

By the Committee on Criminal Justice; and Senator Altman

591-03533-12

20121800c1

1                                   A bill to be entitled  
2           An act relating to sex offenses; amending s. 775.21,  
3           F.S.; replacing the definition of the term "instant  
4           message name" with the definition of the term  
5           "Internet identifier"; providing that voluntary  
6           disclosure of specified information waives a  
7           disclosure exemption for such information; conforming  
8           provisions; adding additional offenses to the list of  
9           sexual predator qualifying offenses; requiring  
10          disclosure of additional information during the sexual  
11          predator registration process; requiring that a sexual  
12          predator who is unable to secure or update a driver  
13          license or identification card within a specified  
14          period must report specified information to the local  
15          sheriff's office within a specified period after such  
16          change with confirmation that he or she also reported  
17          such information to the Department of Highway Safety  
18          and Motor Vehicles; revising reporting requirements if  
19          a sexual predator plans to leave the United States for  
20          more than a specified period; providing criminal  
21          penalties for knowingly providing false registration  
22          information by act or omission; amending s. 800.03,  
23          F.S.; providing enhanced penalties for third or  
24          subsequent indecent exposure violations; amending s.  
25          903.046, F.S.; requiring a court considering whether  
26          to release a defendant on bail to determine whether  
27          the defendant is subject to registration as a sexual  
28          offender or sexual predator and, if so, to hold the  
29          defendant without bail until the first appearance on

591-03533-12

20121800c1

30 the case; providing an exception; amending s.  
31 943.0435, F.S.; adding additional offenses to the list  
32 of sexual offender qualifying offenses; replacing the  
33 definition of the term "instant message name" with the  
34 definition of the term "Internet identifier";  
35 conforming provisions; requiring disclosure of  
36 additional sexual offender registration information;  
37 requiring that a sexual offender who is unable to  
38 secure or update a driver license or identification  
39 card within a specified period must report specified  
40 information to the local sheriff's office within a  
41 specified period of such change with confirmation that  
42 he or she also reported such information to the  
43 Department of Highway Safety and Motor Vehicles;  
44 providing additional requirements for sexual offenders  
45 intending to reside outside of the United States;  
46 revising criteria applicable to provisions allowing  
47 removal from the requirement to register as a sexual  
48 offender; providing criminal penalties for knowingly  
49 providing false registration information by act or  
50 omission; amending s. 943.04351, F.S.; requiring a  
51 specified national search of registration information  
52 regarding sexual predators and sexual offenders prior  
53 to appointment or employment of persons by state  
54 agencies and governmental subdivisions; amending s.  
55 943.04354, F.S.; revising the criteria applicable to  
56 provisions allowing removal of the requirement to  
57 register as a sexual offender or sexual predator;  
58 amending s. 943.0437, F.S.; replacing the term

591-03533-12

20121800c1

59 "instant message name" with the term "Internet  
60 identifier"; amending ss. 944.606 and 944.607, F.S.;  
61 adding additional offenses to the list of sexual  
62 offender qualifying offenses; replacing the definition  
63 of the term "instant message name" with the definition  
64 of the term "Internet identifier"; conforming  
65 provisions; requiring disclosure of additional  
66 registration information; providing criminal penalties  
67 for knowingly providing false registration information  
68 by act or omission; amending s. 947.005, F.S.;  
69 revising the definition of the term "risk assessment";  
70 amending s. 948.31, F.S.; authorizing the court to  
71 require sexual offenders and sexual predators who are  
72 on probation or community control to undergo an  
73 evaluation to determine whether the offender or  
74 predator needs sexual offender treatment; requiring  
75 the probationer or community controllee to pay for the  
76 treatment; removing a provision prohibiting contact  
77 with minors if sexual offender treatment is  
78 recommended; amending ss. 985.481 and 985.4815, F.S.;  
79 requiring disclosure of additional registration  
80 information by certain sexual offenders adjudicated  
81 delinquent and certain juvenile sexual offenders;  
82 providing criminal penalties for knowingly providing  
83 false registration information by act or omission;  
84 amending s. 947.1405, F.S.; requiring the commission  
85 to order electronic monitoring for certain conditional  
86 releasees; amending s. 948.30, F.S.; requiring the  
87 court to order electronic monitoring for certain

591-03533-12

20121800c1

88 offenders; amending s. 921.0022, F.S.; correcting  
89 references; providing an effective date.

90

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

92

93 Section 1. Paragraph (i) of subsection (2), paragraph (a)  
94 of subsection (4), subsections (6) and (8), and paragraph (a) of  
95 subsection (10) of section 775.21, Florida Statutes, are amended  
96 to read:

97 775.21 The Florida Sexual Predators Act.—

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

99 (i) "Internet identifier ~~Instant message name~~" means all  
100 electronic mail, chat, instant messenger, social networking, or  
101 similar name used for Internet communication, but does not  
102 include a date of birth, social security number, or personal  
103 identification number (PIN). Voluntary disclosure by the sexual  
104 predator of his or her date of birth, social security number, or  
105 personal identification number (PIN) as an Internet identifier  
106 waives the disclosure exemption in this paragraph for such  
107 personal information ~~an identifier that allows a person to~~  
108 ~~communicate in real time with another person using the Internet.~~

109 (4) SEXUAL PREDATOR CRITERIA.—

110 (a) For a current offense committed on or after October 1,  
111 1993, upon conviction, an offender shall be designated as a  
112 "sexual predator" under subsection (5), and subject to  
113 registration under subsection (6) and community and public  
114 notification under subsection (7) if:

115 1. The felony is:

116 a. A capital, life, or first-degree felony violation, or

591-03533-12

20121800c1

117 any attempt thereof, of s. 787.01 or s. 787.02, where the victim  
118 is a minor and the defendant is not the victim's parent or  
119 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a  
120 violation of a similar law of another jurisdiction; or

121 b. Any felony violation, or any attempt thereof, of s.  
122 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
123 787.025(2)(c), where the victim is a minor and the defendant is  
124 not the victim's parent or guardian; s. 794.011, excluding s.  
125 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 796.045; s.  
126 800.04; s. 825.1025 ~~825.1025(2)(b)~~; s. 827.071; s. 847.0135(5);  
127 s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a violation of  
128 a similar law of another jurisdiction, and the offender has  
129 previously been convicted of or found to have committed, or has  
130 pled nolo contendere or guilty to, regardless of adjudication,  
131 any violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s.  
132 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
133 defendant is not the victim's parent or guardian; s. 794.011,  
134 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.  
135 796.045; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
136 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 916.1075(2);  
137 or s. 985.701(1); or a violation of a similar law of another  
138 jurisdiction;

139 2. The offender has not received a pardon for any felony or  
140 similar law of another jurisdiction that is necessary for the  
141 operation of this paragraph; and

142 3. A conviction of a felony or similar law of another  
143 jurisdiction necessary to the operation of this paragraph has  
144 not been set aside in any postconviction proceeding.

145 (6) REGISTRATION.—

591-03533-12

20121800c1

146 (a) A sexual predator must register with the department  
147 through the sheriff's office by providing the following  
148 information to the department:

149 1. Name; social security number; age; race; sex; date of  
150 birth; height; weight; tattoos or other identifying marks; hair  
151 and eye color; photograph; address of legal residence and  
152 address of any current temporary residence, within the state or  
153 out of state, including a rural route address and a post office  
154 box; if no permanent or temporary address, any transient  
155 residence within the state; address, location or description,  
156 and dates of any current or known future temporary residence  
157 within the state or out of state; all ~~any~~ electronic mail  
158 addresses ~~address~~ and all Internet identifiers ~~any instant~~  
159 ~~message name~~ required to be provided pursuant to subparagraph  
160 (g)4.; all home telephone numbers ~~number~~ and ~~any~~ cellular  
161 telephone numbers ~~number~~; date and place of any employment; the  
162 make, model, color, registration number, and license tag number  
163 of all vehicles owned; date and place of each conviction;  
164 fingerprints; palm prints; and a brief description of the crime  
165 or crimes committed by the offender. A post office box shall not  
166 be provided in lieu of a physical residential address. The  
167 sexual predator must also produce his or her passport, if he or  
168 she has a passport, and, if he or she is an alien, must produce  
169 or provide information about documents establishing his or her  
170 immigration status. The sexual predator must also provide  
171 information about any professional licenses he or she may have.

172 a. If the sexual predator's place of residence is a motor  
173 vehicle, trailer, mobile home, or manufactured home, as defined  
174 in chapter 320, the sexual predator shall also provide to the

591-03533-12

20121800c1

175 department written notice of the vehicle identification number;  
176 the license tag number; the registration number; and a  
177 description, including color scheme, of the motor vehicle,  
178 trailer, mobile home, or manufactured home. If a sexual  
179 predator's place of residence is a vessel, live-aboard vessel,  
180 or houseboat, as defined in chapter 327, the sexual predator  
181 shall also provide to the department written notice of the hull  
182 identification number; the manufacturer's serial number; the  
183 name of the vessel, live-aboard vessel, or houseboat; the  
184 registration number; and a description, including color scheme,  
185 of the vessel, live-aboard vessel, or houseboat.

186 b. If the sexual predator is enrolled, employed,  
187 volunteering, or carrying on a vocation at an institution of  
188 higher education in this state, the sexual predator shall also  
189 provide to the department the name, address, and county of each  
190 institution, including each campus attended, and the sexual  
191 predator's enrollment, volunteer, or employment status. Each  
192 change in enrollment or employment status shall be reported in  
193 person at the sheriff's office, or the Department of Corrections  
194 if the sexual predator is in the custody or control of or under  
195 the supervision of the Department of Corrections, within 48  
196 hours after any change in status. The sheriff or the Department  
197 of Corrections shall promptly notify each institution of the  
198 sexual predator's presence and any change in the sexual  
199 predator's enrollment, volunteer, or employment status.

200 2. Any other information determined necessary by the  
201 department, including criminal and corrections records;  
202 nonprivileged personnel and treatment records; and evidentiary  
203 genetic markers when available.

591-03533-12

20121800c1

204 (b) If the sexual predator is in the custody or control of,  
205 or under the supervision of, the Department of Corrections, or  
206 is in the custody of a private correctional facility, the sexual  
207 predator must register with the Department of Corrections. A  
208 sexual predator who is under the supervision of the Department  
209 of Corrections but who is not incarcerated must register with  
210 the Department of Corrections within 3 business days after the  
211 court finds the offender to be a sexual predator. The Department  
212 of Corrections shall provide to the department registration  
213 information and the location of, and local telephone number for,  
214 any Department of Corrections office that is responsible for  
215 supervising the sexual predator. In addition, the Department of  
216 Corrections shall notify the department if the sexual predator  
217 escapes or absconds from custody or supervision or if the sexual  
218 predator dies.

219 (c) If the sexual predator is in the custody of a local  
220 jail, the custodian of the local jail shall register the sexual  
221 predator within 3 business days after intake of the sexual  
222 predator for any reason and upon release, and shall forward the  
223 registration information to the department. The custodian of the  
224 local jail shall also take a digitized photograph of the sexual  
225 predator while the sexual predator remains in custody and shall  
226 provide the digitized photograph to the department. The  
227 custodian shall notify the department if the sexual predator  
228 escapes from custody or dies.

229 (d) If the sexual predator is under federal supervision,  
230 the federal agency responsible for supervising the sexual  
231 predator may forward to the department any information regarding  
232 the sexual predator which is consistent with the information



591-03533-12

20121800c1

233 provided by the Department of Corrections under this section,  
234 and may indicate whether use of the information is restricted to  
235 law enforcement purposes only or may be used by the department  
236 for purposes of public notification.

