

By Senator Bogdanoff

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1 A bill to be entitled
2 An act relating to sexual offenders and sexual
3 predators; amending s. 775.21, F.S.; defining the term
4 "homelessness" and deleting the definition of the term
5 "transient residence"; conforming provisions to the
6 revisions in terminology made by the act; amending s.
7 856.022, F.S.; clarifying provisions concerning
8 loitering by certain offenders; amending ss. 943.0435,
9 944.606, 944.607, 985.481, and 985.4815, F.S.;
10 conforming provisions to the revisions in terminology
11 made by the act; requiring specified monthly
12 registration by homeless offenders and predators;
13 providing that failure to comply with such
14 registration is a violation of specified provisions;
15 providing an effective date.

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

18
19 Section 1. Paragraphs (i), (j), (k), (l), and (m) of
20 subsection (2), paragraph (c) of subsection (4), paragraph (a)
21 of subsection (5), paragraphs (a), (f), (g), (i), and (j) of
22 subsection (6), paragraph (a) of subsection (7), and paragraph
23 (a) of subsection (8) of section 775.21, Florida Statutes, are
24 amended to read:

25 775.21 The Florida Sexual Predators Act.—

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

27 (i) "Homelessness" means a temporary condition and social
28 category of people without a dwelling who are unable to maintain
29 adequate housing. The term "dwelling" includes, but is not

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30 limited to, a place where a person sleeps or seeks shelter.

31 (j)~~(i)~~ "Instant message name" means an identifier that
32 allows a person to communicate in real time with another person
33 using the Internet.

34 (k)~~(j)~~ "Institution of higher education" means a career
35 center, community college, college, state university, or
36 independent postsecondary institution.

37 (l)~~(k)~~ "Permanent residence" means a place where the person
38 abides, lodges, or resides for 5 or more consecutive days.

39 (m)~~(l)~~ "Temporary residence" means a place where the person
40 abides, lodges, or resides, including, but not limited to,
41 vacation, business, or personal travel destinations in or out of
42 this state, for a period of 5 or more days in the aggregate
43 during any calendar year and which is not the person's permanent
44 address or, for a person whose permanent residence is not in
45 this state, a place where the person is employed, practices a
46 vocation, or is enrolled as a student for any period of time in
47 this state.

48 ~~(m) "Transient residence" means a place or county where a~~
49 ~~person lives, remains, or is located for a period of 5 or more~~
50 ~~days in the aggregate during a calendar year and which is not~~
51 ~~the person's permanent or temporary address. The term includes,~~
52 ~~but is not limited to, a place where the person sleeps or seeks~~
53 ~~shelter and a location that has no specific street address.~~

54 (4) SEXUAL PREDATOR CRITERIA.—

55 (c) If an offender has been registered as a sexual predator
56 by the Department of Corrections, the department, or any other
57 law enforcement agency and if:

58 1. The court did not, for whatever reason, make a written

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59 finding at the time of sentencing that the offender was a sexual
60 predator; or

61 2. The offender was administratively registered as a sexual
62 predator because the Department of Corrections, the department,
63 or any other law enforcement agency obtained information that
64 indicated that the offender met the criteria for designation as
65 a sexual predator based on a violation of a similar law in
66 another jurisdiction,

67
68 the department shall remove that offender from the department's
69 list of sexual predators and, for an offender described under
70 subparagraph 1., shall notify the state attorney who prosecuted
71 the offense that met the criteria for administrative designation
72 as a sexual predator, and, for an offender described under this
73 paragraph, shall notify the state attorney of the county where
74 the offender establishes or maintains a permanent or temporary
75 ~~or transient~~ residence or homeless status. The state attorney
76 shall bring the matter to the court's attention in order to
77 establish that the offender meets the criteria for designation
78 as a sexual predator. If the court makes a written finding that
79 the offender is a sexual predator, the offender must be
80 designated as a sexual predator, must register or be registered
81 as a sexual predator with the department as provided in
82 subsection (6), and is subject to the community and public
83 notification as provided in subsection (7). If the court does
84 not make a written finding that the offender is a sexual
85 predator, the offender may not be designated as a sexual
86 predator with respect to that offense and is not required to
87 register or be registered as a sexual predator with the

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88 department.

89 (5) SEXUAL PREDATOR DESIGNATION.—An offender is designated
90 as a sexual predator as follows:

91 (a)1. An offender who meets the sexual predator criteria
92 described in paragraph (4) (d) is a sexual predator, and the
93 court shall make a written finding at the time such offender is
94 determined to be a sexually violent predator under chapter 394
95 that such person meets the criteria for designation as a sexual
96 predator for purposes of this section. The clerk shall transmit
97 a copy of the order containing the written finding to the
98 department within 48 hours after the entry of the order;

99 2. An offender who meets the sexual predator criteria
100 described in paragraph (4) (a) who is before the court for
101 sentencing for a current offense committed on or after October
102 1, 1993, is a sexual predator, and the sentencing court must
103 make a written finding at the time of sentencing that the
104 offender is a sexual predator, and the clerk of the court shall
105 transmit a copy of the order containing the written finding to
106 the department within 48 hours after the entry of the order; or

107 3. If the Department of Corrections, the department, or any
108 other law enforcement agency obtains information which indicates
109 that an offender who establishes or maintains ~~a permanent or~~
110 ~~temporary, or transient~~ residence or homeless status in this
111 state meets the sexual predator criteria described in paragraph
112 (4) (a) or paragraph (4) (d) because the offender was civilly
113 committed or committed a similar violation in another
114 jurisdiction on or after October 1, 1993, the Department of
115 Corrections, the department, or the law enforcement agency shall
116 notify the state attorney of the county where the offender

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117 establishes or maintains a permanent or, temporary, ~~or transient~~
118 residence or homeless status of the offender's presence in the
119 community. The state attorney shall file a petition with the
120 criminal division of the circuit court for the purpose of
121 holding a hearing to determine if the offender's criminal record
122 or record of civil commitment from another jurisdiction meets
123 the sexual predator criteria. If the court finds that the
124 offender meets the sexual predator criteria because the offender
125 has violated a similar law or similar laws in another
126 jurisdiction, the court shall make a written finding that the
127 offender is a sexual predator.

