic communication devices, which may
383 include, but are not limited to, cellular telephones, cameras,
384 computers, or other electronic media devices. The court shall
385 order the confiscation of such unlawful material and authorize
386 the law enforcement agency in which the material is held to
387 destroy the unlawful material.

388 (c) Commits a misdemeanor of the first degree for a
389 violation that occurs after being found to have committed a
390 misdemeanor of the second degree under paragraph (b), punishable
391 as provided in s. 775.082 or s. 775.083. The court must order

392 suitable training concerning such offenses or, if ordered by the
393 court in lieu of training, counseling and prohibit the use or
394 possession of electronic devices, which may include, but are not
395 limited to, cellular telephones, cameras, computers, or other
396 electronic media devices. The court shall order confiscation of
397 such unlawful material and authorize the law enforcement agency
398 in which the material is held to destroy the unlawful material.

399 (d) Commits a felony of the third degree for a violation
400 that occurs after being found to have committed a misdemeanor of
401 the first degree under paragraph (c), punishable as provided in
402 s. 775.082, s. 775.083, or s. 775.084. The court must order a
403 mental health evaluation by a qualified practitioner, as defined
404 in s. 948.001, and treatment, if recommended by the
405 practitioner. The court shall order confiscation of such
406 unlawful material and authorize the law enforcement agency in
407 which the material is held to destroy the unlawful material.

408 (4) Whenever any law enforcement officer arrests any
409 person charged with any offense under this section, the officer
410 shall seize the prohibited material and take the material into
411 his or her custody to await the sentence of the court upon the
412 trial of the offender.

413 (5) This section does not prohibit the prosecution of a
414 minor for a violation of any law of this state if the electronic
415 communication includes the depiction of sexual conduct or sexual
416 excitement and does not prohibit the prosecution of a minor for
417 stalking under s. 784.048.

418 Section 3. Paragraphs (a) and (g) of subsection (1),
419 subsection (2), paragraphs (a) and (d) of subsection (4),

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420 subsections (7) and (8), and paragraph (c) of subsection (14) of
 421 section 943.0435, Florida Statutes, are amended to read:

422 943.0435 Sexual offenders required to register with the
 423 department; penalty.—

424 (1) As used in this section, the term:

425 (a)1. "Sexual offender" means a person who meets the
 426 criteria in sub-subparagraph a., sub-subparagraph b., sub-
 427 subparagraph c., or sub-subparagraph d., as follows:

428 a.(I) Has been convicted of committing, or attempting,
 429 soliciting, or conspiring to commit, any of the criminal
 430 offenses proscribed in the following statutes in this state or
 431 similar offenses in another jurisdiction: s. 787.01, s. 787.02,
 432 or s. 787.025(2)(c), where the victim is a minor and the
 433 defendant is not the victim's parent or guardian; s. 794.011,
 434 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.
 435 800.04; s. 825.1025; s. 826.04 where the victim is a minor and
 436 the defendant is 18 years of age or older; s. 827.071; s.
 437 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 438 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense
 439 committed in this state which has been redesignated from a
 440 former statute number to one of those listed in this sub-sub-
 441 subparagraph; and

442 (II) Has been released on or after October 1, 1997, from
 443 the sanction imposed for any conviction of an offense described
 444 in sub-sub-subparagraph (I). For purposes of sub-sub-
 445 subparagraph (I), a sanction imposed in this state or in any
 446 other jurisdiction includes, but is not limited to, a fine,
 447 probation, community control, parole, conditional release,

448 control release, or incarceration in a state prison, federal
 449 prison, private correctional facility, or local detention
 450 facility;

451 b. Establishes or maintains a residence in this state and
 452 who has not been designated as a sexual predator by a court of
 453 this state but who has been designated as a sexual predator, as
 454 a sexually violent predator, or by another sexual offender
 455 designation in another state or jurisdiction and was, as a
 456 result of such designation, subjected to registration or
 457 community or public notification, or both, or would be if the
 458 person were a resident of that state or jurisdiction, without
 459 regard to whether the person otherwise meets the criteria for
 460 registration as a sexual offender;

461 c. Establishes or maintains a residence in this state who
 462 is in the custody or control of, or under the supervision of,
 463 any other state or jurisdiction as a result of a conviction for
 464 committing, or attempting, soliciting, or conspiring to commit,
 465 any of the criminal offenses proscribed in the following
 466 statutes or similar offense in another jurisdiction: s. 787.01,
 467 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 468 the defendant is not the victim's parent or guardian; s.
 469 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 470 796.035; s. 800.04; s. 825.1025; s. 826.04 where the victim is a
 471 minor and the defendant is 18 years of age or older; s. 827.071;
 472 s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137;
 473 s. 847.0138; s. 847.0145; or s. 985.701(1); or any similar
 474 offense committed in this state which has been redesignated from
 475 a former statute number to one of those listed in this sub-

476 subparagraph; or

477 d. On or after July 1, 2007, has been adjudicated
 478 delinquent for committing, or attempting, soliciting, or
 479 conspiring to commit, any of the criminal offenses proscribed in
 480 the following statutes in this state or similar offenses in
 481 another jurisdiction when the juvenile was 14 years of age or
 482 older at the time of the offense:

483 (I) Section 794.011, excluding s. 794.011(10);

484 (II) Section 800.04(4)(b) where the victim is under 12
 485 years of age or where the court finds sexual activity by the use
 486 of force or coercion;

487 (III) Section 800.04(5)(c)1. where the court finds
 488 molestation involving unclothed genitals; or

489 (IV) Section 800.04(5)(d) where the court finds the use of
 490 force or coercion and unclothed genitals.