237 (e)1. If the sexual predator is not in the custody or  
238 control of, or under the supervision of, the Department of  
239 Corrections or is not in the custody of a private correctional  
240 facility, the sexual predator shall register in person:

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

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

247 2. Any change in the sexual predator's permanent or  
248 temporary residence, name, or all any electronic mail addresses  
249 ~~address~~ and all Internet identifiers ~~any instant message name~~  
250 required to be provided pursuant to subparagraph (g)4., after  
251 the sexual predator registers in person at the sheriff's office  
252 as provided in subparagraph 1., shall be accomplished in the  
253 manner provided in paragraphs (g), (i), and (j). When a sexual  
254 predator registers with the sheriff's office, the sheriff shall  
255 take a photograph, ~~and~~ a set of fingerprints, and palm prints of  
256 the predator and forward the photographs, palm prints, and  
257 fingerprints to the department, along with the information that  
258 the predator is required to provide pursuant to this section.

259 (f) Within 48 hours after the registration required under  
260 paragraph (a) or paragraph (e), a sexual predator who is not  
261 incarcerated and who resides in the community, including a

591-03533-12

20121800c1

262 sexual predator under the supervision of the Department of  
263 Corrections, shall register in person at a driver ~~driver's~~  
264 license office of the Department of Highway Safety and Motor  
265 Vehicles and shall present proof of registration. At the driver  
266 ~~driver's~~ license office the sexual predator shall:

267 1. If otherwise qualified, secure a Florida driver ~~driver's~~  
268 license, renew a Florida driver ~~driver's~~ license, or secure an  
269 identification card. The sexual predator shall identify himself  
270 or herself as a sexual predator who is required to comply with  
271 this section, provide his or her place of permanent, temporary,  
272 or transient residence, including a rural route address and a  
273 post office box, and submit to the taking of a photograph for  
274 use in issuing a driver ~~driver's~~ license, renewed license, or  
275 identification card, and for use by the department in  
276 maintaining current records of sexual predators. A post office  
277 box shall not be provided in lieu of a physical residential  
278 address. If the sexual predator's place of residence is a motor  
279 vehicle, trailer, mobile home, or manufactured home, as defined  
280 in chapter 320, the sexual predator shall also provide to the  
281 Department of Highway Safety and Motor Vehicles the vehicle  
282 identification number; the license tag number; the registration  
283 number; and a description, including color scheme, of the motor  
284 vehicle, trailer, mobile home, or manufactured home. If a sexual  
285 predator's place of residence is a vessel, live-aboard vessel,  
286 or houseboat, as defined in chapter 327, the sexual predator  
287 shall also provide to the Department of Highway Safety and Motor  
288 Vehicles the hull identification number; the manufacturer's  
289 serial number; the name of the vessel, live-aboard vessel, or  
290 houseboat; the registration number; and a description, including

591-03533-12

20121800c1

291 color scheme, of the vessel, live-aboard vessel, or houseboat.

292 2. Pay the costs assessed by the Department of Highway  
293 Safety and Motor Vehicles for issuing or renewing a driver  
294 ~~driver's~~ license or identification card as required by this  
295 section. The driver ~~driver's~~ license or identification card  
296 issued to the sexual predator must be in compliance with s.  
297 322.141(3).

298 3. Provide, upon request, any additional information  
299 necessary to confirm the identity of the sexual predator,  
300 including a set of fingerprints.

301 (g)1. Each time a sexual predator's driver ~~driver's~~ license  
302 or identification card is subject to renewal, and, without  
303 regard to the status of the predator's driver ~~driver's~~ license  
304 or identification card, within 48 hours after any change of the  
305 predator's residence or change in the predator's name by reason  
306 of marriage or other legal process, the predator shall report in  
307 person to a driver ~~driver's~~ license office and shall be subject  
308 to the requirements specified in paragraph (f). The Department  
309 of Highway Safety and Motor Vehicles shall forward to the  
310 department and to the Department of Corrections all photographs  
311 and information provided by sexual predators. Notwithstanding  
312 the restrictions set forth in s. 322.142, the Department of  
313 Highway Safety and Motor Vehicles is authorized to release a  
314 reproduction of a color-photograph or digital-image license to  
315 the Department of Law Enforcement for purposes of public  
316 notification of sexual predators as provided in this section. A  
317 sexual predator who is unable to secure or update a driver  
318 license or identification card with the Department of Highway  
319 Safety and Motor Vehicles as provided in paragraph (f) and this

591-03533-12

20121800c1

320 paragraph must also report any change of the predator's  
321 residence or change in the predator's name by reason of marriage  
322 or other legal process within 48 hours after the change to the  
323 sheriff's office in the county where the predator resides or is  
324 located and provide confirmation that he or she reported such  
325 information to the Department of Highway Safety and Motor  
326 Vehicles.

327         2. A sexual predator who vacates a permanent, temporary, or  
328 transient residence and fails to establish or maintain another  
329 permanent, temporary, or transient residence shall, within 48  
330 hours after vacating the permanent, temporary, or transient  
331 residence, report in person to the sheriff's office of the  
332 county in which he or she is located. The sexual predator shall  
333 specify the date upon which he or she intends to or did vacate  
334 such residence. The sexual predator must provide or update all  
335 of the registration information required under paragraph (a).  
336 The sexual predator must provide an address for the residence or  
337 other place that he or she is or will be located during the time  
338 in which he or she fails to establish or maintain a permanent or  
339 temporary residence.

340         3. A sexual predator who remains at a permanent, temporary,  
341 or transient residence after reporting his or her intent to  
342 vacate such residence shall, within 48 hours after the date upon  
343 which the predator indicated he or she would or did vacate such  
344 residence, report in person to the sheriff's office to which he  
345 or she reported pursuant to subparagraph 2. for the purpose of  
346 reporting his or her address at such residence. When the sheriff  
347 receives the report, the sheriff shall promptly convey the  
348 information to the department. An offender who makes a report as

591-03533-12

20121800c1

349 required under subparagraph 2. but fails to make a report as  
350 required under this subparagraph commits a felony of the second  
351 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
352 775.084.

353 4. A sexual predator must register all ~~any~~ electronic mail  
354 addresses and Internet identifiers ~~address or instant message~~  
355 ~~name~~ with the department prior to using such electronic mail  
356 addresses and Internet identifiers ~~address or instant message~~  
357 ~~name on or after October 1, 2007~~. The department shall establish  
358 an online system through which sexual predators may securely  
359 access and update all electronic mail address and Internet  
360 identifier ~~instant message name~~ information.

361 (h) The department must notify the sheriff and the state  
362 attorney of the county and, if applicable, the police chief of  
363 the municipality, where the sexual predator maintains a  
364 residence.

365 (i) A sexual predator who intends to establish a permanent,  
366 temporary, or transient residence in another state or  
367 jurisdiction other than the State of Florida shall report in  
368 person to the sheriff of the county of current residence within  
369 48 hours before the date he or she intends to leave this state  
370 to establish residence in another state or jurisdiction or  
371 within 21 days before his or her planned departure date if the  
372 intended residence of 5 days or more is outside of the United  
373 States. The sexual predator must provide to the sheriff the  
374 address, municipality, county, ~~and~~ state, and country of  
375 intended residence. The sheriff shall promptly provide to the  
376 department the information received from the sexual predator.  
377 The department shall notify the statewide law enforcement

591-03533-12

20121800c1

378 agency, or a comparable agency, in the intended state, ~~or~~  
379 jurisdiction, or country of residence of the sexual predator's  
380 intended residence. The failure of a sexual predator to provide  
381 his or her intended place of residence is punishable as provided  
382 in subsection (10).

383 (j) A sexual predator who indicates his or her intent to  
384 establish a permanent, temporary, or transient residence in  
385 another state, a ~~or~~ jurisdiction other than the State of  
386 Florida, or another country and later decides to remain in this  
387 state shall, within 48 hours after the date upon which the  
388 sexual predator indicated he or she would leave this state,  
389 report in person to the sheriff to which the sexual predator  
390 reported the intended change of residence, and report his or her  
391 intent to remain in this state. If the sheriff is notified by  
392 the sexual predator that he or she intends to remain in this  
393 state, the sheriff shall promptly report this information to the  
394 department. A sexual predator who reports his or her intent to  
395 establish a permanent, temporary, or transient residence in  
396 another state, a ~~or~~ jurisdiction other than the State of  
397 Florida, or another country, but who remains in this state  
398 without reporting to the sheriff in the manner required by this  
399 paragraph, commits a felony of the second degree, punishable as  
400 provided in s. 775.082, s. 775.083, or s. 775.084.

401 (k)1. The department is responsible for the online  
402 maintenance of current information regarding each registered  
403 sexual predator. The department must maintain hotline access for  
404 state, local, and federal law enforcement agencies to obtain  
405 instantaneous locator file and offender characteristics  
406 information on all released registered sexual predators for

591-03533-12

20121800c1

407 purposes of monitoring, tracking, and prosecution. The  
408 photograph and fingerprints do not have to be stored in a  
409 computerized format.

410 2. The department's sexual predator registration list,  
411 containing the information described in subparagraph (a)1., is a  
412 public record. The department is authorized to disseminate this  
413 public information by any means deemed appropriate, including  
414 operating a toll-free telephone number for this purpose. When  
415 the department provides information regarding a registered  
416 sexual predator to the public, department personnel must advise  
417 the person making the inquiry that positive identification of a  
418 person believed to be a sexual predator cannot be established  
419 unless a fingerprint comparison is made, and that it is illegal  
420 to use public information regarding a registered sexual predator  
421 to facilitate the commission of a crime.

422 3. The department shall adopt guidelines as necessary  
423 regarding the registration of sexual predators and the  
424 dissemination of information regarding sexual predators as  
425 required by this section.

426 (1) A sexual predator must maintain registration with the  
427 department for the duration of his or her life, unless the  
428 sexual predator has received a full pardon or has had a  
429 conviction set aside in a postconviction proceeding for any  
430 offense that met the criteria for the sexual predator  
431 designation.

432 (8) VERIFICATION.—The department and the Department of  
433 Corrections shall implement a system for verifying the addresses  
434 of sexual predators. The system must be consistent with the  
435 provisions of the federal Adam Walsh Child Protection and Safety

591-03533-12

20121800c1

436 Act of 2006 and any other federal standards applicable to such  
437 verification or required to be met as a condition for the  
438 receipt of federal funds by the state. The Department of  
439 Corrections shall verify the addresses of sexual predators who  
440 are not incarcerated but who reside in the community under the  
441 supervision of the Department of Corrections and shall report to  
442 the department any failure by a sexual predator to comply with  
443 registration requirements. County and local law enforcement  
444 agencies, in conjunction with the department, shall verify the  
445 addresses of sexual predators who are not under the care,  
446 custody, control, or supervision of the Department of  
447 Corrections. Local law enforcement agencies shall report to the  
448 department any failure by a sexual predator to comply with  
449 registration requirements.