128
129 When the court makes a written finding that an offender is a
130 sexual predator, the court shall inform the sexual predator of
131 the registration and community and public notification
132 requirements described in this section. Within 48 hours after
133 the court designating an offender as a sexual predator, the
134 clerk of the circuit court shall transmit a copy of the court's
135 written sexual predator finding to the department. If the
136 offender is sentenced to a term of imprisonment or supervision,
137 a copy of the court's written sexual predator finding must be
138 submitted to the Department of Corrections.

139 (6) REGISTRATION.—

140 (a) A sexual predator must register with the department
141 through the sheriff's office by providing the following
142 information to the department:

143 1. Name; social security number; age; race; sex; date of
144 birth; height; weight; hair and eye color; photograph; address
145 of legal residence and address of any current temporary

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146 residence, within the state or out of state, including a rural
147 route address and a post office box; if no permanent or
148 temporary address, a specific sleeping location or location
149 where he or she is seeking shelter ~~any transient residence~~
150 within the state, which the person must update in person once
151 each month with the sheriff's office of the county in which he
152 or she is located as long as he or she has no permanent or
153 temporary address; address, location or description, and dates
154 of any current or known future temporary residence, specific
155 sleeping location, or location where he or she is or will be
156 seeking shelter within the state or out of state; any electronic
157 mail address and any instant message name required to be
158 provided pursuant to subparagraph (g)4.; home telephone number
159 and any cellular telephone number; date and place of any
160 employment; date and place of each conviction; fingerprints; and
161 a brief description of the crime or crimes committed by the
162 offender. A post office box may ~~shall~~ not be provided in lieu of
163 a physical residential address.

164 a. If the sexual predator's place of residence is a motor
165 vehicle, trailer, mobile home, or manufactured home, as defined
166 in chapter 320, the sexual predator shall also provide to the
167 department written notice of the vehicle identification number;
168 the license tag number; the registration number; and a
169 description, including color scheme, of the motor vehicle,
170 trailer, mobile home, or manufactured home. If a sexual
171 predator's place of residence is a vessel, live-aboard vessel,
172 or houseboat, as defined in chapter 327, the sexual predator
173 shall also provide to the department written notice of the hull
174 identification number; the manufacturer's serial number; the

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175 name of the vessel, live-aboard vessel, or houseboat; the
176 registration number; and a description, including color scheme,
177 of the vessel, live-aboard vessel, or houseboat.

178 b. If the sexual predator is enrolled, employed, or
179 carrying on a vocation at an institution of higher education in
180 this state, the sexual predator shall also provide to the
181 department the name, address, and county of each institution,
182 including each campus attended, and the sexual predator's
183 enrollment or employment status. Each change in enrollment or
184 employment status shall be reported in person at the sheriff's
185 office, or the Department of Corrections if the sexual predator
186 is in the custody or control of or under the supervision of the
187 Department of Corrections, within 48 hours after any change in
188 status. The sheriff or the Department of Corrections shall
189 promptly notify each institution of the sexual predator's
190 presence and any change in the sexual predator's enrollment or
191 employment status.

192 2. Any other information determined necessary by the
193 department, including criminal and corrections records;
194 nonprivileged personnel and treatment records; and evidentiary
195 genetic markers when available.

196 (f) Within 48 hours after the registration required under
197 paragraph (a) or paragraph (e), a sexual predator who is not
198 incarcerated and who resides in the community, including a
199 sexual predator under the supervision of the Department of
200 Corrections, shall register in person at a driver's license
201 office of the Department of Highway Safety and Motor Vehicles
202 and shall present proof of registration. At the driver's license
203 office the sexual predator shall:

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204 1. If otherwise qualified, secure a Florida driver's
205 license, renew a Florida driver's license, or secure an
206 identification card. The sexual predator shall identify himself
207 or herself as a sexual predator who is required to comply with
208 this section, provide his or her place of permanent or
209 ~~temporary, or transient~~ residence, specific sleeping location,
210 or location where he or she is seeking shelter, including a
211 rural route address and a post office box, and submit to the
212 taking of a photograph for use in issuing a driver's license,
213 renewed license, or identification card, and for use by the
214 department in maintaining current records of sexual predators. A
215 post office box may ~~shall~~ not be provided in lieu of a physical
216 residential address. If the sexual predator's place of residence
217 is a motor vehicle, trailer, mobile home, or manufactured home,
218 as defined in chapter 320, the sexual predator shall also
219 provide to the Department of Highway Safety and Motor Vehicles
220 the vehicle identification number; the license tag number; the
221 registration number; and a description, including color scheme,
222 of the motor vehicle, trailer, mobile home, or manufactured
223 home. If a sexual predator's place of residence is a vessel,
224 live-aboard vessel, or houseboat, as defined in chapter 327, the
225 sexual predator shall also provide to the Department of Highway
226 Safety and Motor Vehicles the hull identification number; the
227 manufacturer's serial number; the name of the vessel, live-
228 aboard vessel, or houseboat; the registration number; and a
229 description, including color scheme, of the vessel, live-aboard
230 vessel, or houseboat.

231 2. Pay the costs assessed by the Department of Highway
232 Safety and Motor Vehicles for issuing or renewing a driver's

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233 license or identification card as required by this section. The
234 driver's license or identification card issued to the sexual
235 predator must be in compliance with s. 322.141(3).

236 3. Provide, upon request, any additional information
237 necessary to confirm the identity of the sexual predator,
238 including a set of fingerprints.

239 (g)1. Each time a sexual predator's driver's license or
240 identification card is subject to renewal, and, without regard
241 to the status of the predator's driver's license or
242 identification card, within 48 hours after any change of the
243 predator's residence or change in the predator's name by reason
244 of marriage or other legal process, the predator shall report in
245 person to a driver's license office and shall be subject to the
246 requirements specified in paragraph (f). The Department of
247 Highway Safety and Motor Vehicles shall forward to the
248 department and to the Department of Corrections all photographs
249 and information provided by sexual predators. Notwithstanding
250 the restrictions set forth in s. 322.142, the Department of
251 Highway Safety and Motor Vehicles is authorized to release a
252 reproduction of a color-photograph or digital-image license to
253 the Department of Law Enforcement for purposes of public
254 notification of sexual predators as provided in this section.

