

By Senator Evers

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1                                   A bill to be entitled  
2           An act relating to sexual predators and offenders;  
3           amending s. 775.21, F.S.; replacing the definition of  
4           the term "instant message name" with the definition of  
5           the term "Internet identifier"; providing that  
6           voluntary disclosure of specified information waives a  
7           disclosure exemption for such information; specifying  
8           additional offenses that require registration as a  
9           sexual predator; requiring that a sexual predator  
10          provide to the Department of Law Enforcement certain  
11          additional information; requiring that the sheriff  
12          take palm prints of a sexual predator under certain  
13          circumstances; requiring that a sexual predator who is  
14          unable to secure or update a driver license or  
15          identification card under certain circumstances report  
16          specified information to the local sheriff's office  
17          within a specified period; requiring that a sexual  
18          predator register all electronic mail addresses and  
19          Internet identifiers before using electronic mail  
20          addresses and Internet identifiers; revising reporting  
21          requirements if a sexual predator plans to leave the  
22          United States for longer than a specified period;  
23          providing penalties for a sexual predator who  
24          knowingly provides false registration by act or  
25          omission; amending s. 943.0435, F.S.; specifying  
26          additional offenses that require registration as a  
27          sexual offender; replacing the definition of the term  
28          "instant message name" with the definition of the term  
29          "Internet identifier"; requiring that a sexual

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30 offender disclose certain additional information to  
31 the local sheriff's office, including fingerprints,  
32 palm prints, and photograph; requiring that a sexual  
33 offender who is unable to secure or update a driver  
34 license or identification card, under certain  
35 circumstances, report specified information to the  
36 local sheriff's office within a specified period;  
37 providing additional requirements for sexual offenders  
38 intending to leave the United States for longer than a  
39 specified period; providing penalties for a sexual  
40 offender who knowingly provides false registration by  
41 act or omission; amending s. 943.04351, F.S.;

42 requiring that a state agency or governmental  
43 subdivision conduct a specified national search of  
44 registration information regarding sexual predators  
45 and sexual offenders before appointing or employing a  
46 person; amending s. 943.04354, F.S.; revising the age  
47 range applicable to provisions allowing removal of the  
48 requirement to register as a sexual offender or sexual  
49 predator in certain circumstances; revising  
50 eligibility requirements for removal of the  
51 requirement to register as a sexual offender or sexual  
52 predator; requiring that a person who was convicted of  
53 specified offenses in another jurisdiction provide the  
54 court with certain written confirmation in order not  
55 to have to register as a sexual offender or predator;  
56 requiring that the state attorney and the Department  
57 of Law Enforcement be given notice of a motion;  
58 requiring that a person who has been granted relief

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59 from the registration requirement provide the  
60 department with a certified copy of the order granting  
61 relief; amending s. 943.0437, F.S.; replacing the  
62 definition of the term "instant message name" with the  
63 definition of the term "Internet identifier";  
64 conforming provisions; amending s. 944.606, F.S.;  
65 replacing the definition of the term "instant message  
66 name" with the definition of the term "Internet  
67 identifier"; conforming provisions; requiring that the  
68 Department of Corrections disclose specified  
69 information under certain circumstances; amending s.  
70 944.607, F.S.; replacing the definition of the term  
71 "instant message name" with the definition of the term  
72 "Internet identifier"; conforming provisions;  
73 requiring that a sexual offender provide to the  
74 Department of Corrections and the local sheriff's  
75 office specified information under certain  
76 circumstances; providing penalties for a sexual  
77 offender who knowingly provides false registration  
78 information by act or omission to a local sheriff's  
79 office; amending s. 947.005, F.S.; revising the  
80 definition of the term "risk assessment"; amending s.  
81 948.31, F.S.; authorizing, rather than requiring, the  
82 court to order that certain probationers or community  
83 controllees undergo an evaluation by a qualified  
84 practitioner; requiring that a probationer or  
85 community controllee successfully complete and pay for  
86 sexual offender treatment under certain circumstances;  
87 removing a provision prohibiting contact with minors

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88 if sexual offender treatment is recommended; amending  
89 s. 985.481, F.S.; requiring that the Department of  
90 Juvenile Justice disclose to the public specific  
91 information concerning a sexual offender who is  
92 adjudicated delinquent; amending s. 985.4815, F.S.;  
93 requiring that a juvenile sexual offender provide to  
94 the Department of Juvenile Justice and the local  
95 sheriff's office specified information under certain  
96 circumstances; amending s. 921.0022, F.S.; correcting  
97 references; reenacting ss. 322.141(4), 794.056, and  
98 938.085, F.S., relating to the color or markings of  
99 certain licenses or identification cards for motor  
100 vehicles, the Rape Crisis Program Trust Fund, and  
101 additional costs to fund rape crisis centers,  
102 respectively, to incorporate the amendments made to  
103 ss. 775.21, 943.0435, and 944.607, F.S., in references  
104 thereto; providing an effective date.

105  
106 Be It Enacted by the Legislature of the State of Florida:

107  
108 Section 1. Paragraph (i) of subsection (2), paragraph (a)  
109 of subsection (4), subsections (6) and (8), and paragraph (a) of  
110 subsection (10) of section 775.21, Florida Statutes, are amended  
111 to read:

112 775.21 The Florida Sexual Predators Act.—

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

114 (i) "Internet identifier ~~Instant message name~~" means a name  
115 used for electronic mail, chat, instant messenger, social  
116 networking, or similar Internet communication, but does not

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117 include a date of birth, social security number, or personal  
118 identification number (PIN). Voluntary disclosure by the sexual  
119 predator of his or her date of birth, social security number, or  
120 personal identification number (PIN) as an Internet identifier  
121 waives the disclosure exemption in this paragraph for such  
122 personal information ~~an identifier that allows a person to~~  
123 ~~communicate in real time with another person using the Internet.~~

124 (4) SEXUAL PREDATOR CRITERIA.—

125 (a) For a current offense committed on or after October 1,  
126 1993, upon conviction, an offender shall be designated as a  
127 “sexual predator” under subsection (5), and subject to  
128 registration under subsection (6) and community and public  
129 notification under subsection (7) if:

130 1. The felony is:

131 a. A capital, life, or first-degree felony violation, or  
132 any attempt thereof, of s. 787.01 or s. 787.02, where the victim  
133 is a minor and the defendant is not the victim’s parent or  
134 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a  
135 violation of a similar law of another jurisdiction; or