450 (a) A sexual predator must report in person each year  
451 during the month of the sexual predator's birthday and during  
452 every third month thereafter to the sheriff's office in the  
453 county in which he or she resides or is otherwise located to  
454 reregister. The sheriff's office may determine the appropriate  
455 times and days for reporting by the sexual predator, which shall  
456 be consistent with the reporting requirements of this paragraph.  
457 Reregistration shall include any changes to the following  
458 information:

459 1. Name; social security number; age; race; sex; date of  
460 birth; height; weight; tattoos or other identifying marks; hair  
461 and eye color; address of any permanent residence and address of  
462 any current temporary residence, within the state or out of  
463 state, including a rural route address and a post office box; if  
464 no permanent or temporary address, any transient residence



591-03533-12

20121800c1

465 within the state; address, location or description, and dates of  
466 any current or known future temporary residence within the state  
467 or out of state; all ~~any~~ electronic mail addresses ~~address~~ and  
468 all Internet identifiers ~~any instant message name~~ required to be  
469 provided pursuant to subparagraph (6)(g)4.; ~~all~~ home telephone  
470 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date  
471 and place of any employment; ~~the~~ vehicle make, model, color,  
472 registration number, and license tag number of all vehicles  
473 owned; fingerprints; palm prints; and photograph. A post office  
474 box shall not be provided in lieu of a physical residential  
475 address. ~~The sexual predator must also produce his or her~~  
476 passport, if he or she has a passport, and, if he or she is an  
477 alien, must produce or provide information about documents  
478 establishing his or her immigration status. The sexual predator  
479 must also provide information about any professional licenses he  
480 or she may have.

481 2. If the sexual predator is enrolled, employed,  
482 volunteering, or carrying on a vocation at an institution of  
483 higher education in this state, the sexual predator shall also  
484 provide to the department the name, address, and county of each  
485 institution, including each campus attended, and the sexual  
486 predator's enrollment, volunteer, or employment status.

487 3. If the sexual predator's place of residence is a motor  
488 vehicle, trailer, mobile home, or manufactured home, as defined  
489 in chapter 320, the sexual predator shall also provide the  
490 vehicle identification number; the license tag number; the  
491 registration number; and a description, including color scheme,  
492 of the motor vehicle, trailer, mobile home, or manufactured  
493 home. If the sexual predator's place of residence is a vessel,

591-03533-12

20121800c1

494 live-aboard vessel, or houseboat, as defined in chapter 327, the  
495 sexual predator shall also provide the hull identification  
496 number; the manufacturer's serial number; the name of the  
497 vessel, live-aboard vessel, or houseboat; the registration  
498 number; and a description, including color scheme, of the  
499 vessel, live-aboard vessel, or houseboat.

500 (b) The sheriff's office shall, within 2 working days,  
501 electronically submit and update all information provided by the  
502 sexual predator to the department in a manner prescribed by the  
503 department.

504 (10) PENALTIES.—

505 (a) Except as otherwise specifically provided, a sexual  
506 predator who fails to register; who fails, after registration,  
507 to maintain, acquire, or renew a driver ~~driver's~~ license or  
508 identification card; who fails to provide required location  
509 information, electronic mail address information, Internet  
510 identifier ~~instant message name~~ information, all home telephone  
511 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~, or  
512 change-of-name information; who fails to make a required report  
513 in connection with vacating a permanent residence; who fails to  
514 reregister as required; who fails to respond to any address  
515 verification correspondence from the department within 3 weeks  
516 of the date of the correspondence; who knowingly provides false  
517 registration information by act or omission; or who otherwise  
518 fails, by act or omission, to comply with the requirements of  
519 this section, commits a felony of the third degree, punishable  
520 as provided in s. 775.082, s. 775.083, or s. 775.084.

521 Section 2. Section 800.03, Florida Statutes, is amended to  
522 read:

591-03533-12

20121800c1

523 800.03 Exposure of sexual organs.—

524 (1) It is unlawful to expose or exhibit one's sexual organs  
525 in public or on the private premises of another, or so near  
526 thereto as to be seen from such private premises, in a vulgar or  
527 indecent manner, or to be naked in public except in any place  
528 provided or set apart for that purpose.

529 (2) (a) Except as provided in paragraph (b), a violation of  
530 this section is a misdemeanor of the first degree, punishable as  
531 provided in s. 775.082 or s. 775.083.

532 (b) A third or subsequent violation of this section is a  
533 felony of the third degree, punishable as provided in s.  
534 775.082, s. 775.083, or s. 775.084.

535 (3) A mother's breastfeeding of her baby does not under any  
536 circumstance violate this section.

537 Section 3. Paragraph (m) is added to subsection (2) of  
538 section 903.046, Florida Statutes, to read:

539 903.046 Purpose of and criteria for bail determination.—

540 (2) When determining whether to release a defendant on bail  
541 or other conditions, and what that bail or those conditions may  
542 be, the court shall consider:

543 (m) Whether the defendant, other than a defendant whose  
544 only criminal charge is a misdemeanor offense under chapter 316,  
545 is required to register as a sexual offender under s. 943.0435  
546 or a sexual predator under s. 775.21; and, if so, he or she is  
547 not eligible for release on bail or surety bond until the first  
548 appearance on the case in order to ensure the full participation  
549 of the prosecutor and the protection of the public.

550 Section 4. Paragraphs (a) and (g) of subsection (1),  
551 subsection (2), paragraphs (a) and (d) of subsection (4),

591-03533-12

20121800c1

552 subsections (7), (8), and (11), and paragraph (c) of subsection  
553 (14) of section 943.0435, Florida Statutes, are amended to read:

554 943.0435 Sexual offenders required to register with the  
555 department; penalty.—

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

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

560 a.(I) Has been convicted of committing, or attempting,  
561 soliciting, or conspiring to commit, any of the criminal  
562 offenses proscribed in the following statutes in this state or  
563 similar offenses in another jurisdiction: s. 393.135(2); s.  
564 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where  
565 the victim is a minor and the defendant is not the victim's  
566 parent or guardian; s. 794.011, excluding s. 794.011(10); s.  
567 794.05; s. 796.03; s. 796.035; s. 796.045; s. 800.04; s.  
568 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.  
569 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s.  
570 916.1075(2); or s. 985.701(1); or any similar offense committed  
571 in this state which has been redesignated from a former statute  
572 number to one of those listed in this sub-sub-subparagraph; and

573 (II) Has been released on or after October 1, 1997, from  
574 the sanction imposed for any conviction of an offense described  
575 in sub-sub-subparagraph (I). For purposes of sub-sub-  
576 subparagraph (I), a sanction imposed in this state or in any  
577 other jurisdiction includes, but is not limited to, a fine,  
578 probation, community control, parole, conditional release,  
579 control release, or incarceration in a state prison, federal  
580 prison, private correctional facility, or local detention

591-03533-12

20121800c1

581 facility;

582 b. Establishes or maintains a residence in this state and  
583 who has not been designated as a sexual predator by a court of  
584 this state but who has been designated as a sexual predator, as  
585 a sexually violent predator, or by another sexual offender  
586 designation in another state or jurisdiction and was, as a  
587 result of such designation, subjected to registration or  
588 community or public notification, or both, or would be if the  
589 person were a resident of that state or jurisdiction, without  
590 regard to whether the person otherwise meets the criteria for  
591 registration as a sexual offender;

592 c. Establishes or maintains a residence in this state who  
593 is in the custody or control of, or under the supervision of,  
594 any other state or jurisdiction as a result of a conviction for  
595 committing, or attempting, soliciting, or conspiring to commit,  
596 any of the criminal offenses proscribed in the following  
597 statutes or similar offense in another jurisdiction: s.  
598 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
599 787.025(2)(c), where the victim is a minor and the defendant is  
600 not the victim's parent or guardian; s. 794.011, excluding s.  
601 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 796.045; s.  
602 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
603 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;  
604 s. 916.1075(2); or s. 985.701(1); or any similar offense  
605 committed in this state which has been redesignated from a  
606 former statute number to one of those listed in this sub-  
607 subparagraph; or

608 d. On or after July 1, 2007, has been adjudicated  
609 delinquent for committing, or attempting, soliciting, or

591-03533-12

20121800c1

610 conspiring to commit, any of the criminal offenses proscribed in  
611 the following statutes in this state or similar offenses in  
612 another jurisdiction when the juvenile was 14 years of age or  
613 older at the time of the offense:

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

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

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

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

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

625

626 For each violation of a qualifying offense listed in this  
627 subsection, except for a violation of s. 794.011, the court  
628 shall make a written finding of the age of the victim at the  
629 time of the offense. For a violation of s. 800.04(4), the court  
630 shall additionally make a written finding indicating that the  
631 offense did or did not involve sexual activity and indicating  
632 that the offense did or did not involve force or coercion. For a  
633 violation of s. 800.04(5), the court shall additionally make a  
634 written finding that the offense did or did not involve  
635 unclothed genitals or genital area and that the offense did or  
636 did not involve the use of force or coercion.

637 (g) "Internet identifier ~~Instant message name~~" has the same  
638 meaning as provided in s. 775.21 ~~means an identifier that allows~~

591-03533-12

20121800c1

639 ~~a person to communicate in real time with another person using~~  
640 ~~the Internet.~~

641 (2) A sexual offender shall:

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

643 1. In the county in which the offender establishes or  
644 maintains a permanent, temporary, or transient residence within  
645 48 hours after:

646 a. Establishing permanent, temporary, or transient  
647 residence in this state; or

648 b. Being released from the custody, control, or supervision  
649 of the Department of Corrections or from the custody of a  
650 private correctional facility; or

651 2. In the county where he or she was convicted within 48  
652 hours after being convicted for a qualifying offense for  
653 registration under this section if the offender is not in the  
654 custody or control of, or under the supervision of, the  
655 Department of Corrections, or is not in the custody of a private  
656 correctional facility.

657  
658 Any change in the information required to be provided pursuant  
659 to paragraph (b), including, but not limited to, any change in  
660 the sexual offender's permanent, temporary, or transient  
661 residence, name, all any electronic mail addresses ~~address~~ and  
662 all Internet identifiers ~~any instant message name~~ required to be  
663 provided pursuant to paragraph (4)(d), after the sexual offender  
664 reports in person at the sheriff's office, shall be accomplished  
665 in the manner provided in subsections (4), (7), and (8).

666 (b) Provide his or her name; date of birth; social security  
667 number; race; sex; height; weight; hair and eye color; tattoos

591-03533-12

20121800c1

668 or other identifying marks; occupation and place of employment;  
669 address of permanent or legal residence or address of any  
670 current temporary residence, within the state or out of state,  
671 including a rural route address and a post office box; if no  
672 permanent or temporary address, any transient residence within  
673 the state, address, location or description, and dates of any  
674 current or known future temporary residence within the state or  
675 out of state; the make, model, color, registration number, and  
676 license tag number of all vehicles owned; all home telephone  
677 numbers ~~number~~ and any cellular telephone numbers ~~number~~; all  
678 any electronic mail addresses ~~address~~ and all Internet  
679 identifiers ~~any instant message name~~ required to be provided  
680 pursuant to paragraph (4) (d); fingerprints; palm prints;  
681 photograph; date and place of each conviction; and a brief  
682 description of the crime or crimes committed by the offender. A  
683 post office box shall not be provided in lieu of a physical  
684 residential address. The sexual offender must also produce his  
685 or her passport, if he or she has a passport, and, if he or she  
686 is an alien, must produce or provide information about documents  
687 establishing his or her immigration status. The sexual offender  
688 must also provide information about any professional licenses he  
689 or she may have.