491 2. For all qualifying offenses listed in sub-subparagraph
 492 (1)(a)1.d., the court shall make a written finding of the age of
 493 the offender at the time of the offense.

494
 495 For each violation of a qualifying offense listed in this
 496 subsection, the court shall make a written finding of the age of
 497 the victim at the time of the offense. For a violation of s.
 498 800.04(4), the court shall additionally make a written finding
 499 indicating that the offense did or did not involve sexual
 500 activity and indicating that the offense did or did not involve
 501 force or coercion. For a violation of s. 800.04(5), the court
 502 shall additionally make a written finding that the offense did
 503 or did not involve unclothed genitals or genital area and that

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504 the offense did or did not involve the use of force or coercion.

505 (g) "Internet identifier ~~Instant message name~~" has the
 506 same meaning as provided in s. 775.21 ~~means an identifier that~~
 507 ~~allows a person to communicate in real time with another person~~
 508 ~~using the Internet.~~

509 (2) A sexual offender shall:

510 (a) Report in person at the sheriff's office:

511 1. In the county in which the offender establishes or
 512 maintains a permanent, temporary, or transient residence within
 513 48 hours after:

514 a. Establishing permanent, temporary, or transient
 515 residence in this state; or

516 b. Being released from the custody, control, or
 517 supervision of the Department of Corrections or from the custody
 518 of a private correctional facility; or

519 2. In the county where he or she was convicted within 48
 520 hours after being convicted for a qualifying offense for
 521 registration under this section if the offender is not in the
 522 custody or control of, or under the supervision of, the
 523 Department of Corrections, or is not in the custody of a private
 524 correctional facility.

525
 526 Any change in the information required to be provided pursuant
 527 to paragraph (b), including, but not limited to, any change in
 528 the sexual offender's permanent, temporary, or transient
 529 residence, name, all any electronic mail addresses ~~address~~ and
 530 all Internet identifiers ~~any instant message name~~ required to be
 531 provided pursuant to paragraph (4)(d), after the sexual offender

532 reports in person at the sheriff's office, shall be accomplished
533 in the manner provided in subsections (4), (7), and (8).

534 (b) Provide his or her name; date of birth; social
535 security number; race; sex; height; weight; hair and eye color;
536 tattoos or other identifying marks; occupation and place of
537 employment; address of permanent or legal residence or address
538 of any current temporary residence, within the state or out of
539 state, including a rural route address and a post office box; if
540 no permanent or temporary address, any transient residence
541 within the state, address, location or description, and dates of
542 any current or known future temporary residence within the state
543 or out of state; all home telephone numbers ~~number~~ and ~~any~~
544 cellular telephone numbers ~~number~~; all any electronic mail
545 addresses ~~address~~ and all Internet identifiers ~~any instant~~
546 ~~message name~~ required to be provided pursuant to paragraph
547 (4) (d); date and place of each conviction; and a brief
548 description of the crime or crimes committed by the offender. A
549 post office box shall not be provided in lieu of a physical
550 residential address. The sexual offender must also produce or
551 provide information about his or her passport, if he or she has
552 a passport, and, if he or she is an alien, must produce or
553 provide information about documents establishing his or her
554 immigration status.

555 1. If the sexual offender's place of residence is a motor
556 vehicle, trailer, mobile home, or manufactured home, as defined
557 in chapter 320, the sexual offender shall also provide to the
558 department through the sheriff's office written notice of the
559 vehicle identification number; the license tag number; the

560 registration number; and a description, including color scheme,
561 of the motor vehicle, trailer, mobile home, or manufactured
562 home. If the sexual offender's place of residence is a vessel,
563 live-aboard vessel, or houseboat, as defined in chapter 327, the
564 sexual offender shall also provide to the department written
565 notice of the hull identification number; the manufacturer's
566 serial number; the name of the vessel, live-aboard vessel, or
567 houseboat; the registration number; and a description, including
568 color scheme, of the vessel, live-aboard vessel, or houseboat.

569 2. If the sexual offender is enrolled, employed, or
570 carrying on a vocation at an institution of higher education in
571 this state, the sexual offender shall also provide to the
572 department through the sheriff's office the name, address, and
573 county of each institution, including each campus attended, and
574 the sexual offender's enrollment or employment status. Each
575 change in enrollment or employment status shall be reported in
576 person at the sheriff's office, within 48 hours after any change
577 in status. The sheriff shall promptly notify each institution of
578 the sexual offender's presence and any change in the sexual
579 offender's enrollment or employment status.

580
581 When a sexual offender reports at the sheriff's office, the
582 sheriff shall take a photograph and a set of fingerprints of the
583 offender and forward the photographs and fingerprints to the
584 department, along with the information provided by the sexual
585 offender. The sheriff shall promptly provide to the department
586 the information received from the sexual offender.