136 b. Any felony violation, or any attempt thereof, of s.  
137 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
138 787.025(2)(c), where the victim is a minor and the defendant is  
139 not the victim’s parent or guardian; s. 794.011, excluding s.  
140 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 796.045; s.  
141 800.04; s. 825.1025(2)(b); s. 827.071; s. 847.0135(5); s.  
142 847.0145; s. 916.1075(2); or s. 985.701(1); or a violation of a  
143 similar law of another jurisdiction, and the offender has  
144 previously been convicted of or found to have committed, or has  
145 pled nolo contendere or guilty to, regardless of adjudication,

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146 any violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s.  
 147 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
 148 defendant is not the victim's parent or guardian; s. 794.011,  
 149 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.  
 150 796.045; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
 151 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 916.1075(2);  
 152 or s. 985.701(1); or a violation of a similar law of another  
 153 jurisdiction;

154 2. The offender has not received a pardon for any felony or  
 155 similar law of another jurisdiction which ~~that~~ is necessary for  
 156 the operation of this paragraph; and

157 3. A conviction of a felony or similar law of another  
 158 jurisdiction necessary for ~~to~~ the operation of this paragraph  
 159 has not been set aside in any postconviction proceeding.

160 (6) REGISTRATION.—

161 (a) A sexual predator shall ~~must~~ register with the  
 162 department through the sheriff's office by providing the  
 163 following information to the department:

164 1. Name; social security number; age; race; sex; date of  
 165 birth; height; weight; tattoos or other identifying marks; hair  
 166 and eye color; photograph; address of legal residence and  
 167 address of any current temporary residence, within the state or  
 168 out of state, including a rural route address and a post office  
 169 box; if no permanent or temporary address, any transient  
 170 residence within the state; address, location or description,  
 171 and dates of any current or known future temporary residence  
 172 within the state or out of state; all ~~any~~ electronic mail  
 173 addresses ~~address~~ and all Internet identifiers ~~any instant~~  
 174 ~~message name~~ required to be provided pursuant to subparagraph

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175 (g)4.; all home telephone numbers ~~number~~ and ~~any~~ cellular  
176 telephone numbers ~~number~~; date and place of any employment; the  
177 make, model, color, registration number, and license tag number  
178 of all vehicles owned; date and place of each conviction;  
179 fingerprints; palm prints; and a brief description of the crime  
180 or crimes committed by the offender. A post office box may ~~shall~~  
181 not be provided in lieu of a physical residential address. The  
182 sexual predator shall also produce his or her passport, if he or  
183 she has a passport, and, if he or she is an alien, shall produce  
184 or provide information about documents establishing his or her  
185 immigration status. The sexual predator shall also provide  
186 information about any professional licenses that he or she may  
187 hold.

188 a. If the sexual predator's place of residence is a motor  
189 vehicle, trailer, mobile home, or manufactured home, as defined  
190 in chapter 320, the sexual predator shall also provide to the  
191 department written notice of the vehicle identification number;  
192 the license tag number; the registration number; and a  
193 description, including color scheme, of the motor vehicle,  
194 trailer, mobile home, or manufactured home. If a sexual  
195 predator's place of residence is a vessel, live-aboard vessel,  
196 or houseboat, as defined in chapter 327, the sexual predator  
197 shall also provide to the department written notice of the hull  
198 identification number; the manufacturer's serial number; the  
199 name of the vessel, live-aboard vessel, or houseboat; the  
200 registration number; and a description, including color scheme,  
201 of the vessel, live-aboard vessel, or houseboat.

202 b. If the sexual predator is enrolled, employed,  
203 volunteering, or carrying on a vocation at an institution of

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204 higher education in this state, the sexual predator shall also  
205 provide to the department the name, address, and county of each  
206 institution, including each campus attended, and the sexual  
207 predator's enrollment, volunteer, or employment status. Each  
208 change in enrollment or employment status shall be reported in  
209 person at the sheriff's office, or the Department of Corrections  
210 if the sexual predator is in the custody or control of or under  
211 the supervision of the Department of Corrections, within 48  
212 hours after any change in status. The sheriff or the Department  
213 of Corrections shall promptly notify each institution of the  
214 sexual predator's presence and any change in the sexual  
215 predator's enrollment, volunteer, or employment status.

216 2. Any other information determined necessary by the  
217 department, including criminal and corrections records;  
218 nonprivileged personnel and treatment records; and evidentiary  
219 genetic markers when available.

220 (b) If the sexual predator is in the custody or control of,  
221 or under the supervision of, the Department of Corrections, or  
222 is in the custody of a private correctional facility, the sexual  
223 predator must register with the Department of Corrections. A  
224 sexual predator who is under the supervision of the Department  
225 of Corrections but who is not incarcerated shall ~~must~~ register  
226 with the Department of Corrections within 3 business days after  
227 the court finds the offender to be a sexual predator. The  
228 Department of Corrections shall provide to the department  
229 registration information and the location of, and local  
230 telephone number for, any Department of Corrections office that  
231 is responsible for supervising the sexual predator. In addition,  
232 the Department of Corrections shall notify the department if the



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233 sexual predator escapes or absconds from custody or supervision  
234 or if the sexual predator dies.

235 (c) If the sexual predator is in the custody of a local  
236 jail, the custodian of the local jail shall register the sexual  
237 predator within 3 business days after intake of the sexual  
238 predator for any reason and upon release, and shall forward the  
239 registration information to the department. The custodian of the  
240 local jail shall also take a digitized photograph of the sexual  
241 predator while the sexual predator remains in custody and shall  
242 provide the digitized photograph to the department. The  
243 custodian shall notify the department if the sexual predator  
244 escapes from custody or dies.

245 (d) If the sexual predator is under federal supervision,  
246 the federal agency responsible for supervising the sexual  
247 predator may forward to the department any information regarding  
248 the sexual predator which is consistent with the information  
249 provided by the Department of Corrections under this section,  
250 and may indicate whether use of the information is restricted to  
251 law enforcement purposes only or may be used by the department  
252 for purposes of public notification.

253 (e)1. If the sexual predator is not in the custody or  
254 control of, or under the supervision of, the Department of  
255 Corrections or is not in the custody of a private correctional  
256 facility, the sexual predator shall register in person:

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

260 b. At the sheriff's office in the county where he or she  
261 was designated a sexual predator by the court within 48 hours

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262 after such finding is made.