690 1. If the sexual offender's place of residence is a motor  
691 vehicle, trailer, mobile home, or manufactured home, as defined  
692 in chapter 320, the sexual offender shall also provide to the  
693 department through the sheriff's office written notice of the  
694 vehicle identification number; the license tag number; the  
695 registration number; and a description, including color scheme,  
696 of the motor vehicle, trailer, mobile home, or manufactured



591-03533-12

20121800c1

697 home. If the sexual offender's place of residence is a vessel,  
698 live-aboard vessel, or houseboat, as defined in chapter 327, the  
699 sexual offender shall also provide to the department written  
700 notice of the hull identification number; the manufacturer's  
701 serial number; the name of the vessel, live-aboard vessel, or  
702 houseboat; the registration number; and a description, including  
703 color scheme, of the vessel, live-aboard vessel, or houseboat.

704 2. If the sexual offender is enrolled, employed,  
705 volunteering, or carrying on a vocation at an institution of  
706 higher education in this state, the sexual offender shall also  
707 provide to the department through the sheriff's office the name,  
708 address, and county of each institution, including each campus  
709 attended, and the sexual offender's enrollment or employment  
710 status. Each change in enrollment, volunteer, or employment  
711 status shall be reported in person at the sheriff's office,  
712 within 48 hours after any change in status. The sheriff shall  
713 promptly notify each institution of the sexual offender's  
714 presence and any change in the sexual offender's enrollment,   
715 volunteer, or employment status.

716 (c) Provide any other information determined necessary by  
717 the department, including criminal and corrections records;  
718 nonprivileged personnel and treatment records; and evidentiary  
719 genetic markers, when available.

720  
721 When a sexual offender reports at the sheriff's office, the  
722 sheriff shall take a photograph, ~~and~~ a set of fingerprints, and  
723 palm prints of the offender and forward the photographs, palm  
724 prints, and fingerprints to the department, along with the  
725 information provided by the sexual offender. The sheriff shall

591-03533-12

20121800c1

726 promptly provide to the department the information received from  
727 the sexual offender.

728 (4) (a) Each time a sexual offender's driver ~~driver's~~  
729 license or identification card is subject to renewal, and,  
730 without regard to the status of the offender's driver ~~driver's~~  
731 license or identification card, within 48 hours after any change  
732 in the offender's permanent, temporary, or transient residence  
733 or change in the offender's name by reason of marriage or other  
734 legal process, the offender shall report in person to a driver  
735 ~~driver's~~ license office, and shall be subject to the  
736 requirements specified in subsection (3). The Department of  
737 Highway Safety and Motor Vehicles shall forward to the  
738 department all photographs and information provided by sexual  
739 offenders. Notwithstanding the restrictions set forth in s.  
740 322.142, the Department of Highway Safety and Motor Vehicles is  
741 authorized to release a reproduction of a color-photograph or  
742 digital-image license to the Department of Law Enforcement for  
743 purposes of public notification of sexual offenders as provided  
744 in this section and ss. 943.043 and 944.606. A sexual offender  
745 who is unable to secure or update a driver license or  
746 identification card with the Department of Highway Safety and  
747 Motor Vehicles as provided in subsection (3) and this subsection  
748 must also report any change in the sexual offender's permanent,  
749 temporary, or transient residence or change in the offender's  
750 name by reason of marriage or other legal process within 48  
751 hours after the change to the sheriff's office in the county  
752 where the offender resides or is located and provide  
753 confirmation that he or she reported such information to the  
754 Department of Highway Safety and Motor Vehicles.

591-03533-12

20121800c1

755 (d) A sexual offender must register all ~~any~~ electronic mail  
756 addresses and Internet identifiers ~~address or instant message~~  
757 ~~name~~ with the department prior to using such electronic mail  
758 addresses and Internet identifiers ~~address or instant message~~  
759 ~~name on or after October 1, 2007~~. The department shall establish  
760 an online system through which sexual offenders may securely  
761 access and update all electronic mail address and Internet  
762 identifier ~~instant message name~~ information.

763 (7) A sexual offender who intends to establish a permanent,  
764 temporary, or transient residence in another state or  
765 jurisdiction other than the State of Florida shall report in  
766 person to the sheriff of the county of current residence within  
767 48 hours before the date he or she intends to leave this state  
768 to establish residence in another state or jurisdiction or  
769 within 21 days before his or her planned departure date if the  
770 intended residence of 5 days or more is outside of the United  
771 States. The notification must include the address, municipality,  
772 county, ~~and~~ state, and country of intended residence. The  
773 sheriff shall promptly provide to the department the information  
774 received from the sexual offender. The department shall notify  
775 the statewide law enforcement agency, or a comparable agency, in  
776 the intended state, ~~or~~ jurisdiction, or country of residence of  
777 the sexual offender's intended residence. The failure of a  
778 sexual offender to provide his or her intended place of  
779 residence is punishable as provided in subsection (9).

780 (8) A sexual offender who indicates his or her intent to  
781 establish a permanent, temporary, or transient residence in  
782 another state, a ~~or~~ jurisdiction other than the State of  
783 Florida, or another country and later decides to remain in this

591-03533-12

20121800c1

784 state shall, within 48 hours after the date upon which the  
785 sexual offender indicated he or she would leave this state,  
786 report in person to the sheriff to which the sexual offender  
787 reported the intended change of permanent, temporary, or  
788 transient residence, and report his or her intent to remain in  
789 this state. The sheriff shall promptly report this information  
790 to the department. A sexual offender who reports his or her  
791 intent to establish a permanent, temporary, or transient  
792 residence in another state, a ~~ex~~ jurisdiction other than the  
793 State of Florida, or another country but who remains in this  
794 state without reporting to the sheriff in the manner required by  
795 this subsection commits a felony of the second degree,  
796 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

797 (11) Except as provided in this subsection and s.  
798 943.04354, a sexual offender must maintain registration with the  
799 department for the duration of his or her life, unless the  
800 sexual offender has received a full pardon or has had a  
801 conviction set aside in a postconviction proceeding for any  
802 offense that meets the criteria for classifying the person as a  
803 sexual offender for purposes of registration. ~~However, a sexual~~  
804 ~~offender:~~

805 (a)1. A sexual offender may petition the criminal division  
806 of the circuit court of the circuit in which the sexual offender  
807 resides for the purpose of removing the requirement for  
808 registration as a sexual offender if ~~Who has been lawfully~~  
809 ~~released from confinement, supervision, or sanction, whichever~~  
810 ~~is later, for at least 25 years and has not been arrested for~~  
811 ~~any felony or misdemeanor offense since release, provided that~~  
812 ~~the sexual offender's requirement to register was not based upon~~

591-03533-12

20121800c1

813 ~~an adult conviction:~~

814 a. Twenty-five years have elapsed since the sexual  
815 offender's registration period for the most recent conviction  
816 that required the offender to register began;

817 b. The sexual offender has not been convicted or  
818 adjudicated delinquent of any felony offense or of an offense  
819 punishable by more than 1 year of imprisonment during the 25  
820 years preceding the petition to the court;

821 c. The sexual offender has successfully completed all  
822 sanctions imposed for all offenses that required the offender to  
823 register;

824 d. The sexual offender's requirement to register was not  
825 based upon an adult conviction for a violation of s. 787.01, s.  
826 794.011, excluding s. 794.011(10), s. 800.04(4)(b) where the  
827 court finds the offense involved a victim under 12 years of age  
828 or sexual activity by the use of force or coercion, s.  
829 800.04(5)(b), or s. 800.04(5)(c)2. where the court finds the  
830 offense involved unclothed genitals or genital area; for any  
831 attempt or conspiracy to commit any offense listed in this sub-  
832 subparagraph; or for a violation of similar law of another  
833 jurisdiction; and

834 e. For sexual offenders whose requirement to register is  
835 based upon a conviction in another state, the sexual offender is  
836 not required to register as a sexual offender pursuant to the  
837 laws of the state where the conviction occurred.

838 ~~a. For a violation of s. 787.01 or s. 787.02;~~

839 ~~b. For a violation of s. 794.011, excluding s. 794.011(10);~~

840 ~~e. For a violation of s. 800.04(4)(b) where the court finds~~  
841 ~~the offense involved a victim under 12 years of age or sexual~~

591-03533-12

20121800c1

842 ~~activity by the use of force or coercion;~~  
843 ~~d. For a violation of s. 800.04(5)(b);~~  
844 ~~e. For a violation of s. 800.04(5)c.2. where the court~~  
845 ~~finds the offense involved uncllothed genitals or genital area;~~  
846 ~~f. For any attempt or conspiracy to commit any such~~  
847 ~~offense; or~~  
848 ~~g. For a violation of similar law of another jurisdiction,~~  
849  
850 ~~may petition the criminal division of the circuit court of the~~  
851 ~~circuit in which the sexual offender resides for the purpose of~~  
852 ~~removing the requirement for registration as a sexual offender.~~  
853 2. A sexual offender whose requirement to register was  
854 based upon an adult conviction for a violation of s. 787.02 or  
855 s. 827.071(5), for any attempt or conspiracy to commit any  
856 offense listed in this subparagraph, or for a violation of  
857 similar law of another jurisdiction may petition the criminal  
858 division of the circuit court of the circuit in which the sexual  
859 offender resides for the purpose of removing the requirement for  
860 registration as a sexual offender if:  
861 a. Fifteen years have elapsed since the sexual offender's  
862 registration period for the most recent conviction that required  
863 the offender to register began;  
864 b. The sexual offender has not been convicted or  
865 adjudicated delinquent of any felony offense or of an offense  
866 punishable by more than 1 year of imprisonment during the 10  
867 years preceding the petition to the court;  
868 c. The sexual offender has successfully completed all  
869 sanctions imposed for all offenses that required the offender to  
870 register; and

591-03533-12

20121800c1

871 d. For sexual offenders whose requirement to register is  
872 based upon a conviction in another state, the sexual offender is  
873 not required to register as a sexual offender pursuant to the  
874 laws of the state where the conviction occurred.

875 3. A sexual offender required to register under sub-  
876 subparagraph (1)(a)1.d. may petition the criminal division of  
877 the circuit court of the circuit in which the sexual offender  
878 resides for the purpose of removing the requirement for  
879 registration as a sexual offender if:

880 a. Twenty-five years have elapsed since the sexual  
881 offender's registration period for the most recent adjudication  
882 that required the offender to register began;

883 b. The sexual offender has not been convicted or  
884 adjudicated delinquent of any felony offense or of an offense  
885 punishable by more than 1 year of imprisonment during the 25  
886 years preceding the petition to the court; and

887 c. The sexual offender has successfully completed all  
888 sanctions imposed for any offense that required the offender to  
889 register.

890 4.2- The court may grant or deny relief if the offender  
891 demonstrates to the court that ~~he or she has not been arrested~~  
892 ~~for any crime since release;~~ the requested relief complies with  
893 this paragraph, ~~the provisions of~~ the federal Adam Walsh Child  
894 Protection and Safety Act of 2006, and any other federal  
895 standards applicable to the removal of registration requirements  
896 for a sexual offender or required to be met as a condition for  
897 the receipt of federal funds by the state; and the court is  
898 otherwise satisfied that the offender is not a current or  
899 potential threat to public safety. The state attorney in the

591-03533-12

20121800c1

900 circuit in which the petition is filed and the department must  
901 be given notice of the petition at least 3 weeks before the  
902 hearing on the matter. The state attorney may present evidence  
903 in opposition to the requested relief or may otherwise  
904 demonstrate the reasons why the petition should be denied. If  
905 the court grants the petition, the court shall instruct the  
906 petitioner to provide the department with a certified copy of  
907 the order granting relief. If the court denies the petition, the  
908 court may set a future date at which the sexual offender may  
909 again petition the court for relief, subject to the standards  
910 for relief provided in this subsection.