255 2. A sexual predator who vacates a permanent or temporary
256 ~~or transient~~ residence, specific sleeping location, or location
257 where he or she is seeking shelter and fails to establish or
258 maintain another permanent or temporary, ~~or transient~~
259 residence, specific sleeping location, or location where he or
260 she is seeking shelter shall, within 48 hours after vacating the
261 permanent or temporary, ~~or transient~~ residence, specific

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262 sleeping location, or location where he or she is seeking
263 shelter, report in person to the sheriff's office of the county
264 in which he or she is located. A sexual predator who remains
265 homeless must report in person once a month and register a
266 specific sleeping location or location where he or she is
267 seeking shelter. The sexual predator shall specify the date upon
268 which he or she intends to or did vacate such residence. The
269 sexual predator must provide or update all of the registration
270 information required under paragraph (a). The sexual predator
271 must provide an address for the residence or other place that he
272 or she is or will be located during the time in which he or she
273 fails to establish or maintain a permanent or temporary
274 residence or, if in a homelessness status, must report his or
275 her new sleeping location.

276 3. A sexual predator who remains at a permanent or
277 temporary, ~~or transient~~ residence, specific sleeping location,
278 or location where he or she is seeking shelter after reporting
279 his or her intent to vacate such residence shall, within 48
280 hours after the date upon which the predator indicated he or she
281 would or did vacate such residence, report in person to the
282 sheriff's office to which he or she reported pursuant to
283 subparagraph 2. for the purpose of reporting his or her address
284 at such residence. A sexual predator who fails to update this
285 registration once each month as required in subparagraph 2.
286 violates this registration requirement. This registration is in
287 addition to any other registration mandated by this section. If
288 the predator claims to be homeless but actually has a residence
289 or place to live, he or she commits a violation of this section.
290 When the sheriff receives the report, the sheriff shall promptly

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291 convey the information to the department. An offender who makes
292 a report as required under subparagraph 2. but fails to make a
293 report as required under this subparagraph commits a felony of
294 the second degree, punishable as provided in s. 775.082, s.
295 775.083, or s. 775.084.

296 4. A sexual predator must register any electronic mail
297 address or instant message name with the department prior to
298 using such electronic mail address or instant message name on or
299 after October 1, 2007. The department shall establish an online
300 system through which sexual predators may securely access and
301 update all electronic mail address and instant message name
302 information.

303 (i) A sexual predator who intends to establish a permanent
304 or temporary, ~~or transient~~ residence or homeless status in
305 another state or jurisdiction other than the State of Florida
306 shall report in person to the sheriff of the county of current
307 residence within 48 hours before the date he or she intends to
308 leave this state to establish residence in another state or
309 jurisdiction. The sexual predator must provide to the sheriff
310 the address, municipality, county, and state of intended
311 residence. The sheriff shall promptly provide to the department
312 the information received from the sexual predator. The
313 department shall notify the statewide law enforcement agency, or
314 a comparable agency, in the intended state or jurisdiction of
315 residence of the sexual predator's intended residence. The
316 failure of a sexual predator to provide his or her intended
317 place of residence is punishable as provided in subsection (10).

318 (j) A sexual predator who indicates his or her intent to
319 establish a permanent or temporary, ~~or transient~~ residence or

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320 homelessness status in another state or jurisdiction other than
321 the State of Florida and later decides to remain in this state
322 shall, within 48 hours after the date upon which the sexual
323 predator indicated he or she would leave this state, report in
324 person to the sheriff to which the sexual predator reported the
325 intended change of residence, and report his or her intent to
326 remain in this state. If the sheriff is notified by the sexual
327 predator that he or she intends to remain in this state, the
328 sheriff shall promptly report this information to the
329 department. A sexual predator who reports his or her intent to
330 establish a permanent or, ~~temporary, or transient~~ residence or
331 homelessness status in another state or jurisdiction, but who
332 remains in this state without reporting to the sheriff in the
333 manner required by this paragraph, commits a felony of the
334 second degree, punishable as provided in s. 775.082, s. 775.083,
335 or s. 775.084.

336 (7) COMMUNITY AND PUBLIC NOTIFICATION.—

337 (a) Law enforcement agencies must inform members of the
338 community and the public of a sexual predator's presence. Upon
339 notification of the presence of a sexual predator, the sheriff
340 of the county or the chief of police of the municipality where
341 the sexual predator establishes or maintains a permanent or
342 temporary residence shall notify members of the community and
343 the public of the presence of the sexual predator in a manner
344 deemed appropriate by the sheriff or the chief of police. Within
345 48 hours after receiving notification of the presence of a
346 sexual predator, the sheriff of the county or the chief of
347 police of the municipality where the sexual predator temporarily
348 or permanently resides shall notify each licensed child care

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349 facility, elementary school, middle school, and high school
350 within a 1-mile radius of the temporary or permanent residence
351 of the sexual predator of the presence of the sexual predator.
352 Information provided to members of the community and the public
353 regarding a sexual predator must include:

- 354 1. The name of the sexual predator;
- 355 2. A description of the sexual predator, including a
356 photograph;
- 357 3. The sexual predator's current permanent or temporary
358 and transient addresses, specific sleeping location, or location
359 where he or she is seeking shelter, ~~and descriptions of~~
360 ~~registered locations that have no specific street address,~~
361 ~~including the name of the county or municipality if known;~~
- 362 4. The circumstances of the sexual predator's offense or
363 offenses; and
- 364 5. Whether the victim of the sexual predator's offense or
365 offenses was, at the time of the offense, a minor or an adult.

366
367 This paragraph does not authorize the release of the name of any
368 victim of the sexual predator.

369 (8) VERIFICATION.—The department and the Department of
370 Corrections shall implement a system for verifying the addresses
371 of sexual predators. The system must be consistent with the
372 provisions of the federal Adam Walsh Child Protection and Safety
373 Act of 2006 and any other federal standards applicable to such
374 verification or required to be met as a condition for the
375 receipt of federal funds by the state. The Department of
376 Corrections shall verify the addresses of sexual predators who
377 are not incarcerated but who reside in the community under the

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378 supervision of the Department of Corrections and shall report to
379 the department any failure by a sexual predator to comply with
380 registration requirements. County and local law enforcement
381 agencies, in conjunction with the department, shall verify the
382 addresses of sexual predators who are not under the care,
383 custody, control, or supervision of the Department of
384 Corrections. Local law enforcement agencies shall report to the
385 department any failure by a sexual predator to comply with
386 registration requirements.