587 (4) (a) Each time a sexual offender's driver's license or

588 identification card is subject to renewal, and, without regard
589 to the status of the offender's driver's license or
590 identification card, within 48 hours after any change in the
591 offender's permanent, temporary, or transient residence or
592 change in the offender's name by reason of marriage or other
593 legal process, the offender shall report in person to a driver's
594 license office, and shall be subject to the requirements
595 specified in subsection (3). The Department of Highway Safety
596 and Motor Vehicles shall forward to the department all
597 photographs and information provided by sexual offenders.
598 Notwithstanding the restrictions set forth in s. 322.142, the
599 Department of Highway Safety and Motor Vehicles is authorized to
600 release a reproduction of a color-photograph or digital-image
601 license to the Department of Law Enforcement for purposes of
602 public notification of sexual offenders as provided in this
603 section and ss. 943.043 and 944.606. A sexual offender who is
604 unable to secure or update a driver's license or identification
605 card with the Department of Highway Safety and Motor Vehicles as
606 provided in subsection (3) and this subsection must also report
607 any change in the sexual offender's permanent, temporary, or
608 transient residence or change in the offender's name by reason
609 of marriage or other legal process within 48 hours after the
610 change to the sheriff's office in the county where the offender
611 resides or is located and provide confirmation that he or she
612 reported such information to Department of Highway Safety and
613 Motor Vehicles.

614 (d) A sexual offender must register all ~~any~~ electronic
615 mail addresses and Internet identifiers ~~address or instant~~

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616 ~~message name~~ with the department prior to using such electronic
617 mail addresses and Internet identifiers ~~address or instant~~
618 ~~message name on or after October 1, 2007~~. The department shall
619 establish an online system through which sexual offenders may
620 securely access and update all electronic mail address and
621 Internet identifier ~~instant message name~~ information.

622 (7) A sexual offender who intends to establish a
623 permanent, temporary, or transient residence in another state or
624 jurisdiction other than the State of Florida shall report in
625 person to the sheriff of the county of current residence within
626 48 hours before the date he or she intends to leave this state
627 to establish residence in another state or jurisdiction or
628 within 21 days before his or her planned departure date if the
629 intended residence of 7 days or more is outside of the United
630 States. The notification must include the address, municipality,
631 county, ~~and state,~~ and country of intended residence. The
632 sheriff shall promptly provide to the department the information
633 received from the sexual offender. The department shall notify
634 the statewide law enforcement agency, or a comparable agency, in
635 the intended state, ~~or jurisdiction,~~ or country of residence of
636 the sexual offender's intended residence. The failure of a
637 sexual offender to provide his or her intended place of
638 residence is punishable as provided in subsection (9).

639 (8) A sexual offender who indicates his or her intent to
640 establish a permanent, temporary, or transient residence in
641 another state, ~~a or jurisdiction~~ other than the State of
642 Florida, or another country and later decides to remain in this
643 state shall, within 48 hours after the date upon which the

644 sexual offender indicated he or she would leave this state,
 645 report in person to the sheriff to which the sexual offender
 646 reported the intended change of permanent, temporary, or
 647 transient residence, and report his or her intent to remain in
 648 this state. The sheriff shall promptly report this information
 649 to the department. A sexual offender who reports his or her
 650 intent to establish a permanent, temporary, or transient
 651 residence in another state, a ~~or~~ jurisdiction other than the
 652 State of Florida, or another country but who remains in this
 653 state without reporting to the sheriff in the manner required by
 654 this subsection commits a felony of the second degree,
 655 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

656 (14)

657 (c) The sheriff's office may determine the appropriate
 658 times and days for reporting by the sexual offender, which shall
 659 be consistent with the reporting requirements of this
 660 subsection. Reregistration shall include any changes to the
 661 following information:

662 1. Name; social security number; age; race; sex; date of
 663 birth; height; weight; hair and eye color; address of any
 664 permanent residence and address of any current temporary
 665 residence, within the state or out of state, including a rural
 666 route address and a post office box; if no permanent or
 667 temporary address, any transient residence within the state;
 668 address, location or description, and dates of any current or
 669 known future temporary residence within the state or out of
 670 state; all any electronic mail addresses ~~address~~ and all
 671 Internet identifiers ~~any instant message name~~ required to be

672 provided pursuant to paragraph (4) (d); all home telephone
673 numbers ~~number~~ and all ~~any~~ cellular telephone numbers ~~number~~;
674 date and place of any employment; vehicle make, model, color,
675 and license tag number; fingerprints; and photograph. A post
676 office box shall not be provided in lieu of a physical
677 residential address. The sexual offender must also produce or
678 provide information about his or her passport, if he or she has
679 a passport, and, if he or she is an alien, must produce or
680 provide information about documents establishing his or her
681 immigration status.

682 2. If the sexual offender is enrolled, employed, or
683 carrying on a vocation at an institution of higher education in
684 this state, the sexual offender shall also provide to the
685 department the name, address, and county of each institution,
686 including each campus attended, and the sexual offender's
687 enrollment or employment status.

688 3. If the sexual offender's place of residence is a motor
689 vehicle, trailer, mobile home, or manufactured home, as defined
690 in chapter 320, the sexual offender shall also provide the
691 vehicle identification number; the license tag number; the
692 registration number; and a description, including color scheme,
693 of the motor vehicle, trailer, mobile home, or manufactured
694 home. If the sexual offender's place of residence is a vessel,
695 live-aboard vessel, or houseboat, as defined in chapter 327, the
696 sexual offender shall also provide the hull identification
697 number; the manufacturer's serial number; the name of the
698 vessel, live-aboard vessel, or houseboat; the registration
699 number; and a description, including color scheme, of the

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700 vessel, live-aboard vessel or houseboat.