263 2. Any change in the sexual predator's permanent or  
264 temporary residence, name, or any electronic mail address or any  
265 Internet identifier ~~and any instant message name~~ required to be  
266 provided pursuant to subparagraph (g)4., after the sexual  
267 predator registers in person at the sheriff's office as provided  
268 in subparagraph 1., shall be accomplished in the manner provided  
269 in paragraphs (g), (i), and (j). When a sexual predator  
270 registers with the sheriff's office, the sheriff shall take a  
271 photograph, ~~and~~ a set of fingerprints, and palm prints of the  
272 predator and forward the photographs, ~~and~~ fingerprints, and palm  
273 prints to the department, along with the information that the  
274 predator is required to provide pursuant to this section.

275 (f) Within 48 hours after the registration required under  
276 paragraph (a) or paragraph (e), a sexual predator who is not  
277 incarcerated and who resides in the community, including a  
278 sexual predator under the supervision of the Department of  
279 Corrections, shall register in person at a driver ~~driver's~~  
280 license office of the Department of Highway Safety and Motor  
281 Vehicles and shall present proof of registration. At the driver  
282 ~~driver's~~ license office the sexual predator shall:

283 1. If otherwise qualified, secure a Florida driver ~~driver's~~  
284 license, renew a Florida driver ~~driver's~~ license, or secure an  
285 identification card. The sexual predator shall identify himself  
286 or herself as a sexual predator who is required to comply with  
287 this section, provide his or her place of permanent, temporary,  
288 or transient residence, including a rural route address and a  
289 post office box, and submit to the taking of a photograph for  
290 use in issuing a driver ~~driver's~~ license, renewed license, or

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291 identification card, and for use by the department in  
292 maintaining current records of sexual predators. A post office  
293 box may ~~shall~~ not be provided in lieu of a physical residential  
294 address. If the sexual predator's place of residence is a motor  
295 vehicle, trailer, mobile home, or manufactured home, as defined  
296 in chapter 320, the sexual predator shall also provide to the  
297 Department of Highway Safety and Motor Vehicles the vehicle  
298 identification number; the license tag number; the registration  
299 number; and a description, including color scheme, of the motor  
300 vehicle, trailer, mobile home, or manufactured home. If a sexual  
301 predator's place of residence is a vessel, live-aboard vessel,  
302 or houseboat, as defined in chapter 327, the sexual predator  
303 shall also provide to the Department of Highway Safety and Motor  
304 Vehicles the hull identification number; the manufacturer's  
305 serial number; the name of the vessel, live-aboard vessel, or  
306 houseboat; the registration number; and a description, including  
307 color scheme, of the vessel, live-aboard vessel, or houseboat.

308 2. Pay the costs assessed by the Department of Highway  
309 Safety and Motor Vehicles for issuing or renewing a driver  
310 ~~driver's~~ license or identification card as required by this  
311 section. The driver ~~driver's~~ license or identification card  
312 issued to the sexual predator must be in compliance with s.  
313 322.141(3).

314 3. Provide, upon request, any additional information  
315 necessary to confirm the identity of the sexual predator,  
316 including a set of fingerprints.

317 (g)1. Each time that a sexual predator's driver ~~driver's~~  
318 license or identification card is subject to renewal, and,  
319 without regard to the status of the predator's driver ~~driver's~~

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320 license or identification card, within 48 hours after any change  
321 of the predator's residence or change in the predator's name by  
322 reason of marriage or other legal process, the predator shall  
323 report in person to a driver ~~driver's~~ license office and is  
324 ~~shall be~~ subject to the requirements specified in paragraph (f).  
325 The Department of Highway Safety and Motor Vehicles shall  
326 forward to the department and to the Department of Corrections  
327 all photographs and information provided by sexual predators.  
328 Notwithstanding the restrictions set forth in s. 322.142, the  
329 Department of Highway Safety and Motor Vehicles may ~~is~~  
330 ~~authorized to~~ release a reproduction of a color-photograph or  
331 digital-image license to the Department of Law Enforcement for  
332 purposes of public notification of sexual predators as provided  
333 in this section. A sexual predator who is unable to secure or  
334 update a driver license or identification card with the  
335 Department of Highway Safety and Motor Vehicles as provided in  
336 paragraph (f) and this paragraph, shall report any change of  
337 residence or change of name by reason of marriage or other legal  
338 process within 48 hours after the change to the sheriff's office  
339 of the county in which the predator resides or is located. The  
340 predator shall also provide confirmation that he or she has  
341 reported the change to the Department of Highway Safety and  
342 Motor Vehicles.

343 2. A sexual predator who vacates a permanent, temporary, or  
344 transient residence and fails to establish or maintain another  
345 permanent, temporary, or transient residence shall, within 48  
346 hours after vacating the permanent, temporary, or transient  
347 residence, report in person to the sheriff's office of the  
348 county in which he or she is located. The sexual predator shall

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349 specify the date upon which he or she intends to or did vacate  
350 such residence. The sexual predator shall ~~must~~ provide or update  
351 all of the registration information required under paragraph  
352 (a). The sexual predator shall ~~must~~ provide an address for the  
353 residence or other place that he or she is or will be located  
354 during the time in which he or she fails to establish or  
355 maintain a permanent or temporary residence.

356 3. A sexual predator who remains at a permanent, temporary,  
357 or transient residence after reporting his or her intent to  
358 vacate such residence shall, within 48 hours after the date upon  
359 which the predator indicated he or she would or did vacate such  
360 residence, report in person to the sheriff's office to which he  
361 or she reported pursuant to subparagraph 2. for the purpose of  
362 reporting his or her address at such residence. When the sheriff  
363 receives the report, the sheriff shall promptly convey the  
364 information to the department. An offender who makes a report as  
365 required under subparagraph 2. but fails to make a report as  
366 required under this subparagraph commits a felony of the second  
367 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
368 775.084.

369 4. A sexual predator shall ~~must~~ register all ~~any~~ electronic  
370 mail addresses and Internet identifiers ~~address or instant~~  
371 ~~message name~~ with the department before ~~prior to~~ using such  
372 electronic mail addresses and Internet identifiers ~~address or~~  
373 ~~instant message name on or after October 1, 2007~~. The department  
374 shall establish an online system through which sexual predators  
375 may securely access and update all electronic mail address and  
376 Internet identifier ~~instant message name~~ information.

377 (h) The department shall ~~must~~ notify the sheriff and the

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378 state attorney of the county and, if applicable, the police  
379 chief of the municipality, where the sexual predator maintains a  
380 residence.