911 ~~5.3.~~ The department shall remove an offender from  
912 classification as a sexual offender for purposes of registration  
913 if the offender provides to the department a certified copy of  
914 the court's written findings or order that indicates that the  
915 offender is no longer required to comply with the requirements  
916 for registration as a sexual offender.

917 6. For purposes of this paragraph:

918 a. The registration period of a sexual offender sentenced  
919 to a term of incarceration or committed to a residential program  
920 begins upon the offender's release for the most recent  
921 conviction that required the offender to register.

922 b. A sexual offender's registration period is tolled during  
923 any period in which the offender is incarcerated, civilly  
924 committed, detained pursuant to chapter 985, or committed to a  
925 residential program.

926 (b) A sexual offender as defined in sub-subparagraph  
927 (1)(a)1.b. must maintain registration with the department for  
928 the duration of his or her life until the person provides the



591-03533-12

20121800c1

929 department with an order issued by the court that designated the  
930 person as a sexual predator, as a sexually violent predator, or  
931 by another sexual offender designation in the state or  
932 jurisdiction in which the order was issued which states that  
933 such designation has been removed or demonstrates to the  
934 department that such designation, if not imposed by a court, has  
935 been removed by operation of law or court order in the state or  
936 jurisdiction in which the designation was made, and provided  
937 such person no longer meets the criteria for registration as a  
938 sexual offender under the laws of this state.

939 (14)

940 (c) The sheriff's office may determine the appropriate  
941 times and days for reporting by the sexual offender, which shall  
942 be consistent with the reporting requirements of this  
943 subsection. Reregistration shall include any changes to the  
944 following information:

945 1. Name; social security number; age; race; sex; date of  
946 birth; height; weight; hair and eye color; address of any  
947 permanent residence and address of any current temporary  
948 residence, within the state or out of state, including a rural  
949 route address and a post office box; if no permanent or  
950 temporary address, any transient residence within the state;  
951 address, location or description, and dates of any current or  
952 known future temporary residence within the state or out of  
953 state; all any electronic mail addresses ~~address~~ and all  
954 Internet identifiers ~~any instant message name~~ required to be  
955 provided pursuant to paragraph (4) (d); all home telephone  
956 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date  
957 and place of any employment; the ~~vehicle~~ make, model, color,

591-03533-12

20121800c1

958 registration number, and license tag number of all vehicles  
959 owned; fingerprints; palm prints; and photograph. A post office  
960 box may ~~shall~~ not be provided in lieu of a physical residential  
961 address. The sexual offender must also produce his or her  
962 passport, if he or she has a passport, and, if he or she is an  
963 alien, must produce or provide information about documents  
964 establishing his or her immigration status. The sexual offender  
965 must also provide information about any professional licenses he  
966 or she may have.

967 2. If the sexual offender is enrolled, volunteering,  
968 employed, or carrying on a vocation at an institution of higher  
969 education in this state, the sexual offender shall also provide  
970 to the department the name, address, and county of each  
971 institution, including each campus attended, and the sexual  
972 offender's enrollment, volunteer, or employment status.

973 3. If the sexual offender's place of residence is a motor  
974 vehicle, trailer, mobile home, or manufactured home, as defined  
975 in chapter 320, the sexual offender shall also provide the  
976 vehicle identification number; the license tag number; the  
977 registration number; and a description, including color scheme,  
978 of the motor vehicle, trailer, mobile home, or manufactured  
979 home. If the sexual offender's place of residence is a vessel,  
980 live-aboard vessel, or houseboat, as defined in chapter 327, the  
981 sexual offender shall also provide the hull identification  
982 number; the manufacturer's serial number; the name of the  
983 vessel, live-aboard vessel, or houseboat; the registration  
984 number; and a description, including color scheme, of the  
985 vessel, live-aboard vessel or houseboat.

986 4. Any sexual offender who fails to report in person as

591-03533-12

20121800c1

987 required at the sheriff's office, ~~or~~ who fails to respond to any  
988 address verification correspondence from the department within 3  
989 weeks of the date of the correspondence, ~~or~~ who fails to report  
990 all electronic mail addresses and all Internet identifiers ~~or~~  
991 ~~instant message names,~~ or who knowingly provides false  
992 registration information by act or omission commits a felony of  
993 the third degree, punishable as provided in s. 775.082, s.  
994 775.083, or s. 775.084.

995 Section 5. Section 943.04351, Florida Statutes, is amended  
996 to read:

997 943.04351 Search of registration information regarding  
998 sexual predators and sexual offenders required prior to  
999 appointment or employment.—A state agency or governmental  
1000 subdivision, prior to making any decision to appoint or employ a  
1001 person to work, whether for compensation or as a volunteer, at  
1002 any park, playground, day care center, or other place where  
1003 children regularly congregate, must conduct a search of that  
1004 person's name or other identifying information against the  
1005 registration information regarding sexual predators and sexual  
1006 offenders maintained by the Department of Law Enforcement under  
1007 s. 943.043. The agency or governmental subdivision may conduct  
1008 the search using the Internet site maintained by the Department  
1009 of Law Enforcement. Also, a national search must be conducted  
1010 through the Dru Sjodin National Sex Offender Public Website  
1011 maintained by the United States Department of Justice. This  
1012 section does not apply to those positions or appointments within  
1013 a state agency or governmental subdivision for which a state and  
1014 national criminal history background check is conducted.

1015 Section 6. Section 943.04354, Florida Statutes, is amended

591-03533-12

20121800c1

1016 to read:

1017 943.04354 Removal of the requirement to register as a  
1018 sexual offender or sexual predator in special circumstances.—

1019 (1) For purposes of this section, a person shall be  
1020 considered for removal of the requirement to register as a  
1021 sexual offender or sexual predator only if the person:

1022 (a) Was ~~or will be~~ convicted, regardless of adjudication,  
1023 or adjudicated delinquent of a violation of s. 794.011, s.  
1024 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in  
1025 another jurisdiction, or the person committed a violation of s.  
1026 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which  
1027 adjudication of guilt was or will be withheld, and the person  
1028 does not have any other conviction, regardless of adjudication,  
1029 or adjudication of delinquency, or withhold of adjudication of  
1030 guilt for a violation of s. 794.011, s. 800.04, s. 827.071, or  
1031 s. 847.0135(5), or a similar offense in another jurisdiction;

1032 (b) 1. Was convicted, regardless of adjudication, or  
1033 adjudicated delinquent of an offense listed in paragraph (a) and  
1034 is required to register as a sexual offender or sexual predator  
1035 solely on the basis of this conviction or adjudication  
1036 violation; or and

1037 2. Was convicted, regardless of adjudication, or  
1038 adjudicated delinquent of an offense in another jurisdiction  
1039 that is similar to an offense listed in paragraph (a) and no  
1040 longer meets the criteria for registration as a sexual offender  
1041 or sexual predator under the laws of the jurisdiction where the  
1042 similar offense occurred; and

1043 (c) Is not more than 4 years older than the victim of this  
1044 violation who was 13 ~~14~~ years of age or older but less ~~not more~~

591-03533-12

20121800c1

1045 than 18 ~~17~~ years of age at the time the person committed this  
1046 violation.

1047 (2) If a person meets the criteria in subsection (1) ~~and~~  
1048 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~  
1049 ~~847.0135(5) was committed on or after July 1, 2007,~~ the person  
1050 may move the sentencing court or, for persons convicted or  
1051 adjudicated delinquent of a qualifying offense in another  
1052 jurisdiction, the criminal circuit court of the circuit in which  
1053 the person resides ~~that will sentence or dispose of this~~  
1054 ~~violation~~ to remove the requirement that the person register as  
1055 a sexual offender or sexual predator. The person must allege in  
1056 the motion that he or she meets the criteria in subsection (1)  
1057 and that removal of the registration requirement will not  
1058 conflict with federal law. Persons convicted or adjudicated  
1059 delinquent of an offense in another jurisdiction that is similar  
1060 to an offense listed in paragraph (1)(a) must provide the court  
1061 written confirmation that he or she is not required to register  
1062 in the state where the conviction or adjudication occurred. The  
1063 state attorney and the department must be given notice of the  
1064 motion at least 21 days before the date of sentencing, ~~or~~  
1065 disposition of the ~~this~~ violation, or hearing on the motion and  
1066 may present evidence in opposition to the requested relief or  
1067 may otherwise demonstrate why the motion should be denied. At  
1068 sentencing, ~~or~~ disposition of the ~~this~~ violation, or hearing on  
1069 the motion, the court shall rule on this motion and, if the  
1070 court determines the person meets the criteria in subsection (1)  
1071 and the removal of the registration requirement will not  
1072 conflict with federal law, it may grant the motion and order the  
1073 removal of the registration requirement. The court shall

591-03533-12

20121800c1

1074 instruct the person to provide the department a certified copy  
1075 of the order granting relief. If the court denies the motion,  
1076 the person is not authorized under this section to petition for  
1077 removal of the registration requirement.

1078 ~~(3)(a) This subsection applies to a person who:~~

1079 ~~1. Is not a person described in subsection (2) because the~~  
1080 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~  
1081 ~~committed on or after July 1, 2007;~~

1082 ~~2. Is subject to registration as a sexual offender or~~  
1083 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~  
1084 ~~827.071; and~~

1085 ~~3. Meets the criteria in subsection (1).~~

1086 ~~(b) A person may petition the court in which the sentence~~  
1087 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~  
1088 ~~827.071 occurred for removal of the requirement to register as a~~  
1089 ~~sexual offender or sexual predator. The person must allege in~~  
1090 ~~the petition that he or she meets the criteria in subsection (1)~~  
1091 ~~and removal of the registration requirement will not conflict~~  
1092 ~~with federal law. The state attorney must be given notice of the~~  
1093 ~~petition at least 21 days before the hearing on the petition and~~  
1094 ~~may present evidence in opposition to the requested relief or~~  
1095 ~~may otherwise demonstrate why the petition should be denied. The~~  
1096 ~~court shall rule on the petition and, if the court determines~~  
1097 ~~the person meets the criteria in subsection (1) and removal of~~  
1098 ~~the registration requirement will not conflict with federal law,~~  
1099 ~~it may grant the petition and order the removal of the~~  
1100 ~~registration requirement. If the court denies the petition, the~~  
1101 ~~person is not authorized under this section to file any further~~  
1102 ~~petition for removal of the registration requirement.~~

591-03533-12

20121800c1

1103        (3)~~(4)~~ If a person provides to the Department of Law  
1104 Enforcement a certified copy of the court's order removing the  
1105 requirement that the person register as a sexual offender or  
1106 sexual predator for the violation of s. 794.011, s. 800.04, s.  
1107 827.071, or s. 847.0135(5), or a similar offense in another  
1108 jurisdiction, the registration requirement will not apply to the  
1109 person and the department shall remove all information about the  
1110 person from the public registry of sexual offenders and sexual  
1111 predators maintained by the department. However, the removal of  
1112 this information from the public registry does not mean that the  
1113 public is denied access to information about the person's  
1114 criminal history or record that is otherwise available as a  
1115 public record.

1116        Section 7. Subsection (2) and paragraph (a) of subsection  
1117 (3) of section 943.0437, Florida Statutes, are amended to read:  
1118        943.0437 Commercial social networking websites.—

1119        (2) The department may provide information relating to  
1120 electronic mail addresses and Internet identifiers ~~instant~~  
1121 ~~message names~~ maintained as part of the sexual offender registry  
1122 to commercial social networking websites or third parties  
1123 designated by commercial social networking websites. The  
1124 commercial social networking website may use this information  
1125 for the purpose of comparing registered users and screening  
1126 potential users of the commercial social networking website  
1127 against the list of electronic mail addresses and Internet  
1128 identifiers ~~instant message names~~ provided by the department.