701 4. Any sexual offender who fails to report in person as
702 required at the sheriff's office, or who fails to respond to any
703 address verification correspondence from the department within 3
704 weeks of the date of the correspondence or who fails to report
705 all electronic mail addresses and all Internet identifiers ~~or~~
706 ~~instant message names~~, commits a felony of the third degree,
707 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

708 Section 4. Section 943.04351, Florida Statutes, is amended
709 to read:

710 943.04351 Search of registration information regarding
711 sexual predators and sexual offenders required prior to
712 appointment or employment.—A state agency or governmental
713 subdivision, prior to making any decision to appoint or employ a
714 person to work, whether for compensation or as a volunteer, at
715 any park, playground, day care center, or other place where
716 children regularly congregate, must conduct a search of that
717 person's name or other identifying information against the
718 registration information regarding sexual predators and sexual
719 offenders maintained by the Department of Law Enforcement under
720 s. 943.043. The agency or governmental subdivision may conduct
721 the search using the Internet site maintained by the Department
722 of Law Enforcement. Also, a national search must be conducted
723 through the Dru Sjodin National Sex Offender Public Website
724 maintained by the United States Department of Justice. This
725 section does not apply to those positions or appointments within
726 a state agency or governmental subdivision for which a state and
727 national criminal history background check is conducted.

728 Section 5. Section 943.04354, Florida Statutes, is amended
 729 to read:

730 943.04354 Removal of the requirement to register as a
 731 sexual offender or sexual predator in special circumstances.—

732 (1) For purposes of this section, a person shall be
 733 considered for removal of the requirement to register as a
 734 sexual offender or sexual predator only if the person:

735 (a) Was or will be convicted or adjudicated delinquent of
 736 a violation of s. 794.011, s. 800.04, s. 827.071, or s.
 737 847.0135(5) or the person committed a violation of s. 794.011,
 738 s. 800.04, s. 827.071, or s. 847.0135(5) for which adjudication
 739 of guilt was or will be withheld, and the person does not have
 740 any other conviction, adjudication of delinquency, or withhold
 741 of adjudication of guilt for a violation of s. 794.011, s.
 742 800.04, s. 827.071, or s. 847.0135(5);

743 (b) Is required to register as a sexual offender or sexual
 744 predator solely on the basis of this violation; and

745 (c) Is not more than 4 years older than the victim of this
 746 violation who was 13 ~~14~~ years of age or older but not more than
 747 18 ~~17~~ years of age at the time the person committed this
 748 violation.

749 (2) If a person meets the criteria in subsection (1) ~~and~~
 750 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
 751 ~~847.0135(5) was committed on or after July 1, 2007,~~ the person
 752 may move the court that will sentence or dispose of this
 753 violation to remove the requirement that the person register as
 754 a sexual offender or sexual predator. The person must allege in
 755 the motion that he or she meets the criteria in subsection (1)

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756 and that removal of the registration requirement will not
757 conflict with federal law. The state attorney must be given
758 notice of the motion at least 21 days before the date of
759 sentencing or disposition of this violation and may present
760 evidence in opposition to the requested relief or may otherwise
761 demonstrate why the motion should be denied. At sentencing or
762 disposition of this violation, the court shall rule on this
763 motion and, if the court determines the person meets the
764 criteria in subsection (1) and the removal of the registration
765 requirement will not conflict with federal law, it may grant the
766 motion and order the removal of the registration requirement. If
767 the court denies the motion, the person is not authorized under
768 this section to petition for removal of the registration
769 requirement.

770 (3) (a) This subsection applies to a person who:

771 ~~1. Is not a person described in subsection (2) because the~~
772 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
773 ~~committed on or after July 1, 2007;~~

774 1.2. Is subject to registration as a sexual offender or
775 sexual predator for a violation of s. 794.011, s. 800.04, or s.
776 827.071; and

777 2.3. Meets the criteria in subsection (1).

778 (b) A person may petition the court in which the sentence
779 or disposition for the violation of s. 794.011, s. 800.04, or s.
780 827.071 occurred for removal of the requirement to register as a
781 sexual offender or sexual predator. The person must allege in
782 the petition that he or she meets the criteria in subsection (1)
783 and removal of the registration requirement will not conflict

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784 with federal law. The state attorney must be given notice of the
785 petition at least 21 days before the hearing on the petition and
786 may present evidence in opposition to the requested relief or
787 may otherwise demonstrate why the petition should be denied. The
788 court shall rule on the petition and, if the court determines
789 the person meets the criteria in subsection (1) and removal of
790 the registration requirement will not conflict with federal law,
791 it may grant the petition and order the removal of the
792 registration requirement. If the court denies the petition, the
793 person is not authorized under this section to file any further
794 petition for removal of the registration requirement.

795 (4) If a person provides to the Department of Law
796 Enforcement a certified copy of the court's order removing the
797 requirement that the person register as a sexual offender or
798 sexual predator for the violation of s. 794.011, s. 800.04, s.
799 827.071, or s. 847.0135(5), the registration requirement will
800 not apply to the person and the department shall remove all
801 information about the person from the public registry of sexual
802 offenders and sexual predators maintained by the department.
803 However, the removal of this information from the public
804 registry does not mean that the public is denied access to
805 information about the person's criminal history or record that
806 is otherwise available as a public record.