381 (i) A sexual predator who intends to establish a permanent,  
382 temporary, or transient residence in another state or  
383 jurisdiction other than the State of Florida shall report in  
384 person to the sheriff of the county of current residence within  
385 48 hours before the date he or she intends to leave this state  
386 to establish residence in another state or jurisdiction or  
387 within 21 days before his or her planned departure date if he or  
388 she intends to reside for 5 days or more outside the United  
389 States. The sexual predator shall ~~must~~ provide to the sheriff  
390 the address, municipality, county, ~~and~~ state, and country of  
391 intended residence. The sheriff shall promptly provide to the  
392 department the information received from the sexual predator.  
393 The department shall notify the statewide law enforcement  
394 agency, or a comparable agency, in the intended state, ~~or~~  
395 jurisdiction, or country of residence of the sexual predator's  
396 intended residence. The failure of a sexual predator to provide  
397 his or her intended place of residence is punishable as provided  
398 in subsection (10).

399 (j) A sexual predator who indicates his or her intent to  
400 establish a permanent, temporary, or transient residence in  
401 another state, a ~~or~~ jurisdiction other than the State of  
402 Florida, or another country and later decides to remain in this  
403 state shall, within 48 hours after the date upon which the  
404 sexual predator indicated he or she would leave this state,  
405 report in person to the sheriff to which the sexual predator  
406 reported the intended change of residence, and report his or her

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407 intent to remain in this state. If the sheriff is notified by  
408 the sexual predator that he or she intends to remain in this  
409 state, the sheriff shall promptly report this information to the  
410 department. A sexual predator who reports his or her intent to  
411 establish a permanent, temporary, or transient residence in  
412 another state, a ~~or~~ jurisdiction other than the State of  
413 Florida, or another country, but who remains in this state  
414 without reporting to the sheriff in the manner required by this  
415 paragraph, commits a felony of the second degree, punishable as  
416 provided in s. 775.082, s. 775.083, or s. 775.084.

417 (k)1. The department is responsible for the online  
418 maintenance of current information regarding each registered  
419 sexual predator. The department shall ~~must~~ maintain hotline  
420 access for state, local, and federal law enforcement agencies to  
421 obtain instantaneous locator file and offender characteristics  
422 information on all released registered sexual predators for  
423 purposes of monitoring, tracking, and prosecution. The  
424 photograph and fingerprints do not have to be stored in a  
425 computerized format.

426 2. The department's sexual predator registration list,  
427 containing the information described in subparagraph (a)1., is a  
428 public record. The department may ~~is authorized to~~ disseminate  
429 this public information by any means deemed appropriate,  
430 including operating a toll-free telephone number for this  
431 purpose. When the department provides information regarding a  
432 registered sexual predator to the public, department personnel  
433 must advise the person making the inquiry that positive  
434 identification of a person believed to be a sexual predator  
435 cannot be established unless a fingerprint comparison is made,

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436 and that it is illegal to use public information regarding a  
437 registered sexual predator to facilitate the commission of a  
438 crime.

439 3. The department shall adopt guidelines as necessary  
440 regarding the registration of sexual predators and the  
441 dissemination of information regarding sexual predators as  
442 required by this section.

443 (1) A sexual predator shall ~~must~~ maintain registration with  
444 the department for the duration of his or her life, unless the  
445 sexual predator has received a full pardon or has had a  
446 conviction set aside in a postconviction proceeding for any  
447 offense that met the criteria for the sexual predator  
448 designation.

449 (8) VERIFICATION.—The department and the Department of  
450 Corrections shall implement a system for verifying the addresses  
451 of sexual predators. The system must be consistent with the  
452 provisions of the federal Adam Walsh Child Protection and Safety  
453 Act of 2006 and any other federal standards applicable to such  
454 verification or required to be met as a condition for the  
455 receipt of federal funds by the state. The Department of  
456 Corrections shall verify the addresses of sexual predators who  
457 are not incarcerated but who reside in the community under the  
458 supervision of the Department of Corrections and shall report to  
459 the department any failure by a sexual predator to comply with  
460 registration requirements. County and local law enforcement  
461 agencies, in conjunction with the department, shall verify the  
462 addresses of sexual predators who are not under the care,  
463 custody, control, or supervision of the Department of  
464 Corrections. Local law enforcement agencies shall report to the



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465 department any failure by a sexual predator to comply with  
466 registration requirements.

467 (a) A sexual predator must report in person each year  
468 during the month of the sexual predator's birthday and during  
469 every third month thereafter to the sheriff's office in the  
470 county in which he or she resides or is otherwise located to  
471 reregister. The sheriff's office may determine the appropriate  
472 times and days for reporting by the sexual predator, which shall  
473 be consistent with the reporting requirements of this paragraph.  
474 Reregistration must ~~shall~~ include any changes to the following  
475 information:

476 1. Name; social security number; age; race; sex; date of  
477 birth; height; weight; tattoos or other identifying marks; hair  
478 and eye color; address of any permanent residence and address of  
479 any current temporary residence, within the state or out of  
480 state, including a rural route address and a post office box; if  
481 no permanent or temporary address, any transient residence  
482 within the state; address, location or description, and dates of  
483 any current or known future temporary residence within the state  
484 or out of state; all any electronic mail addresses ~~address~~ and  
485 all Internet identifiers ~~any instant message name~~ required to be  
486 provided pursuant to subparagraph (6)(g)4.; all home telephone  
487 numbers ~~number~~ and any cellular telephone numbers ~~number~~; date  
488 and place of any employment; the ~~vehicle~~ make, model, color,  
489 registration number, and license tag number of all vehicles  
490 owned; fingerprints; palm prints; and photograph. A post office  
491 box may ~~shall~~ not be provided in lieu of a physical residential  
492 address. The sexual predator shall also produce his or her  
493 passport, if he or she has a passport, and, if he or she is an

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494 alien, shall produce or provide information about documents  
495 establishing his or her immigration status. The sexual predator  
496 shall also provide information about any professional licenses  
497 that he or she may hold.

498 2. If the sexual predator is enrolled, employed,  
499 volunteering, or carrying on a vocation at an institution of  
500 higher education in this state, the sexual predator shall also  
501 provide to the department the name, address, and county of each  
502 institution, including each campus attended, and the sexual  
503 predator's enrollment, volunteer, or employment status.