1129        (3) This section shall not be construed to impose any civil  
1130 liability on a commercial social networking website for:

1131        (a) Any action voluntarily taken in good faith to remove or

591-03533-12

20121800c1

1132 disable any profile of a registered user associated with an  
1133 electronic mail address or Internet identifier ~~instant message~~  
1134 ~~name~~ contained in the sexual offender registry.

1135 Section 8. Paragraphs (b) and (d) of subsection (1) and  
1136 paragraph (a) of subsection (3) of section 944.606, Florida  
1137 Statutes, are amended to read:

1138 944.606 Sexual offenders; notification upon release.-

1139 (1) As used in this section:

1140 (b) "Sexual offender" means a person who has been convicted  
1141 of committing, or attempting, soliciting, or conspiring to  
1142 commit, any of the criminal offenses proscribed in the following  
1143 statutes in this state or similar offenses in another  
1144 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.  
1145 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
1146 defendant is not the victim's parent or guardian; s. 794.011,  
1147 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.045; s.  
1148 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
1149 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s.  
1150 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar  
1151 offense committed in this state which has been redesignated from  
1152 a former statute number to one of those listed in this  
1153 subsection, when the department has received verified  
1154 information regarding such conviction; an offender's  
1155 computerized criminal history record is not, in and of itself,  
1156 verified information.

1157 (d) "Internet identifier ~~Instant message name~~" has the same  
1158 meaning as provided in s. 775.21 ~~means an identifier that allows~~  
1159 ~~a person to communicate in real time with another person using~~  
1160 ~~the Internet.~~



591-03533-12

20121800c1

1161 (3) (a) The department must provide information regarding  
1162 any sexual offender who is being released after serving a period  
1163 of incarceration for any offense, as follows:

1164 1. The department must provide: the sexual offender's name,  
1165 any change in the offender's name by reason of marriage or other  
1166 legal process, and any alias, if known; the correctional  
1167 facility from which the sexual offender is released; the sexual  
1168 offender's social security number, race, sex, date of birth,  
1169 height, weight, and hair and eye color; address of any planned  
1170 permanent residence or temporary residence, within the state or  
1171 out of state, including a rural route address and a post office  
1172 box; if no permanent or temporary address, any transient  
1173 residence within the state; address, location or description,  
1174 and dates of any known future temporary residence within the  
1175 state or out of state; date and county of sentence and each  
1176 crime for which the offender was sentenced; a copy of the  
1177 offender's fingerprints, palm prints, and a digitized photograph  
1178 taken within 60 days before release; the date of release of the  
1179 sexual offender; all any electronic mail addresses ~~address~~ and  
1180 all Internet identifiers ~~any instant message name~~ required to be  
1181 provided pursuant to s. 943.0435(4)(d); all ~~and~~ home telephone  
1182 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information  
1183 about any professional licenses the offender may have, if known;  
1184 and passport information, if he or she has a passport, and, if  
1185 he or she is an alien, information about documents establishing  
1186 his or her immigration status ~~number~~. The department shall  
1187 notify the Department of Law Enforcement if the sexual offender  
1188 escapes, absconds, or dies. If the sexual offender is in the  
1189 custody of a private correctional facility, the facility shall

591-03533-12

20121800c1

1190 take the digitized photograph of the sexual offender within 60  
1191 days before the sexual offender's release and provide this  
1192 photograph to the Department of Corrections and also place it in  
1193 the sexual offender's file. If the sexual offender is in the  
1194 custody of a local jail, the custodian of the local jail shall  
1195 register the offender within 3 business days after intake of the  
1196 offender for any reason and upon release, and shall notify the  
1197 Department of Law Enforcement of the sexual offender's release  
1198 and provide to the Department of Law Enforcement the information  
1199 specified in this paragraph and any information specified in  
1200 subparagraph 2. that the Department of Law Enforcement requests.

1201 2. The department may provide any other information deemed  
1202 necessary, including criminal and corrections records,  
1203 nonprivileged personnel and treatment records, when available.

1204 Section 9. Paragraphs (a) and (f) of subsection (1),  
1205 subsection (4), and paragraph (c) of subsection (13) of section  
1206 944.607, Florida Statutes, are amended to read:

1207 944.607 Notification to Department of Law Enforcement of  
1208 information on sexual offenders.—

1209 (1) As used in this section, the term:

1210 (a) "Sexual offender" means a person who is in the custody  
1211 or control of, or under the supervision of, the department or is  
1212 in the custody of a private correctional facility:

1213 1. On or after October 1, 1997, as a result of a conviction  
1214 for committing, or attempting, soliciting, or conspiring to  
1215 commit, any of the criminal offenses proscribed in the following  
1216 statutes in this state or similar offenses in another  
1217 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.  
1218 787.02, or s. 787.025(2)(c), where the victim is a minor and the

591-03533-12

20121800c1

1219 defendant is not the victim's parent or guardian; s. 794.011,  
1220 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.  
1221 796.045; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
1222 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s.  
1223 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar  
1224 offense committed in this state which has been redesignated from  
1225 a former statute number to one of those listed in this  
1226 paragraph; or

1227 2. Who establishes or maintains a residence in this state  
1228 and who has not been designated as a sexual predator by a court  
1229 of this state but who has been designated as a sexual predator,  
1230 as a sexually violent predator, or by another sexual offender  
1231 designation in another state or jurisdiction and was, as a  
1232 result of such designation, subjected to registration or  
1233 community or public notification, or both, or would be if the  
1234 person were a resident of that state or jurisdiction, without  
1235 regard as to whether the person otherwise meets the criteria for  
1236 registration as a sexual offender.

1237 (f) "Internet identifier ~~Instant message name~~" has the same  
1238 meaning as provided in s. 775.21 ~~means an identifier that allows~~  
1239 ~~a person to communicate in real time with another person using~~  
1240 ~~the Internet.~~

1241 (4) A sexual offender, as described in this section, who is  
1242 under the supervision of the Department of Corrections but is  
1243 not incarcerated must register with the Department of  
1244 Corrections within 3 business days after sentencing for a  
1245 registrable offense and otherwise provide information as  
1246 required by this subsection.

1247 (a) The sexual offender shall provide his or her name; date

591-03533-12

20121800c1

1248 of birth; social security number; race; sex; height; weight;  
1249 hair and eye color; tattoos or other identifying marks; all ~~any~~  
1250 electronic mail addresses ~~address~~ and all Internet identifiers  
1251 ~~any instant message name~~ required to be provided pursuant to s.  
1252 943.0435(4)(d); the make, model, color, registration number, and  
1253 license tag number of all vehicles owned; permanent or legal  
1254 residence and address of temporary residence within the state or  
1255 out of state while the sexual offender is under supervision in  
1256 this state, including any rural route address or post office  
1257 box; if no permanent or temporary address, any transient  
1258 residence within the state; and address, location or  
1259 description, and dates of any current or known future temporary  
1260 residence within the state or out of state. The sexual offender  
1261 must also produce his or her passport, if he or she has a  
1262 passport, and, if he or she is an alien, must produce or provide  
1263 information about documents establishing his or her immigration  
1264 status. The sexual offender must also provide information about  
1265 any professional licenses he or she may have. The Department of  
1266 Corrections shall verify the address of each sexual offender in  
1267 the manner described in ss. 775.21 and 943.0435. The department  
1268 shall report to the Department of Law Enforcement any failure by  
1269 a sexual predator or sexual offender to comply with registration  
1270 requirements.

1271 (b) If the sexual offender is enrolled, employed,  
1272 volunteering, or carrying on a vocation at an institution of  
1273 higher education in this state, the sexual offender shall  
1274 provide the name, address, and county of each institution,  
1275 including each campus attended, and the sexual offender's  
1276 enrollment, volunteer, or employment status. Each change in

591-03533-12

20121800c1

1277 enrollment, volunteer, or employment status shall be reported to  
1278 the department within 48 hours after the change in status. The  
1279 Department of Corrections shall promptly notify each institution  
1280 of the sexual offender's presence and any change in the sexual  
1281 offender's enrollment, volunteer, or employment status.

1282 (13)

1283 (c) The sheriff's office may determine the appropriate  
1284 times and days for reporting by the sexual offender, which shall  
1285 be consistent with the reporting requirements of this  
1286 subsection. Reregistration shall include any changes to the  
1287 following information:

1288 1. Name; social security number; age; race; sex; date of  
1289 birth; height; weight; hair and eye color; address of any  
1290 permanent residence and address of any current temporary  
1291 residence, within the state or out of state, including a rural  
1292 route address and a post office box; if no permanent or  
1293 temporary address, any transient residence; address, location or  
1294 description, and dates of any current or known future temporary  
1295 residence within the state or out of state; all ~~any~~ electronic  
1296 mail addresses ~~address~~ and all Internet identifiers ~~any instant~~  
1297 ~~message name~~ required to be provided pursuant to s.

1298 943.0435(4)(d); date and place of any employment; the ~~vehicle~~  
1299 make, model, color, registration number, and license tag number  
1300 of all vehicles owned; fingerprints; palm prints; and  
1301 photograph. A post office box shall not be provided in lieu of a  
1302 physical residential address. The sexual offender must also  
1303 produce his or her passport, if he or she has a passport, and,  
1304 if he or she is an alien, must produce or provide information  
1305 about documents establishing his or her immigration status. The

591-03533-12

20121800c1

1306 sexual offender must also provide information about any  
1307 professional licenses he or she may have.

1308 2. If the sexual offender is enrolled, employed,  
1309 volunteering, or carrying on a vocation at an institution of  
1310 higher education in this state, the sexual offender shall also  
1311 provide to the department the name, address, and county of each  
1312 institution, including each campus attended, and the sexual  
1313 offender's enrollment, volunteer, or employment status.

1314 3. If the sexual offender's place of residence is a motor  
1315 vehicle, trailer, mobile home, or manufactured home, as defined  
1316 in chapter 320, the sexual offender shall also provide the  
1317 vehicle identification number; the license tag number; the  
1318 registration number; and a description, including color scheme,  
1319 of the motor vehicle, trailer, mobile home, or manufactured  
1320 home. If the sexual offender's place of residence is a vessel,  
1321 live-aboard vessel, or houseboat, as defined in chapter 327, the  
1322 sexual offender shall also provide the hull identification  
1323 number; the manufacturer's serial number; the name of the  
1324 vessel, live-aboard vessel, or houseboat; the registration  
1325 number; and a description, including color scheme, of the  
1326 vessel, live-aboard vessel or houseboat.

1327 4. Any sexual offender who fails to report in person as  
1328 required at the sheriff's office, ~~or~~ who fails to respond to any  
1329 address verification correspondence from the department within 3  
1330 weeks of the date of the correspondence, ~~or~~ who fails to report  
1331 all electronic mail addresses and all Internet identifiers ~~or~~  
1332 instant message names, or who knowingly provides false  
1333 registration information by act or omission commits a felony of  
1334 the third degree, punishable as provided in s. 775.082, s.

591-03533-12

20121800c1

1335 775.083, or s. 775.084.

1336 Section 10. Subsection (11) of section 947.005, Florida  
1337 Statutes, is amended to read:

1338 947.005 Definitions.—As used in this chapter, unless the  
1339 context clearly indicates otherwise:

1340 (11) "Risk assessment" means an assessment completed by a  
1341 ~~an independent~~ qualified practitioner to evaluate the level of  
1342 risk associated when a sex offender has contact with a child.