807 Section 6. Subsection (2) and paragraph (a) of subsection
808 (3) of section 943.0437, Florida Statutes, are amended to read:
809 943.0437 Commercial social networking websites.—

810 (2) The department may provide information relating to
811 electronic mail addresses and Internet identifiers ~~instant~~

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812 ~~message names~~ maintained as part of the sexual offender registry
 813 to commercial social networking websites or third parties
 814 designated by commercial social networking websites. The
 815 commercial social networking website may use this information
 816 for the purpose of comparing registered users and screening
 817 potential users of the commercial social networking website
 818 against the list of electronic mail addresses and Internet
 819 identifiers ~~instant message names~~ provided by the department.

820 (3) This section shall not be construed to impose any
 821 civil liability on a commercial social networking website for:

822 (a) Any action voluntarily taken in good faith to remove
 823 or disable any profile of a registered user associated with an
 824 electronic mail address or Internet identifier ~~instant message~~
 825 ~~name~~ contained in the sexual offender registry.

826 Section 7. Paragraphs (b) and (d) of subsection (1) and
 827 paragraph (a) of subsection (3) of section 944.606, Florida
 828 Statutes, are amended to read:

829 944.606 Sexual offenders; notification upon release.—

830 (1) As used in this section:

831 (b) "Sexual offender" means a person who has been
 832 convicted of committing, or attempting, soliciting, or
 833 conspiring to commit, any of the criminal offenses proscribed in
 834 the following statutes in this state or similar offenses in
 835 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c),
 836 where the victim is a minor and the defendant is not the
 837 victim's parent or guardian; s. 794.011, excluding s.
 838 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 839 825.1025; s. 826.04 where the victim is a minor and the

840 defendant is 18 years of age or older; s. 827.071; s. 847.0133;
841 s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138;
842 s. 847.0145; or s. 985.701(1); or any similar offense committed
843 in this state which has been redesignated from a former statute
844 number to one of those listed in this subsection, when the
845 department has received verified information regarding such
846 conviction; an offender's computerized criminal history record
847 is not, in and of itself, verified information.

848 (d) "Internet identifier ~~Instant message name"~~ has the
849 same meaning as provided in s. 775.21 ~~means an identifier that~~
850 ~~allows a person to communicate in real time with another person~~
851 ~~using the Internet.~~

852 (3) (a) The department must provide information regarding
853 any sexual offender who is being released after serving a period
854 of incarceration for any offense, as follows:

855 1. The department must provide: the sexual offender's
856 name, any change in the offender's name by reason of marriage or
857 other legal process, and any alias, if known; the correctional
858 facility from which the sexual offender is released; the sexual
859 offender's social security number, race, sex, date of birth,
860 height, weight, and hair and eye color; address of any planned
861 permanent residence or temporary residence, within the state or
862 out of state, including a rural route address and a post office
863 box; if no permanent or temporary address, any transient
864 residence within the state; address, location or description,
865 and dates of any known future temporary residence within the
866 state or out of state; date and county of sentence and each
867 crime for which the offender was sentenced; a copy of the

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868 offender's fingerprints and a digitized photograph taken within
869 60 days before release; the date of release of the sexual
870 offender; all ~~any~~ electronic mail addresses ~~address~~ and all
871 Internet identifiers ~~any instant message name~~ required to be
872 provided pursuant to s. 943.0435(4)(d); all ~~and~~ home telephone
873 numbers ~~number~~ and ~~any~~ cellular telephone numbers; and passport
874 information, if he or she has a passport, and, if he or she is
875 an alien, information about documents establishing his or her
876 immigration status ~~number~~. The department shall notify the
877 Department of Law Enforcement if the sexual offender escapes,
878 absconds, or dies. If the sexual offender is in the custody of a
879 private correctional facility, the facility shall take the
880 digitized photograph of the sexual offender within 60 days
881 before the sexual offender's release and provide this photograph
882 to the Department of Corrections and also place it in the sexual
883 offender's file. If the sexual offender is in the custody of a
884 local jail, the custodian of the local jail shall register the
885 offender within 3 business days after intake of the offender for
886 any reason and upon release, and shall notify the Department of
887 Law Enforcement of the sexual offender's release and provide to
888 the Department of Law Enforcement the information specified in
889 this paragraph and any information specified in subparagraph 2.
890 that the Department of Law Enforcement requests.

891 2. The department may provide any other information deemed
892 necessary, including criminal and corrections records,
893 nonprivileged personnel and treatment records, when available.

894 Section 8. Paragraphs (a) and (f) of subsection (1),
895 paragraph (a) of subsection (4), paragraph (b) of subsection

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896 (6), and paragraph (c) of subsection (13) of section 944.607,
 897 Florida Statutes, are amended to read:

898 944.607 Notification to Department of Law Enforcement of
 899 information on sexual offenders.—

900 (1) As used in this section, the term:

901 (a) "Sexual offender" means a person who is in the custody
 902 or control of, or under the supervision of, the department or is
 903 in the custody of a private correctional facility:

904 1. On or after October 1, 1997, as a result of a
 905 conviction for committing, or attempting, soliciting, or
 906 conspiring to commit, any of the criminal offenses proscribed in
 907 the following statutes in this state or similar offenses in
 908 another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c),
 909 where the victim is a minor and the defendant is not the
 910 victim's parent or guardian; s. 794.011, excluding s.
 911 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 912 825.1025; s. 826.04 where the victim is a minor and the
 913 defendant is 18 years of age or older; s. 827.071; s. 847.0133;
 914 s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138;
 915 s. 847.0145; or s. 985.701(1); or any similar offense committed
 916 in this state which has been redesignated from a former statute
 917 number to one of those listed in this paragraph; or

918 2. Who establishes or maintains a residence in this state
 919 and who has not been designated as a sexual predator by a court
 920 of this state but who has been designated as a sexual predator,
 921 as a sexually violent predator, or by another sexual offender
 922 designation in another state or jurisdiction and was, as a
 923 result of such designation, subjected to registration or

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924 community or public notification, or both, or would be if the
 925 person were a resident of that state or jurisdiction, without
 926 regard as to whether the person otherwise meets the criteria for
 927 registration as a sexual offender.