504 3. If the sexual predator's place of residence is a motor  
505 vehicle, trailer, mobile home, or manufactured home, as defined  
506 in chapter 320, the sexual predator shall also provide the  
507 vehicle identification number; the license tag number; the  
508 registration number; and a description, including color scheme,  
509 of the motor vehicle, trailer, mobile home, or manufactured  
510 home. If the sexual predator's place of residence is a vessel,  
511 live-aboard vessel, or houseboat, as defined in chapter 327, the  
512 sexual predator shall also provide the hull identification  
513 number; the manufacturer's serial number; the name of the  
514 vessel, live-aboard vessel, or houseboat; the registration  
515 number; and a description, including color scheme, of the  
516 vessel, live-aboard vessel, or houseboat.

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

521 (10) PENALTIES.—

522 (a) Except as otherwise specifically provided, a sexual

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523 predator who fails to register; who fails, after registration,  
524 to maintain, acquire, or renew a driver ~~driver's~~ license or  
525 identification card; who fails to provide required location  
526 information, electronic mail address information, Internet  
527 identifier ~~instant message name~~ information, all home telephone  
528 numbers ~~number~~ and any cellular telephone numbers ~~number~~, or  
529 change-of-name information; who fails to make a required report  
530 in connection with vacating a permanent residence; who fails to  
531 reregister as required; who fails to respond to any address  
532 verification correspondence from the department within 3 weeks  
533 after ~~of~~ the date of the correspondence; who knowingly provides  
534 false registration information by act or omission; or who  
535 otherwise fails, by act or omission, to comply with the  
536 requirements of this section, commits a felony of the third  
537 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
538 775.084.

539 Section 2. Paragraphs (a) and (g) of subsection (1),  
540 subsection (2), paragraphs (a) and (d) of subsection (4),  
541 subsections (7) and (8), and paragraph (c) of subsection (14) of  
542 section 943.0435, Florida Statutes, are amended to read:

543 943.0435 Sexual offenders required to register with the  
544 department; penalty.—

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

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

549 a.(I) Has been convicted of committing, or attempting,  
550 soliciting, or conspiring to commit, any of the criminal  
551 offenses proscribed in the following statutes in this state or

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552 similar offenses in another jurisdiction: s. 393.135(2); s.  
553 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where  
554 the victim is a minor and the defendant is not the victim's  
555 parent or guardian; s. 794.011, excluding s. 794.011(10); s.  
556 794.05; s. 796.03; s. 796.035; s. 796.045; s. 800.04; s.  
557 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.  
558 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s.  
559 916.1075(2); or s. 985.701(1); or any similar offense committed  
560 in this state which has been redesignated from a former statute  
561 number to one of those listed in this sub-sub-subparagraph; and  
562 (II) Has been released on or after October 1, 1997, from  
563 the sanction imposed for any conviction of an offense described  
564 in sub-sub-subparagraph (I). For purposes of sub-sub-  
565 subparagraph (I), a sanction imposed in this state or in any  
566 other jurisdiction includes, but is not limited to, a fine,  
567 probation, community control, parole, conditional release,  
568 control release, or incarceration in a state prison, federal  
569 prison, private correctional facility, or local detention  
570 facility;

571 b. Establishes or maintains a residence in this state and  
572 ~~who~~ has not been designated as a sexual predator by a court of  
573 this state but ~~who~~ has been designated as a sexual predator, as  
574 a sexually violent predator, or by another sexual offender  
575 designation in another state or jurisdiction and was, as a  
576 result of such designation, subjected to registration or  
577 community or public notification, or both, or would be if the  
578 person were a resident of that state or jurisdiction, without  
579 regard to whether the person otherwise meets the criteria for  
580 registration as a sexual offender;

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581 c. Establishes or maintains a residence in this state and  
582 ~~who~~ is in the custody or control of, or under the supervision  
583 of, any other state or jurisdiction as a result of a conviction  
584 for committing, or attempting, soliciting, or conspiring to  
585 commit, any of the criminal offenses proscribed in the following  
586 statutes or similar offense in another jurisdiction: s.  
587 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
588 787.025(2)(c), where the victim is a minor and the defendant is  
589 not the victim's parent or guardian; s. 794.011, excluding s.  
590 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 796.045; s.  
591 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
592 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;  
593 s. 916.1075(2); or s. 985.701(1); or any similar offense  
594 committed in this state which has been redesignated from a  
595 former statute number to one of those listed in this sub-  
596 subparagraph; or

597 d. On or after July 1, 2007, has been adjudicated  
598 delinquent for committing, or attempting, soliciting, or  
599 conspiring to commit, any of the criminal offenses proscribed in  
600 the following statutes in this state or similar offenses in  
601 another jurisdiction when the juvenile was 14 years of age or  
602 older at the time of the offense:

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

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

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

609 (IV) Section 800.04(5)(d) where the court finds the use of

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610 force or coercion and unclothed genitals.

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

614

615 For each violation of a qualifying offense listed in this  
616 subsection, except for a violation of s. 794.011, the court  
617 shall make a written finding of the age of the victim at the  
618 time of the offense. For a violation of s. 800.04(4), the court  
619 shall additionally make a written finding indicating that the  
620 offense did or did not involve sexual activity and indicating  
621 that the offense did or did not involve force or coercion. For a  
622 violation of s. 800.04(5), the court shall additionally make a  
623 written finding that the offense did or did not involve  
624 unclothed genitals or genital area and that the offense did or  
625 did not involve the use of force or coercion.

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

630 (2) A sexual offender shall:

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

632 1. In the county in which the offender establishes or  
633 maintains a permanent, temporary, or transient residence within  
634 48 hours after:

635 a. Establishing permanent, temporary, or transient  
636 residence in this state; or

637 b. Being released from the custody, control, or supervision  
638 of the Department of Corrections or from the custody of a

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639 private correctional facility; or

640 2. In the county where he or she was convicted within 48  
641 hours after being convicted for a qualifying offense for  
642 registration under this section if the offender is not in the  
643 custody or control of, or under the supervision of, the  
644 Department of Corrections, or is not in the custody of a private  
645 correctional facility.

646

647 Any change in the information required to be provided pursuant  
648 to paragraph (b), including, but not limited to, any change in  
649 the sexual offender's permanent, temporary, or transient  
650 residence, name, or any electronic mail address or Internet  
651 identifier ~~and any instant message name~~ required to be provided  
652 pursuant to paragraph (4) (d), after the sexual offender reports  
653 in person at the sheriff's office, shall be accomplished in the  
654 manner provided in subsections (4), (7), and (8).