1343 Section 11. Section 948.31, Florida Statutes, is amended to  
1344 read:

1345 948.31 Evaluation and treatment of sexual predators and  
1346 offenders on probation or community control.—The court may ~~shall~~  
1347 ~~require an evaluation by a qualified practitioner to determine~~  
1348 ~~the need of a probationer or community controllee for treatment.~~  
1349 ~~If the court determines that a need therefor is established by~~  
1350 ~~the evaluation process, the court shall require sexual offender~~  
1351 ~~treatment as a term or condition of probation or community~~  
1352 ~~control for any probationer or community controllee person who~~  
1353 ~~is required to register as a sexual predator under s. 775.21 or~~  
1354 ~~sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to~~  
1355 ~~undergo an evaluation, at the probationer or community~~  
1356 ~~controllee's expense, by a qualified practitioner to determine~~  
1357 ~~whether such person needs sexual offender treatment. If the~~  
1358 ~~qualified practitioner determines that sexual offender treatment~~  
1359 ~~is needed and recommends treatment, the probationer or community~~  
1360 ~~controllee must successfully complete and pay for the treatment.~~  
1361 ~~Such treatment must ~~shall be required to~~ be obtained from a~~  
1362 ~~qualified practitioner as defined in s. 948.001. Treatment may~~  
1363 ~~not be administered by a qualified practitioner who has been~~

591-03533-12

20121800c1

1364 convicted or adjudicated delinquent of committing, or  
1365 attempting, soliciting, or conspiring to commit, any offense  
1366 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~  
1367 ~~impose a restriction against contact with minors if sexual~~  
1368 ~~offender treatment is recommended. The evaluation and~~  
1369 ~~recommendations for treatment of the probationer or community~~  
1370 ~~controllee shall be provided to the court for review.~~

1371 Section 12. Paragraph (a) of subsection (3) of section  
1372 985.481, Florida Statutes, is amended to read:

1373 985.481 Sexual offenders adjudicated delinquent;  
1374 notification upon release.-

1375 (3)(a) The department must provide information regarding  
1376 any sexual offender who is being released after serving a period  
1377 of residential commitment under the department for any offense,  
1378 as follows:

1379 1. The department must provide the sexual offender's name,  
1380 any change in the offender's name by reason of marriage or other  
1381 legal process, and any alias, if known; the correctional  
1382 facility from which the sexual offender is released; the sexual  
1383 offender's social security number, race, sex, date of birth,  
1384 height, weight, and hair and eye color; the make, model, color,  
1385 registration number, and license tag number of all vehicles  
1386 owned, if known; address of any planned permanent residence or  
1387 temporary residence, within the state or out of state, including  
1388 a rural route address and a post office box; if no permanent or  
1389 temporary address, any transient residence within the state;  
1390 address, location or description, and dates of any known future  
1391 temporary residence within the state or out of state; date and  
1392 county of disposition and each crime for which there was a



591-03533-12

20121800c1

1393 disposition; a copy of the offender's fingerprints and a  
1394 digitized photograph taken within 60 days before release; the  
1395 date of release of the sexual offender; all ~~and~~ home telephone  
1396 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information  
1397 about any professional licenses the offender may have, if known;  
1398 and passport information, if he or she has a passport, and, if  
1399 he or she is an alien, information about documents establishing  
1400 his or her immigration status ~~number~~. The department shall  
1401 notify the Department of Law Enforcement if the sexual offender  
1402 escapes, absconds, or dies. If the sexual offender is in the  
1403 custody of a private correctional facility, the facility shall  
1404 take the digitized photograph of the sexual offender within 60  
1405 days before the sexual offender's release and also place it in  
1406 the sexual offender's file. If the sexual offender is in the  
1407 custody of a local jail, the custodian of the local jail shall  
1408 register the offender within 3 business days after intake of the  
1409 offender for any reason and upon release, and shall notify the  
1410 Department of Law Enforcement of the sexual offender's release  
1411 and provide to the Department of Law Enforcement the information  
1412 specified in this subparagraph and any information specified in  
1413 subparagraph 2. which the Department of Law Enforcement  
1414 requests.

1415       2. The department may provide any other information  
1416 considered necessary, including criminal and delinquency  
1417 records, when available.

1418       Section 13. Subsection (4) and paragraph (b) of subsection  
1419 (13) of section 985.4815, Florida Statutes, are amended to read:  
1420       985.4815 Notification to Department of Law Enforcement of  
1421 information on juvenile sexual offenders.-

591-03533-12

20121800c1

1422 (4) A sexual offender, as described in this section, who is  
1423 under the supervision of the department but who is not committed  
1424 must register with the department within 3 business days after  
1425 adjudication and disposition for a registrable offense and  
1426 otherwise provide information as required by this subsection.

1427 (a) The sexual offender shall provide his or her name; date  
1428 of birth; social security number; race; sex; height; weight;  
1429 hair and eye color; tattoos or other identifying marks; the  
1430 make, model, color, registration number, and license tag number  
1431 of all vehicles owned; permanent or legal residence and address  
1432 of temporary residence within the state or out of state while  
1433 the sexual offender is in the care or custody or under the  
1434 jurisdiction or supervision of the department in this state,  
1435 including any rural route address or post office box; if no  
1436 permanent or temporary address, any transient residence;  
1437 address, location or description, and dates of any current or  
1438 known future temporary residence within the state or out of  
1439 state; and the name and address of each school attended. The  
1440 sexual offender must also produce his or her passport, if he or  
1441 she has a passport, and, if he or she is an alien, must produce  
1442 or provide information about documents establishing his or her  
1443 immigration status. The offender must also provide information  
1444 about any professional licenses he or she may have. The  
1445 department shall verify the address of each sexual offender and  
1446 shall report to the Department of Law Enforcement any failure by  
1447 a sexual offender to comply with registration requirements.

1448 (b) If the sexual offender is enrolled, employed,  
1449 volunteering, or carrying on a vocation at an institution of  
1450 higher education in this state, the sexual offender shall

591-03533-12

20121800c1

1451 provide the name, address, and county of each institution,  
1452 including each campus attended, and the sexual offender's  
1453 enrollment, volunteer, or employment status. Each change in  
1454 enrollment, volunteer, or employment status shall be reported to  
1455 the department within 48 hours after the change in status. The  
1456 department shall promptly notify each institution of the sexual  
1457 offender's presence and any change in the sexual offender's  
1458 enrollment, volunteer, or employment status.

1459 (13)

1460 (b) The sheriff's office may determine the appropriate  
1461 times and days for reporting by the sexual offender, which shall  
1462 be consistent with the reporting requirements of this  
1463 subsection. Reregistration shall include any changes to the  
1464 following information:

1465 1. Name; social security number; age; race; sex; date of  
1466 birth; height; weight; hair and eye color; fingerprints; palm  
1467 prints; address of any permanent residence and address of any  
1468 current temporary residence, within the state or out of state,  
1469 including a rural route address and a post office box; if no  
1470 permanent or temporary address, any transient residence;  
1471 address, location or description, and dates of any current or  
1472 known future temporary residence within the state or out of  
1473 state; passport information, if he or she has a passport, and,  
1474 if he or she is an alien, information about documents  
1475 establishing his or her immigration status; name and address of  
1476 each school attended; date and place of any employment; the  
1477 vehicle make, model, color, registration number, and license tag  
1478 number of all vehicles owned; ~~fingerprints;~~ and photograph. A  
1479 post office box shall not be provided in lieu of a physical

591-03533-12

20121800c1

1480 residential address. The offender must also provide information  
1481 about any professional licenses he or she may have.

1482 2. If the sexual offender is enrolled, employed,  
1483 volunteering, or carrying on a vocation at an institution of  
1484 higher education in this state, the sexual offender shall also  
1485 provide to the department the name, address, and county of each  
1486 institution, including each campus attended, and the sexual  
1487 offender's enrollment, volunteer, or employment status.

1488 3. If the sexual offender's place of residence is a motor  
1489 vehicle, trailer, mobile home, or manufactured home, as defined  
1490 in chapter 320, the sexual offender shall also provide the  
1491 vehicle identification number; the license tag number; the  
1492 registration number; and a description, including color scheme,  
1493 of the motor vehicle, trailer, mobile home, or manufactured  
1494 home. If the sexual offender's place of residence is a vessel,  
1495 live-aboard vessel, or houseboat, as defined in chapter 327, the  
1496 sexual offender shall also provide the hull identification  
1497 number; the manufacturer's serial number; the name of the  
1498 vessel, live-aboard vessel, or houseboat; the registration  
1499 number; and a description, including color scheme, of the  
1500 vessel, live-aboard vessel, or houseboat.

1501 4. Any sexual offender who fails to report in person as  
1502 required at the sheriff's office, ~~or~~ who fails to respond to any  
1503 address verification correspondence from the department within 3  
1504 weeks after the date of the correspondence, or who knowingly  
1505 provides false registration information by act or omission  
1506 commits a felony of the third degree, punishable as provided in  
1507 ss. 775.082, 775.083, and 775.084.

1508 Section 14. Subsection (13) is added to section 947.1405,

591-03533-12

20121800c1

1509 Florida Statutes, to read:

1510 947.1405 Conditional release program.—

1511 (13) In addition to all other conditions imposed, for a  
1512 releasee who is subject to conditional release for a crime that  
1513 was committed on or after October 1, 2012, and who has been  
1514 convicted at any time of a violation of s. 800.04(7)(b) or s.  
1515 847.0135(4), or a similar offense in another jurisdiction, the  
1516 commission must order electronic monitoring for the duration of  
1517 the releasee's supervision.

1518 Section 15. Subsection (5) is added to section 948.30,  
1519 Florida Statutes, to read:

1520 948.30 Additional terms and conditions of probation or  
1521 community control for certain sex offenses.—Conditions imposed  
1522 pursuant to this section do not require oral pronouncement at  
1523 the time of sentencing and shall be considered standard  
1524 conditions of probation or community control for offenders  
1525 specified in this section.

1526 (5) Effective for a probationer or community controllee  
1527 whose crime was committed on or after October 1, 2012, and who:

1528 (a) Is placed on probation or community control for a  
1529 violation of s. 800.04(7)(b) or s. 847.0135(4); or

1530 (b) Has previously been convicted of a violation of s.  
1531 800.04(7)(b) or s. 847.0135(4), or a similar offense in another  
1532 jurisdiction,

1533

1534 the court must order, in addition to any other requirements of  
1535 this section, mandatory electronic monitoring as a condition of  
1536 the probation or community control supervision.

1537 Section 16. Paragraphs (g) and (i) of subsection (3) of

591-03533-12

20121800c1

1538 section 921.0022, Florida Statutes, are amended to read:  
 1539 921.0022 Criminal Punishment Code; offense severity ranking  
 1540 chart.—

1541 (3) OFFENSE SEVERITY RANKING CHART  
 1542 (g) LEVEL 7

1543

Florida	Felony	
Statute	Degree	Description

1544

316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
-----------------	-----	---

1545

316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
--------------------	-----	---

1546

316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
------------------	-----	--

1547

327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
-------------------	-----	--

1548

402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
-------------	-----	--

591-03533-12

20121800c1

1549

409.920 3rd Medicaid provider fraud; \$10,000 or  
(2) (b) 1.a. less.

1550

409.920 2nd Medicaid provider fraud; more than  
(2) (b) 1.b. \$10,000, but less than \$50,000.