928 (f) "Internet identifier ~~Instant message name~~" has the
 929 same meaning as provided in s. 775.21 ~~means an identifier that~~
 930 ~~allows a person to communicate in real time with another person~~
 931 ~~using the Internet.~~

932 (4) A sexual offender, as described in this section, who
 933 is under the supervision of the Department of Corrections but is
 934 not incarcerated must register with the Department of
 935 Corrections within 3 business days after sentencing for a
 936 registrable offense and otherwise provide information as
 937 required by this subsection.

938 (a) The sexual offender shall provide his or her name;
 939 date of birth; social security number; race; sex; height;
 940 weight; hair and eye color; tattoos or other identifying marks;
 941 all any electronic mail addresses ~~address~~ and all Internet
 942 identifiers ~~any instant message name~~ required to be provided
 943 pursuant to s. 943.0435(4)(d); permanent or legal residence and
 944 address of temporary residence within the state or out of state
 945 while the sexual offender is under supervision in this state,
 946 including any rural route address or post office box; if no
 947 permanent or temporary address, any transient residence within
 948 the state; and address, location or description, and dates of
 949 any current or known future temporary residence within the state
 950 or out of state. The sexual offender must also produce or
 951 provide information about his or her passport, if he or she has

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952 a passport, and, if he or she is an alien, must produce or
953 provide information about documents establishing his or her
954 immigration status. The Department of Corrections shall verify
955 the address of each sexual offender in the manner described in
956 ss. 775.21 and 943.0435. The department shall report to the
957 Department of Law Enforcement any failure by a sexual predator
958 or sexual offender to comply with registration requirements.

959 (6) The information provided to the Department of Law
960 Enforcement must include:

961 (b) The sexual offender's most current address, place of
962 permanent, temporary, or transient residence within the state or
963 out of state, and address, location or description, and dates of
964 any current or known future temporary residence within the state
965 or out of state, while the sexual offender is under supervision
966 in this state, including the name of the county or municipality
967 in which the offender permanently or temporarily resides, or has
968 a transient residence, and address, location or description, and
969 dates of any current or known future temporary residence within
970 the state or out of state, and, if known, the intended place of
971 permanent, temporary, or transient residence, and address,
972 location or description, and dates of any current or known
973 future temporary residence within the state or out of state upon
974 satisfaction of all sanctions. The sexual offender must also
975 produce or provide information about his or her passport, if he
976 or she has a passport, and, if he or she is an alien, must
977 produce or provide information about documents establishing his
978 or her immigration status;
979

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980 If any information provided by the department changes during the
 981 time the sexual offender is under the department's control,
 982 custody, or supervision, including any change in the offender's
 983 name by reason of marriage or other legal process, the
 984 department shall, in a timely manner, update the information and
 985 provide it to the Department of Law Enforcement in the manner
 986 prescribed in subsection (2).

987 (13)

988 (c) The sheriff's office may determine the appropriate
 989 times and days for reporting by the sexual offender, which shall
 990 be consistent with the reporting requirements of this
 991 subsection. Reregistration shall include any changes to the
 992 following information:

993 1. Name; social security number; age; race; sex; date of
 994 birth; height; weight; hair and eye color; address of any
 995 permanent residence and address of any current temporary
 996 residence, within the state or out of state, including a rural
 997 route address and a post office box; if no permanent or
 998 temporary address, any transient residence; address, location or
 999 description, and dates of any current or known future temporary
 1000 residence within the state or out of state; all ~~any~~ electronic
 1001 mail addresses ~~address~~ and all Internet identifiers ~~any instant~~
 1002 ~~message name~~ required to be provided pursuant to s.
 1003 943.0435(4)(d); date and place of any employment; vehicle make,
 1004 model, color, and license tag number; fingerprints; and
 1005 photograph. A post office box shall not be provided in lieu of a
 1006 physical residential address. The sexual offender must also
 1007 produce or provide information about his or her passport, if he

1008 or she has a passport, and, if he or she is an alien, must
 1009 produce or provide information about documents establishing his
 1010 or her immigration status.

1011 2. If the sexual offender is enrolled, employed, or
 1012 carrying on a vocation at an institution of higher education in
 1013 this state, the sexual offender shall also provide to the
 1014 department the name, address, and county of each institution,
 1015 including each campus attended, and the sexual offender's
 1016 enrollment or employment status.

1017 3. If the sexual offender's place of residence is a motor
 1018 vehicle, trailer, mobile home, or manufactured home, as defined
 1019 in chapter 320, the sexual offender shall also provide the
 1020 vehicle identification number; the license tag number; the
 1021 registration number; and a description, including color scheme,
 1022 of the motor vehicle, trailer, mobile home, or manufactured
 1023 home. If the sexual offender's place of residence is a vessel,
 1024 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1025 sexual offender shall also provide the hull identification
 1026 number; the manufacturer's serial number; the name of the
 1027 vessel, live-aboard vessel, or houseboat; the registration
 1028 number; and a description, including color scheme, of the
 1029 vessel, live-aboard vessel or houseboat.