655 (b) Provide his or her name; date of birth; social security  
656 number; race; sex; height; weight; hair and eye color; tattoos  
657 or other identifying marks; occupation and place of employment;  
658 address of permanent or legal residence or address of any  
659 current temporary residence, within the state or out of state,  
660 including a rural route address and a post office box; if no  
661 permanent or temporary address, any transient residence within  
662 the state, address, location or description, and dates of any  
663 current or known future temporary residence within the state or  
664 out of state; the make, model, color, registration number, and  
665 license tag number of all vehicles owned; all home telephone  
666 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; all  
667 ~~any~~ electronic mail addresses ~~address~~ and all Internet

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668 identifiers ~~any instant message name~~ required to be provided  
669 pursuant to paragraph (4) (d); fingerprints; palm prints;  
670 photograph; date and place of each conviction; and a brief  
671 description of the crime or crimes committed by the offender. A  
672 post office box may ~~shall~~ not be provided in lieu of a physical  
673 residential address. The sexual offender shall also produce his  
674 or her passport, if he or she has a passport, and, if he or she  
675 is an alien, shall produce or provide information about  
676 documents establishing his or her immigration status. The sexual  
677 predator shall also provide information about any professional  
678 licenses that he or she may hold.

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

693 2. If the sexual offender is enrolled, employed,  
694 volunteering, or carrying on a vocation at an institution of  
695 higher education in this state, the sexual offender shall also  
696 provide to the department through the sheriff's office the name,



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697 address, and county of each institution, including each campus  
698 attended, and the sexual offender's enrollment or employment  
699 status. Each change in enrollment, volunteer, or employment  
700 status shall be reported in person at the sheriff's office,  
701 within 48 hours after any change in status. The sheriff shall  
702 promptly notify each institution of the sexual offender's  
703 presence and any change in the sexual offender's enrollment,  
704 volunteer, or employment status.

705 (c) Provide any other information determined necessary by  
706 the department, including criminal and corrections records;  
707 nonprivileged personnel and treatment records; and evidentiary  
708 genetic markers when available.

709  
710 When a sexual offender reports at the sheriff's office, the  
711 sheriff shall take a photograph, ~~and~~ a set of fingerprints, and  
712 palm prints of the offender and forward the photographs, ~~and~~  
713 fingerprints, and palm prints to the department, along with the  
714 information provided by the sexual offender. The sheriff shall  
715 promptly provide to the department the information received from  
716 the sexual offender.

717 (4) (a) Each time that a sexual offender's driver ~~driver's~~  
718 license or identification card is subject to renewal, and,  
719 without regard to the status of the offender's driver ~~driver's~~  
720 license or identification card, within 48 hours after any change  
721 in the offender's permanent, temporary, or transient residence  
722 or change in the offender's name by reason of marriage or other  
723 legal process, the offender shall report in person to a driver  
724 ~~driver's~~ license office, and is ~~shall be~~ subject to the  
725 requirements specified in subsection (3). The Department of

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726 Highway Safety and Motor Vehicles shall forward to the  
727 department all photographs and information provided by sexual  
728 offenders. Notwithstanding the restrictions set forth in s.  
729 322.142, the Department of Highway Safety and Motor Vehicles may  
730 ~~is authorized to~~ release a reproduction of a color-photograph or  
731 digital-image license to the Department of Law Enforcement for  
732 purposes of public notification of sexual offenders as provided  
733 in this section and ss. 943.043 and 944.606. A sexual offender  
734 who is unable to secure or update a driver license or  
735 identification card with the Department of Highway Safety and  
736 Motor Vehicles as provided in subsection (3) and this  
737 subsection, shall report any change in permanent, temporary, or  
738 transient residence or change in name by reason of marriage or  
739 other legal process within 48 hours after the change to the  
740 sheriff's office in the county where the offender resides or is  
741 located. The sexual offender shall also provide confirmation  
742 that he or she has reported the change to the Department of  
743 Highway Safety and Motor Vehicles.

744 (d) A sexual offender shall ~~must~~ register all any  
745 electronic mail addresses and Internet identifiers ~~address or~~  
746 ~~instant message name~~ with the department before ~~prior to~~ using  
747 such electronic mail addresses and Internet identifiers ~~address~~  
748 ~~or instant message name on or after October 1, 2007.~~ The  
749 department shall establish an online system through which sexual  
750 offenders may securely access and update all electronic mail  
751 address and Internet identifier ~~instant message name~~  
752 information.

753 (7) A sexual offender who intends to establish a permanent,  
754 temporary, or transient residence in another state or

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755 jurisdiction other than the State of Florida shall report in  
756 person to the sheriff of the county of current residence within  
757 48 hours before the date he or she intends to leave this state  
758 to establish residence in another state or jurisdiction or  
759 within 21 days before his or her planned departure date if he or  
760 she intends to reside 5 days or more outside the United States.  
761 The notification must include the address, municipality, county,  
762 ~~and state,~~ and country of intended residence. The sheriff shall  
763 promptly provide to the department the information received from  
764 the sexual offender. The department shall notify the statewide  
765 law enforcement agency, or a comparable agency, in the intended  
766 state, ~~or jurisdiction,~~ or country of residence of the sexual  
767 offender's intended residence. The failure of a sexual offender  
768 to provide his or her intended place of residence is punishable  
769 as provided in subsection (9).

770 (8) A sexual offender who indicates his or her intent to  
771 establish a permanent, temporary, or transient residence in  
772 another state, a ~~or~~ jurisdiction other than the State of  
773 Florida, or another country and later decides to remain in this  
774 state shall, within 48 hours after the date upon which the  
775 sexual offender indicated he or she would leave this state,  
776 report in person to the sheriff to which the sexual offender  
777 reported the intended change of permanent, temporary, or  
778 transient residence, and report his or her intent to remain in  
779 this state. The sheriff shall promptly report this information  
780 to the department. A sexual offender who reports his or her  
781 intent to establish a permanent, temporary, or transient  
782 residence in another state, a ~~or~~ jurisdiction other than the  
783 State of Florida, or another country but who remains in this

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784 state without reporting to the sheriff in the manner required by  
785 this subsection commits a felony of the second degree,  
786 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

787 (14)