387 (a) A sexual predator must report in person each year
388 during the month of the sexual predator's birthday and during
389 every third month thereafter to the sheriff's office in the
390 county in which he or she resides or is otherwise located to
391 reregister. The sheriff's office may determine the appropriate
392 times and days for reporting by the sexual predator, which shall
393 be consistent with the reporting requirements of this paragraph.
394 Reregistration shall include any changes to the following
395 information:

396 1. Name; social security number; age; race; sex; date of
397 birth; height; weight; hair and eye color; address of any
398 permanent residence and address of any current temporary
399 residence, within the state or out of state, including a rural
400 route address and a post office box; if no permanent or
401 temporary address, a specific sleeping location or location
402 where he or she is seeking shelter ~~any transient residence~~
403 within the state; address, location or description, and dates of
404 any current or known future temporary residence, specific
405 sleeping location, or location where he or she is or will be
406 seeking shelter within the state or out of state; any electronic

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407 mail address and any instant message name required to be
408 provided pursuant to subparagraph (6)(g)4.; home telephone
409 number and any cellular telephone number; date and place of any
410 employment; vehicle make, model, color, and license tag number;
411 fingerprints; and photograph. A post office box may ~~shall~~ not be
412 provided in lieu of a physical residential address.

413 2. If the sexual predator is enrolled, employed, or
414 carrying on a vocation at an institution of higher education in
415 this state, the sexual predator shall also provide to the
416 department the name, address, and county of each institution,
417 including each campus attended, and the sexual predator's
418 enrollment or employment status.

419 3. If the sexual predator's place of residence is a motor
420 vehicle, trailer, mobile home, or manufactured home, as defined
421 in chapter 320, the sexual predator shall also provide the
422 vehicle identification number; the license tag number; the
423 registration number; and a description, including color scheme,
424 of the motor vehicle, trailer, mobile home, or manufactured
425 home. If the sexual predator's place of residence is a vessel,
426 live-aboard vessel, or houseboat, as defined in chapter 327, the
427 sexual predator shall also provide the hull identification
428 number; the manufacturer's serial number; the name of the
429 vessel, live-aboard vessel, or houseboat; the registration
430 number; and a description, including color scheme, of the
431 vessel, live-aboard vessel, or houseboat.

432 Section 2. Subsection (3) of section 856.022, Florida
433 Statutes, is amended to read:

434 856.022 Loitering or prowling by certain offenders in close
435 proximity to children; penalty.-

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436 (3) A person described in subsection (1) commits loitering
437 and prowling by a person convicted of a sexual offense against a
438 minor if, in committing loitering and prowling, he or she was
439 within 300 feet of a place where children congregate ~~were~~
440 ~~congregating~~.

441 Section 3. Paragraph (c) of subsection (1), subsection (2),
442 paragraphs (a), (b), and (c) of subsection (4), subsections (7),
443 (8), and (10), and paragraph (c) of subsection (14) of section
444 943.0435, Florida Statutes, are amended to read:

445 943.0435 Sexual offenders required to register with the
446 department; penalty.—

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

448 (c) "Permanent residence," "temporary residence," and
449 "homelessness" ~~"transient residence"~~ have the same meaning
450 ascribed in s. 775.21.

451 (2) A sexual offender shall:

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

453 1. In the county in which the offender establishes or
454 maintains a permanent or ~~temporary, or transient~~ residence or
455 homelessness status within 48 hours after:

456 a. Establishing a permanent or ~~temporary, or transient~~
457 residence or a specific sleeping location or location where he
458 or she is seeking shelter in this state; or

459 b. Being released from the custody, control, or supervision
460 of the Department of Corrections or from the custody of a
461 private correctional facility; or

462 2. In the county where he or she was convicted within 48
463 hours after being convicted for a qualifying offense for
464 registration under this section if the offender is not in the

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465 custody or control of, or under the supervision of, the
466 Department of Corrections, or is not in the custody of a private
467 correctional facility.

468
469 Any change in the information required to be provided pursuant
470 to paragraph (b), including, but not limited to, any change in
471 the sexual offender's permanent or, temporary, ~~or transient~~
472 residence or homelessness status, name, any electronic mail
473 address and any instant message name required to be provided
474 pursuant to paragraph (4) (d), after the sexual offender reports
475 in person at the sheriff's office, shall be accomplished in the
476 manner provided in subsections (4), (7), and (8).

477 (b) Provide his or her name; date of birth; social security
478 number; race; sex; height; weight; hair and eye color; tattoos
479 or other identifying marks; occupation and place of employment;
480 address of permanent or legal residence or address of any
481 current temporary residence, within the state or out of state,
482 including a rural route address and a post office box; if no
483 permanent or temporary address, a specific sleeping location or
484 location where he or she is seeking shelter ~~any transient~~
485 ~~residence~~ within the state, which the person must update in
486 person once each month with the sheriff's office of the county
487 in which he or she is located as long as he or she has no
488 permanent or temporary address, address, location or
489 description, and dates of any current or known future temporary
490 residence, specific sleeping location, or location where he or
491 she is or will be seeking shelter within the state or out of
492 state; home telephone number and any cellular telephone number;
493 any electronic mail address and any instant message name

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494 required to be provided pursuant to paragraph (4) (d); date and
495 place of each conviction; and a brief description of the crime
496 or crimes committed by the offender. A post office box may ~~shall~~
497 not be provided in lieu of a physical residential address.

498 1. If the sexual offender's place of residence is a motor
499 vehicle, trailer, mobile home, or manufactured home, as defined
500 in chapter 320, the sexual offender shall also provide to the
501 department through the sheriff's office written notice of the
502 vehicle identification number; the license tag number; the
503 registration number; and a description, including color scheme,
504 of the motor vehicle, trailer, mobile home, or manufactured
505 home. If the sexual offender's place of residence is a vessel,
506 live-aboard vessel, or houseboat, as defined in chapter 327, the
507 sexual offender shall also provide to the department written
508 notice of the hull identification number; the manufacturer's
509 serial number; the name of the vessel, live-aboard vessel, or
510 houseboat; the registration number; and a description, including
511 color scheme, of the vessel, live-aboard vessel, or houseboat.