1030 4. Any sexual offender who fails to report in person as
 1031 required at the sheriff's office, or who fails to respond to any
 1032 address verification correspondence from the department within 3
 1033 weeks of the date of the correspondence, or who fails to report
 1034 all electronic mail addresses and all Internet identifiers ~~or~~
 1035 ~~instant message names~~, commits a felony of the third degree,

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1036 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1037 Section 9. Subsection (11) of section 947.005, Florida
 1038 Statutes, is amended to read:

1039 947.005 Definitions.—As used in this chapter, unless the
 1040 context clearly indicates otherwise:

1041 (11) "Risk assessment" means an assessment completed by a
 1042 ~~an independent~~ qualified practitioner to evaluate the level of
 1043 risk associated when a sex offender has contact with a child.

1044 Section 10. Section 948.31, Florida Statutes, is amended
 1045 to read:

1046 948.31 Evaluation and treatment of sexual predators and
 1047 offenders on probation or community control.—Conditions imposed
 1048 pursuant to this section do not require oral pronouncement at
 1049 the time of sentencing and shall be considered standard
 1050 conditions of probation or community control for offenders
 1051 specified in this section. The court shall require an evaluation
 1052 by a qualified practitioner to determine the need of a
 1053 probationer or community controllee for treatment. If the court
 1054 determines that a need therefor is established by the evaluation
 1055 process, the court shall require sexual offender treatment as a
 1056 term or condition of probation or community control for any
 1057 person who is required to register as a sexual predator under s.
 1058 775.21 or sexual offender under s. 943.0435, s. 944.606, or s.
 1059 944.607. Such treatment shall be required to be obtained from a
 1060 qualified practitioner as defined in s. 948.001. Treatment may
 1061 not be administered by a qualified practitioner who has been
 1062 convicted or adjudicated delinquent of committing, or
 1063 attempting, soliciting, or conspiring to commit, any offense

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1064 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~
 1065 ~~impose a restriction against contact with minors if sexual~~
 1066 ~~offender treatment is recommended.~~ The evaluation and
 1067 recommendations for treatment of the probationer or community
 1068 controllee shall be provided to the court for review.

1069 Section 11. Paragraph (a) of subsection (3) of section
 1070 985.481, Florida Statutes, is amended to read:

1071 985.481 Sexual offenders adjudicated delinquent;
 1072 notification upon release.-

1073 (3)(a) The department must provide information regarding
 1074 any sexual offender who is being released after serving a period
 1075 of residential commitment under the department for any offense,
 1076 as follows:

1077 1. The department must provide the sexual offender's name,
 1078 any change in the offender's name by reason of marriage or other
 1079 legal process, and any alias, if known; the correctional
 1080 facility from which the sexual offender is released; the sexual
 1081 offender's social security number, race, sex, date of birth,
 1082 height, weight, and hair and eye color; address of any planned
 1083 permanent residence or temporary residence, within the state or
 1084 out of state, including a rural route address and a post office
 1085 box; if no permanent or temporary address, any transient
 1086 residence within the state; address, location or description,
 1087 and dates of any known future temporary residence within the
 1088 state or out of state; date and county of disposition and each
 1089 crime for which there was a disposition; a copy of the
 1090 offender's fingerprints and a digitized photograph taken within
 1091 60 days before release; the date of release of the sexual

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1092 offender; all ~~and~~ home telephone numbers ~~number~~ and ~~any~~ cellular
 1093 telephone numbers; and passport information, if he or she has a
 1094 passport, and, if he or she is an alien, information about
 1095 documents establishing his or her immigration status ~~number~~. The
 1096 department shall notify the Department of Law Enforcement if the
 1097 sexual offender escapes, absconds, or dies. If the sexual
 1098 offender is in the custody of a private correctional facility,
 1099 the facility shall take the digitized photograph of the sexual
 1100 offender within 60 days before the sexual offender's release and
 1101 also place it in the sexual offender's file. If the sexual
 1102 offender is in the custody of a local jail, the custodian of the
 1103 local jail shall register the offender within 3 business days
 1104 after intake of the offender for any reason and upon release,
 1105 and shall notify the Department of Law Enforcement of the sexual
 1106 offender's release and provide to the Department of Law
 1107 Enforcement the information specified in this subparagraph and
 1108 any information specified in subparagraph 2. which the
 1109 Department of Law Enforcement requests.

1110 2. The department may provide any other information
 1111 considered necessary, including criminal and delinquency
 1112 records, when available.

1113 Section 12. Paragraph (a) of subsection (4), paragraph (a)
 1114 of subsection (6), and paragraph (b) of subsection (13) of
 1115 section 985.4815, Florida Statutes, are amended to read:

1116 985.4815 Notification to Department of Law Enforcement of
 1117 information on juvenile sexual offenders.-

1118 (4) A sexual offender, as described in this section, who
 1119 is under the supervision of the department but who is not

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1120 committed must register with the department within 3 business
 1121 days after adjudication and disposition for a registrable
 1122 offense and otherwise provide information as required by this
 1123 subsection.