788 (c) The sheriff's office may determine the appropriate  
789 times and days for reporting by the sexual offender, which shall  
790 be consistent with the reporting requirements of this  
791 subsection. Reregistration must ~~shall~~ include any changes to the  
792 following information:

793 1. Name; social security number; age; race; sex; date of  
794 birth; height; weight; hair and eye color; address of any  
795 permanent residence and address of any current temporary  
796 residence, within the state or out of state, including a rural  
797 route address and a post office box; if no permanent or  
798 temporary address, any transient residence within the state;  
799 address, location or description, and dates of any current or  
800 known future temporary residence within the state or out of  
801 state; all any electronic mail addresses ~~address~~ and all  
802 Internet identifiers ~~any instant message name~~ required to be  
803 provided pursuant to paragraph (4) (d); all home telephone  
804 numbers ~~number~~ and all any cellular telephone numbers ~~number~~;  
805 date and place of any employment; the ~~vehicle~~ make, model,  
806 color, registration number, and license tag number of all  
807 vehicles owned; fingerprints; palm prints; and photograph. A  
808 post office box may ~~shall~~ not be provided in lieu of a physical  
809 residential address. The sexual offender shall also produce his  
810 or her passport, if he or she has a passport, and, if he or she  
811 is an alien, shall produce or provide information about  
812 documents establishing his or her immigration status. The sexual

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813 offender shall also provide information about any professional  
814 licenses he or she may hold.

815 2. If the sexual offender is enrolled, volunteering,  
816 employed, or carrying on a vocation at an institution of higher  
817 education in this state, the sexual offender shall also provide  
818 to the department the name, address, and county of each  
819 institution, including each campus attended, and the sexual  
820 offender's enrollment, volunteer, or employment status.

821 3. If the sexual offender's place of residence is a motor  
822 vehicle, trailer, mobile home, or manufactured home, as defined  
823 in chapter 320, the sexual offender shall also provide the  
824 vehicle identification number; the license tag number; the  
825 registration number; and a description, including color scheme,  
826 of the motor vehicle, trailer, mobile home, or manufactured  
827 home. If the sexual offender's place of residence is a vessel,  
828 live-aboard vessel, or houseboat, as defined in chapter 327, the  
829 sexual offender shall also provide the hull identification  
830 number; the manufacturer's serial number; the name of the  
831 vessel, live-aboard vessel, or houseboat; the registration  
832 number; and a description, including color scheme, of the  
833 vessel, live-aboard vessel, or houseboat.

834 4. Any sexual offender who fails to report in person as  
835 required at the sheriff's office, ~~or~~ who fails to respond to any  
836 address verification correspondence from the department within 3  
837 weeks after ~~of~~ the date of the correspondence, ~~or~~ who fails to  
838 report all electronic mail addresses and all Internet  
839 identifiers ~~or instant message names,~~ or who knowingly provides  
840 false registration information by act or omission commits a  
841 felony of the third degree, punishable as provided in s.

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842 775.082, s. 775.083, or s. 775.084.

843 Section 3. Section 943.04351, Florida Statutes, is amended  
844 to read:

845 943.04351 Search of registration information regarding  
846 sexual predators and sexual offenders required before ~~prior to~~  
847 appointment or employment.—A state agency or governmental  
848 subdivision, before ~~prior to~~ making any decision to appoint or  
849 employ a person to work, ~~whether~~ for compensation or as a  
850 volunteer, at any park, playground, day care center, or other  
851 place where children regularly congregate, must conduct a search  
852 of that person's name or other identifying information against  
853 the registration information regarding sexual predators and  
854 sexual offenders maintained by the Department of Law Enforcement  
855 under s. 943.043. The agency or governmental subdivision may  
856 conduct the search using the Internet site maintained by the  
857 Department of Law Enforcement. In addition, a national search  
858 must be conducted through the Dru Sjodin National Sex Offender  
859 Public Website maintained by the United States Department of  
860 Justice. This section does not apply to those positions or  
861 appointments within a state agency or governmental subdivision  
862 for which a state and national criminal history background check  
863 is conducted.

864 Section 4. Section 943.04354, Florida Statutes, is amended  
865 to read:

866 943.04354 Removal of the requirement to register as a  
867 sexual offender or sexual predator in special circumstances.—

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

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871 (a) Was ~~or will be~~ convicted, regardless of adjudication,  
872 or adjudicated delinquent of a violation of s. 794.011, s.  
873 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in  
874 another jurisdiction, ~~or the person committed a violation of s.~~  
875 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~  
876 ~~adjudication of guilt was or will be withheld,~~ and the person  
877 does not have any other conviction, regardless of adjudication,  
878 or adjudication of delinquency, ~~or withhold of adjudication of~~  
879 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or  
880 s. 847.0135(5), or a similar offense in another jurisdiction;

881 (b) 1. Was convicted, regardless of adjudication, or  
882 adjudicated delinquent of an offense listed in paragraph (a) and  
883 is required to register as a sexual offender or sexual predator  
884 solely on the basis of this conviction or adjudication  
885 violation; or and

886 2. Was convicted, regardless of adjudication, or  
887 adjudicated delinquent of an offense in another jurisdiction  
888 which is similar to an offense listed in paragraph (a) and no  
889 longer meets the criteria for registration as a sexual offender  
890 under the laws of the jurisdiction where the similar offense  
891 occurred; and

892 (c) Is not more than 4 years older than the victim of this  
893 violation who was 13 ~~14~~ years of age or older but less ~~not more~~  
894 than 18 ~~17~~ years of age at the time the person committed this  
895 violation.

896 (2) If a person meets the criteria in subsection (1) ~~and~~  
897 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~  
898 ~~847.0135(5) was committed on or after July 1, 2007,~~ the person  
899 may move the sentencing court, or, if the person was convicted

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900 or adjudicated delinquent of a qualifying offense in another  
901 jurisdiction, the criminal circuit court of the circuit in which  
902 the person resides, ~~that will sentence or dispose of this~~  
903 ~~violation~~ to remove the requirement that the person register as  
904 a sexual offender or sexual predator. The person must allege in  
905 the motion that he or she meets the criteria in subsection (1)  
906 and that removal of the registration requirement will not  
907 conflict with federal law. A person who was convicted or  
908 adjudicated delinquent of an offense in another jurisdiction  
909 which is similar to an offense listed in paragraph (1)(a) must  
910 provide the court written confirmation that he or she is not  
911 required to register in the state where the conviction or  
912 adjudication occurred. The state attorney and the department  
913 must be given notice of the motion at least 21 days before the  
914 date of sentencing, the date of ~~or~~ disposition of the ~~this~~  
915 violation, or the date of hearing on the motion. The state  
916 attorney or the department ~~and~~ may present evidence in  
917 opposition to the requested relief or may otherwise demonstrate  
918 why the motion should be denied. At sentencing, ~~or~~ disposition  
919 of the ~~this~~ violation, or hearing on the motion, the court shall  
920 rule on this motion. ~~and,~~ If the court determines that the  
921 person meets the criteria in subsection (1) and that the removal  
922 of the registration requirement will not conflict with federal  
923 law, the court ~~it~~ may grant the motion and order the removal of  
924 the registration requirement. The court shall instruct the  
925 person to provide to the department a certified copy of the  
926 order granting relief. If the court denies the motion, the  
927 person may not petition ~~is not authorized~~ under this section ~~to~~  
928 ~~petition~~ for removal of the registration requirement.