512 2. If the sexual offender is enrolled, employed, or
513 carrying on a vocation at an institution of higher education in
514 this state, the sexual offender shall also provide to the
515 department through the sheriff's office the name, address, and
516 county of each institution, including each campus attended, and
517 the sexual offender's enrollment or employment status. Each
518 change in enrollment or employment status shall be reported in
519 person at the sheriff's office, within 48 hours after any change
520 in status. The sheriff shall promptly notify each institution of
521 the sexual offender's presence and any change in the sexual
522 offender's enrollment or employment status.

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524 When a sexual offender reports at the sheriff's office, the
525 sheriff shall take a photograph and a set of fingerprints of the
526 offender and forward the photographs and fingerprints to the
527 department, along with the information provided by the sexual
528 offender. The sheriff shall promptly provide to the department
529 the information received from the sexual offender.

530 (4) (a) Each time a sexual offender's driver's license or
531 identification card is subject to renewal, and, without regard
532 to the status of the offender's driver's license or
533 identification card, within 48 hours after any change in the
534 offender's permanent or temporary, ~~or transient~~ residence,
535 specific sleeping location, or location where he or she is
536 seeking shelter or change in the offender's name by reason of
537 marriage or other legal process, the offender shall report in
538 person to a driver's license office, and shall be subject to the
539 requirements specified in subsection (3). The Department of
540 Highway Safety and Motor Vehicles shall forward to the
541 department all photographs and information provided by sexual
542 offenders. Notwithstanding the restrictions set forth in s.
543 322.142, the Department of Highway Safety and Motor Vehicles is
544 authorized to release a reproduction of a color-photograph or
545 digital-image license to the Department of Law Enforcement for
546 purposes of public notification of sexual offenders as provided
547 in this section and ss. 943.043 and 944.606.

548 (b) A sexual offender who vacates a permanent or
549 temporary, ~~or transient~~ residence, specific sleeping location,
550 or location where he or she is seeking shelter and fails to
551 establish or maintain another permanent or temporary, ~~or~~

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552 ~~transient~~ residence, specific sleeping location, or location
553 where he or she is seeking shelter shall, within 48 hours after
554 vacating the permanent ~~or~~, temporary, ~~or transient~~ residence,
555 specific sleeping location, or location where he or she is
556 seeking shelter, report in person to the sheriff's office of the
557 county in which he or she is located. A sexual offender who
558 remains homeless must report in person once a month to the
559 sheriff's office of the county in which he or she is located and
560 register a specific sleeping location or location where he or
561 she is seeking shelter. The sexual offender shall specify the
562 date upon which he or she intends to or did vacate such
563 residence. The sexual offender must provide or update all of the
564 registration information required under paragraph (2) (b). The
565 sexual offender must provide an address for the residence or
566 other place that he or she is or will be located during the time
567 in which he or she fails to establish or maintain a permanent or
568 temporary residence.

569 (c) A sexual offender who remains at a permanent ~~or~~,
570 temporary, ~~or transient~~ residence, specific sleeping location,
571 or location where he or she is seeking shelter after reporting
572 his or her intent to vacate such residence, specific sleeping
573 location, or location where he or she is seeking shelter shall,
574 within 48 hours after the date upon which the offender indicated
575 he or she would or did vacate such residence, specific sleeping
576 location, or location where he or she is seeking shelter, report
577 in person to the agency to which he or she reported pursuant to
578 paragraph (b) for the purpose of reporting his or her address at
579 such residence, specific sleeping location, or location where he
580 or she is seeking shelter. A sexual offender who fails to update

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581 this registration once each month as required in paragraph (b)
582 violates this registration requirement. This registration is in
583 addition to any other registration mandated by this section. If
584 the offender claims to be homeless but actually has a residence
585 or place to live, he or she commits a violation of this section.
586 When the sheriff receives the report, the sheriff shall promptly
587 convey the information to the department. An offender who makes
588 a report as required under paragraph (b) but fails to make a
589 report as required under this paragraph commits a felony of the
590 second degree, punishable as provided in s. 775.082, s. 775.083,
591 or s. 775.084.

592 (7) A sexual offender who intends to establish a permanent
593 or ~~temporary, or transient~~ residence or homelessness status in
594 another state or jurisdiction other than the State of Florida
595 shall report in person to the sheriff of the county of current
596 residence, specific sleeping location, or location where he or
597 she is seeking shelter within 48 hours before the date he or she
598 intends to leave this state to establish residence or
599 homelessness status in another state or jurisdiction. The
600 notification must include the address, municipality, county, and
601 state of intended residence, specific sleeping location, or
602 location where he or she is seeking shelter. The sheriff shall
603 promptly provide to the department the information received from
604 the sexual offender. The department shall notify the statewide
605 law enforcement agency, or a comparable agency, in the intended
606 state or jurisdiction of residence or homelessness status of the
607 sexual offender's intended residence, specific sleeping
608 location, or location where he or she is seeking shelter. The
609 failure of a sexual offender to provide his or her intended

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610 place of residence, specific sleeping location, or location
611 where he or she is seeking shelter is punishable as provided in
612 subsection (9).

613 (8) A sexual offender who indicates his or her intent to
614 establish a permanent or, temporary, ~~or transient~~ residence or
615 homelessness status in another state or jurisdiction other than
616 the State of Florida and later decides to remain in this state
617 shall, within 48 hours after the date upon which the sexual
618 offender indicated he or she would leave this state, report in
619 person to the sheriff to which the sexual offender reported the
620 intended change of permanent or, temporary, ~~or transient~~
621 residence or homelessness status, and report his or her intent
622 to remain in this state. The sheriff shall promptly report this
623 information to the department. A sexual offender who reports his
624 or her intent to establish a permanent or, temporary, ~~or~~
625 ~~transient~~ residence or homelessness status in another state or
626 jurisdiction but who remains in this state without reporting to
627 the sheriff in the manner required by this subsection commits a
628 felony of the second degree, punishable as provided in s.
629 775.082, s. 775.083, or s. 775.084.