1124 (a) The sexual offender shall provide his or her name;
 1125 date of birth; social security number; race; sex; height;
 1126 weight; hair and eye color; tattoos or other identifying marks;
 1127 permanent or legal residence and address of temporary residence
 1128 within the state or out of state while the sexual offender is in
 1129 the care or custody or under the jurisdiction or supervision of
 1130 the department in this state, including any rural route address
 1131 or post office box; if no permanent or temporary address, any
 1132 transient residence; address, location or description, and dates
 1133 of any current or known future temporary residence within the
 1134 state or out of state; passport information, if he or she has a
 1135 passport, and, if he or she is an alien, information about
 1136 documents establishing his or her immigration status; and the
 1137 name and address of each school attended. The department shall
 1138 verify the address of each sexual offender and shall report to
 1139 the Department of Law Enforcement any failure by a sexual
 1140 offender to comply with registration requirements.

1141 (6) (a) The information provided to the Department of Law
 1142 Enforcement must include the following:

1143 1. The information obtained from the sexual offender under
 1144 subsection (4).

1145 2. The sexual offender's most current address and place of
 1146 permanent, temporary, or transient residence within the state or
 1147 out of state, and address, location or description, and dates of

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1148 any current or known future temporary residence within the state
1149 or out of state, while the sexual offender is in the care or
1150 custody or under the jurisdiction or supervision of the
1151 department in this state, including the name of the county or
1152 municipality in which the offender permanently or temporarily
1153 resides, or has a transient residence, and address, location or
1154 description, and dates of any current or known future temporary
1155 residence within the state or out of state; and, if known, the
1156 intended place of permanent, temporary, or transient residence,
1157 and address, location or description, and dates of any current
1158 or known future temporary residence within the state or out of
1159 state upon satisfaction of all sanctions. The sexual offender
1160 must also produce or provide information about his or her
1161 passport, if he or she has a passport, and, if he or she is an
1162 alien, must produce or provide information about documents
1163 establishing his or her immigration status.

1164 3. The legal status of the sexual offender and the
1165 scheduled termination date of that legal status.

1166 4. The location of, and local telephone number for, any
1167 department office that is responsible for supervising the sexual
1168 offender.

1169 5. An indication of whether the victim of the offense that
1170 resulted in the offender's status as a sexual offender was a
1171 minor.

1172 6. The offense or offenses at adjudication and disposition
1173 that resulted in the determination of the offender's status as a
1174 sex offender.

1175 7. A digitized photograph of the sexual offender, which
 1176 must have been taken within 60 days before the offender was
 1177 released from the custody of the department or a private
 1178 correctional facility by expiration of sentence under s.
 1179 944.275, or within 60 days after the onset of the department's
 1180 supervision of any sexual offender who is on probation,
 1181 postcommitment probation, residential commitment, nonresidential
 1182 commitment, licensed child-caring commitment, community control,
 1183 conditional release, parole, provisional release, or control
 1184 release or who is supervised by the department under the
 1185 Interstate Compact Agreement for Probationers and Parolees. If
 1186 the sexual offender is in the custody of a private correctional
 1187 facility, the facility shall take a digitized photograph of the
 1188 sexual offender within the time period provided in this
 1189 subparagraph and shall provide the photograph to the department.

1190 (13)

1191 (b) The sheriff's office may determine the appropriate
 1192 times and days for reporting by the sexual offender, which shall
 1193 be consistent with the reporting requirements of this
 1194 subsection. Reregistration shall include any changes to the
 1195 following information:

1196 1. Name; social security number; age; race; sex; date of
 1197 birth; height; weight; hair and eye color; address of any
 1198 permanent residence and address of any current temporary
 1199 residence, within the state or out of state, including a rural
 1200 route address and a post office box; if no permanent or
 1201 temporary address, any transient residence; address, location or
 1202 description, and dates of any current or known future temporary

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1203 residence within the state or out of state; passport
1204 information, if he or she has a passport, and, if he or she is
1205 an alien, information about documents establishing his or her
1206 immigration status; name and address of each school attended;
1207 date and place of any employment; vehicle make, model, color,
1208 and license tag number; fingerprints; and photograph. A post
1209 office box shall not be provided in lieu of a physical
1210 residential address.

1211 2. If the sexual offender is enrolled, employed, or
1212 carrying on a vocation at an institution of higher education in
1213 this state, the sexual offender shall also provide to the
1214 department the name, address, and county of each institution,
1215 including each campus attended, and the sexual offender's
1216 enrollment or employment status.

1217 3. If the sexual offender's place of residence is a motor
1218 vehicle, trailer, mobile home, or manufactured home, as defined
1219 in chapter 320, the sexual offender shall also provide the
1220 vehicle identification number; the license tag number; the
1221 registration number; and a description, including color scheme,
1222 of the motor vehicle, trailer, mobile home, or manufactured
1223 home. If the sexual offender's place of residence is a vessel,
1224 live-aboard vessel, or houseboat, as defined in chapter 327, the
1225 sexual offender shall also provide the hull identification
1226 number; the manufacturer's serial number; the name of the
1227 vessel, live-aboard vessel, or houseboat; the registration
1228 number; and a description, including color scheme, of the
1229 vessel, live-aboard vessel, or houseboat.

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1230 4. Any sexual offender who fails to report in person as
1231 required at the sheriff's office, or who fails to respond to any
1232 address verification correspondence from the department within 3
1233 weeks after the date of the correspondence, commits a felony of
1234 the third degree, punishable as provided in ss. 775.082,
1235 775.083, and 775.084.

1236 Section 13. If any provision of this act or its
1237 application to any person or circumstance is held invalid, the
1238 invalidity does not affect other provisions or applications of
1239 this act which can be given effect without the invalid provision
1240 or application, and to this end the provisions of this act are
1241 severable.

1242 Section 14. This act shall take effect April 20, 2012.