1551

456.065 (2) 3rd Practicing a health care profession  
without a license.

1552

456.065 (2) 2nd Practicing a health care profession  
without a license which results in  
serious bodily injury.

1553

458.327 (1) 3rd Practicing medicine without a license.

1554

459.013 (1) 3rd Practicing osteopathic medicine without  
a license.

1555

460.411 (1) 3rd Practicing chiropractic medicine  
without a license.

1556

461.012 (1) 3rd Practicing podiatric medicine without a  
license.

1557

462.17 3rd Practicing naturopathy without a  
license.

1558

463.015 (1) 3rd Practicing optometry without a license.

591-03533-12

20121800c1

1559

464.016 (1) 3rd Practicing nursing without a license.

1560

465.015 (2) 3rd Practicing pharmacy without a license.

1561

466.026 (1) 3rd Practicing dentistry or dental hygiene without a license.

1562

467.201 3rd Practicing midwifery without a license.

1563

468.366 3rd Delivering respiratory care services without a license.

1564

483.828 (1) 3rd Practicing as clinical laboratory personnel without a license.

1565

483.901 (9) 3rd Practicing medical physics without a license.

1566

484.013 (1) (c) 3rd Preparing or dispensing optical devices without a prescription.

1567

484.053 3rd Dispensing hearing aids without a license.

1568

494.0018 (2) 1st Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or



591-03533-12

20121800c1

1569

more victims.

560.123 (8) (b) 1. 3rd

Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

1570

560.125 (5) (a) 3rd

Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

1571

655.50 (10) (b) 1. 3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

1572

775.21 (10) (a) 3rd

Sexual predator; failure to register; failure to renew driver ~~driver's~~ license or identification card; other registration violations.

1573

775.21 (10) (b) 3rd

Sexual predator working where children regularly congregate.

1574

775.21 (10) (g) 3rd

Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

1575

782.051 (3) 2nd

Attempted felony murder of a person by a person other than the perpetrator or

591-03533-12

20121800c1

1576

the perpetrator of an attempted felony.

782.07(1)

2nd

Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

1577

782.071

2nd

Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

1578

782.072

2nd

Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

1579

784.045(1)(a)1.

2nd

Aggravated battery; intentionally causing great bodily harm or disfigurement.

1580

784.045(1)(a)2.

2nd

Aggravated battery; using deadly weapon.

1581

784.045(1)(b)

2nd

Aggravated battery; perpetrator aware victim pregnant.

1582

784.048(4)

3rd

Aggravated stalking; violation of injunction or court order.

1583

784.048(7)

3rd

Aggravated stalking; violation of court

591-03533-12

20121800c1

1584  
1585  
1586  
1587  
1588  
1589  
1590  
1591  
1592  
1593

order.

784.07(2)(d) 1st Aggravated battery on law enforcement officer.

784.074(1)(a) 1st Aggravated battery on sexually violent predators facility staff.

784.08(2)(a) 1st Aggravated battery on a person 65 years of age or older.

784.081(1) 1st Aggravated battery on specified official or employee.

784.082(1) 1st Aggravated battery by detained person on visitor or other detainee.

784.083(1) 1st Aggravated battery on code inspector.

790.07(4) 1st Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

790.16(1) 1st Discharge of a machine gun under specified circumstances.

790.165(2) 2nd Manufacture, sell, possess, or deliver hoax bomb.

591-03533-12

20121800c1

1594

790.165 (3) 2nd Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

1595

790.166 (3) 2nd Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

1596

790.166 (4) 2nd Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

1597

790.23 1st,PBL Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

1598

794.08 (4) 3rd Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.

1599

796.03 2nd Procuring any person under 18 ~~16~~ years for prostitution.

1600

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.

591-03533-12

20121800c1

1601  
1602  
1603  
1604  
1605  
1606  
1607  
1608

800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
806.01(2)	2nd	Maliciously damage structure by fire or explosive.
810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
812.014(2)(a)1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

591-03533-12 20121800c1

1609

812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

1610

812.014 (2) (b) 4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.

1611

812.0145 (2) (a) 1st Theft from person 65 years of age or older; \$50,000 or more.

1612

812.019 (2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

1613

812.131 (2) (a) 2nd Robbery by sudden snatching.

1614

812.133 (2) (b) 1st Carjacking; no firearm, deadly weapon, or other weapon.

1615

817.234 (8) (a) 2nd Solicitation of motor vehicle accident victims with intent to defraud.

1616

817.234 (9) 2nd Organizing, planning, or participating in an intentional motor vehicle collision.

1617

817.234 (11) (c) 1st Insurance fraud; property value \$100,000 or more.

591-03533-12

20121800c1

1618	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1619	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1620	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
1621	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1622	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1623	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1624	838.015	2nd	Bribery.
	838.016	2nd	Unlawful compensation or reward for

591-03533-12

20121800c1

official behavior.

1625

838.021 (3) (a) 2nd Unlawful harm to a public servant.

1626

838.22 2nd Bid tampering.

1627

847.0135 (3) 3rd Solicitation of a child, via a computer service, to commit an unlawful sex act.

1628

847.0135 (4) 2nd Traveling to meet a minor to commit an unlawful sex act.

1629

872.06 2nd Abuse of a dead human body.

1630

874.10 1st,PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

1631

893.13 (1) (c) 1. 1st Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

1632

893.13 (1) (e) 1. 1st Sell, manufacture, or deliver cocaine



591-03533-12

20121800c1

or other drug prohibited under s.  
 893.03(1)(a), (1)(b), (1)(d), (2)(a),  
 (2)(b), or (2)(c)4., within 1,000 feet  
 of property used for religious services  
 or a specified business site.

1633

893.13(4)(a) 1st Deliver to minor cocaine (or other s.  
 893.03(1)(a), (1)(b), (1)(d), (2)(a),  
 (2)(b), or (2)(c)4. drugs).

1634

893.135(1)(a)1. 1st Trafficking in cannabis, more than 25  
 lbs., less than 2,000 lbs.

1635

893.135 1st Trafficking in cocaine, more than 28  
 (1)(b)1.a. grams, less than 200 grams.

1636

893.135 1st Trafficking in illegal drugs, more than  
 (1)(c)1.a. 4 grams, less than 14 grams.

1637

893.135(1)(d)1. 1st Trafficking in phencyclidine, more than  
 28 grams, less than 200 grams.

1638

893.135(1)(e)1. 1st Trafficking in methaqualone, more than  
 200 grams, less than 5 kilograms.

1639

893.135(1)(f)1. 1st Trafficking in amphetamine, more than  
 14 grams, less than 28 grams.

1640

893.135 1st Trafficking in flunitrazepam, 4 grams

591-03533-12

20121800c1

1641

(1) (g) 1.a. or more, less than 14 grams.

893.135

1st

Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.

1642

(1) (h) 1.a.

893.135

1st

Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

1643

(1) (j) 1.a.

893.135

1st

Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

1644

(1) (k) 2.a.

893.1351(2)

2nd

Possession of place for trafficking in or manufacturing of controlled substance.

1645

896.101(5)(a)

3rd

Money laundering, financial transactions exceeding \$300 but less than \$20,000.

1646

896.104(4)(a)1.

3rd

Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

1647

943.0435(4)(c)

2nd

Sexual offender vacating permanent residence; failure to comply with reporting requirements.

591-03533-12

20121800c1

1648

943.0435 (8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

1649

943.0435 (9) (a) 3rd Sexual offender; failure to comply with reporting requirements.

1650

943.0435 (13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1651

943.0435 (14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

1652

944.607 (9) 3rd Sexual offender; failure to comply with reporting requirements.

1653

944.607 (10) (a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

1654

944.607 (12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1655

944.607 (13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

591-03533-12

20121800c1

1656

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

1657

985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1658

985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

1659

1660 (i) LEVEL 9

1661

Florida	Felony	
Statute	Degree	Description

1662

316.193 (3)(c)3.b.	1st	DUI manslaughter; failing to render aid or give information.
-----------------------	-----	--

1663

327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
------------------	-----	--

1664

409.920 (2)(b)1.c.	1st	Medicaid provider fraud; \$50,000 or more.
-----------------------	-----	--

1665

499.0051(9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
-------------	-----	---

591-03533-12

20121800c1

1666

560.123 (8) (b) 3. 1st Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.

1667

560.125 (5) (c) 1st Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.

1668

655.50 (10) (b) 3. 1st Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.

1669

775.0844 1st Aggravated white collar crime.

1670

782.04 (1) 1st Attempt, conspire, or solicit to commit premeditated murder.

1671

782.04 (3) 1st, PBL Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.

1672

782.051 (1) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04 (3).

1673

591-03533-12

20121800c1

1674

782.07(2) 1st Aggravated manslaughter of an elderly person or disabled adult.

1675

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or reward or as a shield or hostage.

1676

787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or facilitate commission of any felony.

1677

787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere with performance of any governmental or political function.

1678

787.02(3)(a) 1st,PBL False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.

1679

790.161 1st Attempted capital destructive device offense.

1680

790.166(2) 1st,PBL Possessing, selling, using, or attempting to use a weapon of mass destruction.

794.011(2) 1st Attempted sexual battery; victim less than 12 years of age.

591-03533-12

20121800c1

1681

794.011 (2) Life Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.

1682

794.011 (4) 1st Sexual battery; victim 12 years or older, certain circumstances.

1683

794.011 (8) (b) 1st Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

1684

794.08 (2) 1st Female genital mutilation; victim younger than 18 years of age.

1685

800.04 (5) (b) Life Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.

1686

812.13 (2) (a) 1st, PBL Robbery with firearm or other deadly weapon.

1687

812.133 (2) (a) 1st, PBL Carjacking; firearm or other deadly weapon.

1688

812.135 (2) (b) 1st Home-invasion robbery with weapon.

1689

817.568 (7) 2nd, Fraudulent use of personal

591-03533-12

20121800c1

PBL identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.

1690

827.03(2) 1st Aggravated child abuse.

1691

847.0145(1) 1st Selling, or otherwise transferring custody or control, of a minor.

1692

847.0145(2) 1st Purchasing, or otherwise obtaining custody or control, of a minor.

1693

859.01 1st Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.

1694

893.135 1st Attempted capital trafficking offense.

1695

893.135(1)(a)3. 1st Trafficking in cannabis, more than 10,000 lbs.

1696

893.135(1)(b)1.c. 1st Trafficking in cocaine, more than 400 grams, less than 150 kilograms.

1697

893.135(1)(c)1.c. 1st Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.



591-03533-12

20121800c1

1698

893.135 1st Trafficking in phencyclidine, more  
(1) (d) 1.c. than 400 grams.

1699

893.135 1st Trafficking in methaqualone, more than  
(1) (e) 1.c. 25 kilograms.

1700

893.135 1st Trafficking in amphetamine, more than  
(1) (f) 1.c. 200 grams.

1701

893.135 1st Trafficking in gamma-hydroxybutyric  
(1) (h) 1.c. acid (GHB), 10 kilograms or more.

1702

893.135 1st Trafficking in 1,4-Butanediol, 10  
(1) (j) 1.c. kilograms or more.

1703

893.135 1st Trafficking in Phenethylamines, 400  
(1) (k) 2.c. grams or more.

1704

896.101 (5) (c) 1st Money laundering, financial  
instruments totaling or exceeding  
\$100,000.

1705

896.104 (4) (a) 3. 1st Structuring transactions to evade  
reporting or registration  
requirements, financial transactions  
totaling or exceeding \$100,000.

1706

1707

Section 17. This act shall take effect October 1, 2012.