630 (10) The department, the Department of Highway Safety and
631 Motor Vehicles, the Department of Corrections, the Department of
632 Juvenile Justice, any law enforcement agency in this state, and
633 the personnel of those departments; an elected or appointed
634 official, public employee, or school administrator; or an
635 employee, agency, or any individual or entity acting at the
636 request or upon the direction of any law enforcement agency is
637 immune from civil liability for damages for good faith
638 compliance with the requirements of this section or for the

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639 release of information under this section, and shall be presumed
640 to have acted in good faith in compiling, recording, reporting,
641 or releasing the information. The presumption of good faith is
642 not overcome if a technical or clerical error is made by the
643 department, the Department of Highway Safety and Motor Vehicles,
644 the Department of Corrections, the Department of Juvenile
645 Justice, the personnel of those departments, or any individual
646 or entity acting at the request or upon the direction of any of
647 those departments in compiling or providing information, or if
648 information is incomplete or incorrect because a sexual offender
649 fails to report or falsely reports his or her current place of
650 permanent or, ~~temporary, or transient~~ residence, specific
651 sleeping location, or location where he or she is seeking
652 shelter.

653 (14)

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

659 1. Name; social security number; age; race; sex; date of
660 birth; height; weight; hair and eye color; address of any
661 permanent residence and address of any current temporary
662 residence, within the state or out of state, including a rural
663 route address and a post office box; if no permanent or
664 temporary address, a specific sleeping location or location
665 where he or she is seeking shelter ~~any transient residence~~
666 within the state; address, location or description, and dates of
667 any current or known future temporary residence, specific

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668 sleeping location, or location where he or she is or will be
669 seeking shelter within the state or out of state; any electronic
670 mail address and any instant message name required to be
671 provided pursuant to paragraph (4) (d); home telephone number and
672 any cellular telephone number; date and place of any employment;
673 vehicle make, model, color, and license tag number;
674 fingerprints; and photograph. A post office box may ~~shall~~ not be
675 provided in lieu of a physical residential address.

676 2. If the sexual offender is enrolled, employed, or
677 carrying on a vocation at an institution of higher education in
678 this state, the sexual offender shall also provide to the
679 department the name, address, and county of each institution,
680 including each campus attended, and the sexual offender's
681 enrollment or employment status.

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

695 4. Any sexual offender who fails to report in person as
696 required at the sheriff's office, or who fails to respond to any

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697 address verification correspondence from the department within 3
698 weeks of the date of the correspondence or who fails to report
699 electronic mail addresses or instant message names, commits a
700 felony of the third degree, punishable as provided in s.
701 775.082, s. 775.083, or s. 775.084.

702 Section 4. Paragraph (a) of subsection (3) of section
703 944.606, Florida Statutes, is amended to read:

704 944.606 Sexual offenders; notification upon release.—

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

708 1. The department must provide: the sexual offender's name,
709 any change in the offender's name by reason of marriage or other
710 legal process, and any alias, if known; the correctional
711 facility from which the sexual offender is released; the sexual
712 offender's social security number, race, sex, date of birth,
713 height, weight, and hair and eye color; address of any planned
714 permanent residence or temporary residence, within the state or
715 out of state, including a rural route address and a post office
716 box; if no permanent or temporary address, a specific sleeping
717 location or location where he or she is seeking shelter ~~any~~
718 ~~transient residence~~ within the state; address, location or
719 description, and dates of any known future temporary residence,
720 specific sleeping location, or location where he or she is or
721 will be seeking shelter within the state or out of state; date
722 and county of sentence and each crime for which the offender was
723 sentenced; a copy of the offender's fingerprints and a digitized
724 photograph taken within 60 days before release; the date of
725 release of the sexual offender; any electronic mail address and

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726 any instant message name required to be provided pursuant to s.
727 943.0435(4)(d); and home telephone number and any cellular
728 telephone number. The department shall notify the Department of
729 Law Enforcement if the sexual offender escapes, absconds, or
730 dies. If the sexual offender is in the custody of a private
731 correctional facility, the facility shall take the digitized
732 photograph of the sexual offender within 60 days before the
733 sexual offender's release and provide this photograph to the
734 Department of Corrections and also place it in the sexual
735 offender's file. If the sexual offender is in the custody of a
736 local jail, the custodian of the local jail shall register the
737 offender within 3 business days after intake of the offender for
738 any reason and upon release, and shall notify the Department of
739 Law Enforcement of the sexual offender's release and provide to
740 the Department of Law Enforcement the information specified in
741 this paragraph and any information specified in subparagraph 2.
742 that the Department of Law Enforcement requests.

743 2. The department may provide any other information deemed
744 necessary, including criminal and corrections records,
745 nonprivileged personnel and treatment records, when available.

746 Section 5. Paragraph (a) of subsection (4), paragraph (b)
747 of subsection (6), and paragraph (c) of subsection (13) of
748 section 944.607, Florida Statutes, are amended to read:

749 944.607 Notification to Department of Law Enforcement of
750 information on sexual offenders.—

751 (4) A sexual offender, as described in this section, who is
752 under the supervision of the Department of Corrections but is
753 not incarcerated must register with the Department of
754 Corrections within 3 business days after sentencing for a

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755 registrable offense and otherwise provide information as
756 required by this subsection.

757 (a) The sexual offender shall provide his or her name; date
758 of birth; social security number; race; sex; height; weight;
759 hair and eye color; tattoos or other identifying marks; any
760 electronic mail address and any instant message name required to
761 be provided pursuant to s. 943.0435(4) (d); permanent or legal
762 residence and address of temporary residence within the state or
763 out of state while the sexual offender is under supervision in
764 this state, including any rural route address or post office
765 box; if no permanent or temporary address, a specific sleeping
766 location or location where he or she is seeking shelter ~~any~~
767 ~~transient residence~~ within the state, which the person must
768 update in person once each month with the sheriff's office of
769 the county in which he or she is located as long as he or she
770 has no permanent or temporary address; and address, location or
771 description, and dates of any current or known future temporary
772 residence, specific sleeping location, or location where he or
773 she is or will be seeking shelter within the state or out of
774 state. The Department of Corrections shall verify the address of
775 each sexual offender in the manner described in ss. 775.21 and
776 943.0435. The department shall report to the Department of Law
777 Enforcement any failure by a sexual predator or sexual offender
778 to comply with registration requirements.

779 (6) The information provided to the Department of Law
780 Enforcement must include:

781 (b) The sexual offender's most current address, place of
782 permanent ~~or~~, temporary, ~~or transient~~ residence, specific
783 sleeping location, or location where he or she is seeking

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784 shelter within the state or out of state, and address, location
785 or description, and dates of any current or known future
786 temporary residence, specific sleeping location, or location
787 where he or she is or will be seeking shelter within the state
788 or out of state, while the sexual offender is under supervision
789 in this state, including the name of the county or municipality
790 in which the offender permanently or temporarily resides, or has
791 homelessness status ~~a transient residence~~, and address, location
792 or description, and dates of any current or known future
793 temporary residence within the state or out of state, and, if
794 known, the intended place of permanent or ~~temporary, or~~
795 ~~transient~~ residence, specific sleeping location, or location
796 where he or she is seeking shelter, and address, location or
797 description, and dates of any current or known future specific
798 sleeping location or location where he or she is seeking shelter
799 ~~temporary residence~~ within the state or out of state upon
800 satisfaction of all sanctions;

801
802 If any information provided by the department changes during the
803 time the sexual offender is under the department's control,
804 custody, or supervision, including any change in the offender's
805 name by reason of marriage or other legal process, the
806 department shall, in a timely manner, update the information and
807 provide it to the Department of Law Enforcement in the manner
808 prescribed in subsection (2).

809 (13)

810 (c) The sheriff's office may determine the appropriate
811 times and days for reporting by the sexual offender, which shall
812 be consistent with the reporting requirements of this

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813 subsection. Reregistration shall include any changes to the
814 following information:

815 1. Name; social security number; age; race; sex; date of
816 birth; height; weight; hair and eye color; address of any
817 permanent residence and address of any current temporary
818 residence, within the state or out of state, including a rural
819 route address and a post office box; if no permanent or
820 temporary address, a specific sleeping location or location
821 where he or she is seeking shelter ~~any transient residence;~~
822 address, location or description, and dates of any current or
823 known future temporary residence, specific sleeping location, or
824 location where he or she is or will be seeking shelter within
825 the state or out of state; any electronic mail address and any
826 instant message name required to be provided pursuant to s.
827 943.0435(4)(d); date and place of any employment; vehicle make,
828 model, color, and license tag number; fingerprints; and
829 photograph. A post office box may ~~shall~~ not be provided in lieu
830 of a physical residential address.

831 2. If the sexual offender is enrolled, employed, or
832 carrying on a vocation at an institution of higher education in
833 this state, the sexual offender shall also provide to the
834 department the name, address, and county of each institution,
835 including each campus attended, and the sexual offender's
836 enrollment or employment status.

837 3. If the sexual offender's place of residence is a motor
838 vehicle, trailer, mobile home, or manufactured home, as defined
839 in chapter 320, the sexual offender shall also provide the
840 vehicle identification number; the license tag number; the
841 registration number; and a description, including color scheme,

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842 of the motor vehicle, trailer, mobile home, or manufactured
843 home. If the sexual offender's place of residence is a vessel,
844 live-aboard vessel, or houseboat, as defined in chapter 327, the
845 sexual offender shall also provide the hull identification
846 number; the manufacturer's serial number; the name of the
847 vessel, live-aboard vessel, or houseboat; the registration
848 number; and a description, including color scheme, of the
849 vessel, live-aboard vessel or houseboat.

850 4. Any sexual offender who fails to report in person as
851 required at the sheriff's office, or who fails to respond to any
852 address verification correspondence from the department within 3
853 weeks of the date of the correspondence, or who fails to report
854 electronic mail addresses or instant message names, commits a
855 felony of the third degree, punishable as provided in s.
856 775.082, s. 775.083, or s. 775.084.

857 Section 6. Paragraph (a) of subsection (3) of section
858 985.481, Florida Statutes, is amended to read:

859 985.481 Sexual offenders adjudicated delinquent;
860 notification upon release.—

861 (3) (a) The department must provide information regarding
862 any sexual offender who is being released after serving a period
863 of residential commitment under the department for any offense,
864 as follows:

865 1. The department must provide the sexual offender's name,
866 any change in the offender's name by reason of marriage or other
867 legal process, and any alias, if known; the correctional
868 facility from which the sexual offender is released; the sexual
869 offender's social security number, race, sex, date of birth,
870 height, weight, and hair and eye color; address of any planned

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871 permanent residence or temporary residence, within the state or
872 out of state, including a rural route address and a post office
873 box; if no permanent or temporary address, a specific sleeping
874 location or location where he or she is seeking shelter ~~any~~
875 ~~transient residence~~ within the state; address, location or
876 description, and dates of any known future temporary residence,
877 specific sleeping location, or location where he or she is or
878 will be seeking shelter within the state or out of state; date
879 and county of disposition and each crime for which there was a
880 disposition; a copy of the offender's fingerprints and a
881 digitized photograph taken within 60 days before release; the
882 date of release of the sexual offender; and home telephone
883 number and any cellular telephone number. The department shall
884 notify the Department of Law Enforcement if the sexual offender
885 escapes, absconds, or dies. If the sexual offender is in the
886 custody of a private correctional facility, the facility shall
887 take the digitized photograph of the sexual offender within 60
888 days before the sexual offender's release and also place it in
889 the sexual offender's file. If the sexual offender is in the
890 custody of a local jail, the custodian of the local jail shall
891 register the offender within 3 business days after intake of the
892 offender for any reason and upon release, and shall notify the
893 Department of Law Enforcement of the sexual offender's release
894 and provide to the Department of Law Enforcement the information
895 specified in this subparagraph and any information specified in
896 subparagraph 2. which the Department of Law Enforcement
897 requests.

898 2. The department may provide any other information
899 considered necessary, including criminal and delinquency

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900 records, when available.

901 Section 7. Paragraph (a) of subsection (4), paragraph (a)
902 of subsection (6), and paragraph (b) of subsection (13) of
903 section 985.4815, Florida Statutes, are amended to read:

904 985.4815 Notification to Department of Law Enforcement of
905 information on juvenile sexual offenders.—

906 (4) A sexual offender, as described in this section, who is
907 under the supervision of the department but who is not committed
908 must register with the department within 3 business days after
909 adjudication and disposition for a registrable offense and
910 otherwise provide information as required by this subsection.

911 (a) The sexual offender shall provide his or her name; date
912 of birth; social security number; race; sex; height; weight;
913 hair and eye color; tattoos or other identifying marks;
914 permanent or legal residence and address of temporary residence
915 within the state or out of state while the sexual offender is in
916 the care or custody or under the jurisdiction or supervision of
917 the department in this state, including any rural route address
918 or post office box; if no permanent or temporary address, a
919 specific sleeping location or location where he or she is
920 seeking shelter ~~any transient residence~~; address, location or
921 description, and dates of any current or known future temporary
922 residence, specific sleeping location, or location where he or
923 she is or will be seeking shelter within the state or out of
924 state; and the name and address of each school attended. The
925 department shall verify the address of each sexual offender and
926 shall report to the Department of Law Enforcement any failure by
927 a sexual offender to comply with registration requirements.

928 (6) (a) The information provided to the Department of Law

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929 Enforcement must include the following:

930 1. The information obtained from the sexual offender under
931 subsection (4).

932 2. The sexual offender's most current address and place of
933 permanent or, ~~temporary, or transient~~ residence, specific
934 sleeping location, or location where he or she is seeking
935 shelter within the state or out of state, and address, location
936 or description, and dates of any current or known future
937 temporary residence, specific sleeping location, or location
938 where he or she is or will be seeking shelter within the state
939 or out of state, while the sexual offender is in the care or
940 custody or under the jurisdiction or supervision of the
941 department in this state, including the name of the county or
942 municipality in which the offender permanently or temporarily
943 resides, or has a specific sleeping location or location where
944 he or she is seeking shelter ~~transient residence~~, and address,
945 location or description, and dates of any current or known
946 future temporary residence, specific sleeping location, or
947 location where he or she is or will be seeking shelter within
948 the state or out of state; and, if known, the intended place of
949 permanent or, ~~temporary, or transient~~ residence, specific
950 sleeping location, or location where he or she is or will be
951 seeking shelter, and address, location or description, and dates
952 of any current or known future temporary residence, specific
953 sleeping location, or location where he or she is or will be
954 seeking shelter within the state or out of state upon
955 satisfaction of all sanctions.

956 3. The legal status of the sexual offender and the
957 scheduled termination date of that legal status.

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958 4. The location of, and local telephone number for, any
959 department office that is responsible for supervising the sexual
960 offender.

961 5. An indication of whether the victim of the offense that
962 resulted in the offender's status as a sexual offender was a
963 minor.

964 6. The offense or offenses at adjudication and disposition
965 that resulted in the determination of the offender's status as a
966 sex offender.

967 7. A digitized photograph of the sexual offender, which
968 must have been taken within 60 days before the offender was
969 released from the custody of the department or a private
970 correctional facility by expiration of sentence under s.
971 944.275, or within 60 days after the onset of the department's
972 supervision of any sexual offender who is on probation,
973 postcommitment probation, residential commitment, nonresidential
974 commitment, licensed child-caring commitment, community control,
975 conditional release, parole, provisional release, or control
976 release or who is supervised by the department under the
977 Interstate Compact Agreement for Probationers and Parolees. If
978 the sexual offender is in the custody of a private correctional
979 facility, the facility shall take a digitized photograph of the
980 sexual offender within the time period provided in this
981 subparagraph and shall provide the photograph to the department.

982 (13)

983 (b) The sheriff's office may determine the appropriate
984 times and days for reporting by the sexual offender, which shall
985 be consistent with the reporting requirements of this
986 subsection. Reregistration shall include any changes to the

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987 following information:

988 1. Name; social security number; age; race; sex; date of
989 birth; height; weight; hair and eye color; address of any
990 permanent residence and address of any current temporary
991 residence, within the state or out of state, including a rural
992 route address and a post office box; if no permanent or
993 temporary address, a specific sleeping location or location
994 where he or she is seeking shelter ~~any transient residence;~~
995 ~~address, location or description,~~ and dates of any current or
996 known future temporary residence, specific sleeping location, or
997 location where he or she is or will be seeking shelter within
998 the state or out of state; name and address of each school
999 attended; date and place of any employment; vehicle make, model,
1000 color, and license tag number; fingerprints; and photograph. A
1001 post office box may ~~shall~~ not be provided in lieu of a physical
1002 residential address.

1003 2. If the sexual offender is enrolled, employed, or
1004 carrying on a vocation at an institution of higher education in
1005 this state, the sexual offender shall also provide to the
1006 department the name, address, and county of each institution,
1007 including each campus attended, and the sexual offender's
1008 enrollment or employment status.

1009 3. If the sexual offender's place of residence is a motor
1010 vehicle, trailer, mobile home, or manufactured home, as defined
1011 in chapter 320, the sexual offender shall also provide the
1012 vehicle identification number; the license tag number; the
1013 registration number; and a description, including color scheme,
1014 of the motor vehicle, trailer, mobile home, or manufactured
1015 home. If the sexual offender's place of residence is a vessel,

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1016 live-aboard vessel, or houseboat, as defined in chapter 327, the
1017 sexual offender shall also provide the hull identification
1018 number; the manufacturer's serial number; the name of the
1019 vessel, live-aboard vessel, or houseboat; the registration
1020 number; and a description, including color scheme, of the
1021 vessel, live-aboard vessel, or houseboat.

1022 4. Any sexual offender who fails to report in person as
1023 required at the sheriff's office, or who fails to respond to any
1024 address verification correspondence from the department within 3
1025 weeks after the date of the correspondence, commits a felony of
1026 the third degree, punishable as provided in ss. 775.082,
1027 775.083, and 775.084.

1028 Section 8. This act shall take effect July 1, 2012.