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929       ~~(3)(a) This subsection applies to a person who:~~  
930       ~~1. Is not a person described in subsection (2) because the~~  
931 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~  
932 ~~committed on or after July 1, 2007;~~  
933       ~~2. Is subject to registration as a sexual offender or~~  
934 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~  
935 ~~827.071; and~~  
936       ~~3. Meets the criteria in subsection (1).~~  
937       ~~(b) A person may petition the court in which the sentence~~  
938 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~  
939 ~~827.071 occurred for removal of the requirement to register as a~~  
940 ~~sexual offender or sexual predator. The person must allege in~~  
941 ~~the petition that he or she meets the criteria in subsection (1)~~  
942 ~~and removal of the registration requirement will not conflict~~  
943 ~~with federal law. The state attorney must be given notice of the~~  
944 ~~petition at least 21 days before the hearing on the petition and~~  
945 ~~may present evidence in opposition to the requested relief or~~  
946 ~~may otherwise demonstrate why the petition should be denied. The~~  
947 ~~court shall rule on the petition and, if the court determines~~  
948 ~~the person meets the criteria in subsection (1) and removal of~~  
949 ~~the registration requirement will not conflict with federal law,~~  
950 ~~it may grant the petition and order the removal of the~~  
951 ~~registration requirement. If the court denies the petition, the~~  
952 ~~person is not authorized under this section to file any further~~  
953 ~~petition for removal of the registration requirement.~~  
954       (3)(4) If a person provides to the Department of Law  
955 Enforcement a certified copy of the court's order removing the  
956 requirement that the person register as a sexual offender or  
957 sexual predator for the violation of s. 794.011, s. 800.04, s.

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958 827.071, or s. 847.0135(5), or a similar offense in another  
959 jurisdiction, the registration requirement does ~~will~~ not apply  
960 to the person and the department shall remove all information  
961 about the person from the public registry of sexual offenders  
962 and sexual predators maintained by the department. However, the  
963 removal of this information from the public registry does not  
964 mean that the public is denied access to information about the  
965 person's criminal history or record which ~~that~~ is otherwise  
966 available as a public record.

967 Section 5. Subsection (2) and paragraph (a) of subsection  
968 (3) of section 943.0437, Florida Statutes, are amended to read:

969 943.0437 Commercial social networking websites.—

970 (2) The department may provide information relating to  
971 electronic mail addresses and Internet identifiers ~~instant~~  
972 ~~message names~~ maintained as part of the sexual offender registry  
973 to commercial social networking websites or third parties  
974 designated by commercial social networking websites. The  
975 commercial social networking website may use this information  
976 for the purpose of comparing registered users and screening  
977 potential users of the commercial social networking website  
978 against the list of electronic mail addresses and Internet  
979 identifiers ~~instant message names~~ provided by the department.

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

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

986 Section 6. Paragraphs (b) and (d) of subsection (1) and

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987 paragraph (a) of subsection (3) of section 944.606, Florida  
988 Statutes, are amended to read:

989 944.606 Sexual offenders; notification upon release.-

990 (1) As used in this section:

991 (b) "Sexual offender" means a person who has been convicted  
992 of committing, or attempting, soliciting, or conspiring to  
993 commit, any of the criminal offenses proscribed in the following  
994 statutes in this state or similar offenses in another  
995 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.  
996 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
997 defendant is not the victim's parent or guardian; s. 794.011,  
998 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.045; s.  
999 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
1000 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s.  
1001 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar  
1002 offense committed in this state which has been redesignated from  
1003 a former statute number to one of those listed in this  
1004 subsection, when the department has received verified  
1005 information regarding such conviction; an offender's  
1006 computerized criminal history record is not, in and of itself,  
1007 verified information.

1008 (d) "Internet identifier Instant message name" has the same  
1009 meaning as provided in s. 775.21 ~~means an identifier that allows~~  
1010 ~~a person to communicate in real time with another person using~~  
1011 ~~the Internet.~~

1012 (3) (a) The department must provide information regarding  
1013 any sexual offender who is being released after serving a period  
1014 of incarceration for any offense, as follows:

1015 1. The department must provide: the sexual offender's name,

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1016 any change in the offender's name by reason of marriage or other  
1017 legal process, and any alias, if known; the correctional  
1018 facility from which the sexual offender is released; the sexual  
1019 offender's social security number, race, sex, date of birth,  
1020 height, weight, and hair and eye color; address of any planned  
1021 permanent residence or temporary residence, within the state or  
1022 out of state, including a rural route address and a post office  
1023 box; if no permanent or temporary address, any transient  
1024 residence within the state; address, location or description,  
1025 and dates of any known future temporary residence within the  
1026 state or out of state; date and county of sentence and each  
1027 crime for which the offender was sentenced; a copy of the  
1028 offender's fingerprints, palm prints, and a digitized photograph  
1029 taken within 60 days before release; the date of release of the  
1030 sexual offender; all any electronic mail addresses address and  
1031 all Internet identifiers any instant message name required to be  
1032 provided pursuant to s. 943.0435(4)(d); all and home telephone  
1033 numbers number and any cellular telephone numbers; information  
1034 about any professional licenses the offender may have, if known;  
1035 and passport information, if he or she has a passport, and, if  
1036 he or she is an alien, information about documents establishing  
1037 his or her immigration status number. The department shall  
1038 notify the Department of Law Enforcement if the sexual offender  
1039 escapes, absconds, or dies. If the sexual offender is in the  
1040 custody of a private correctional facility, the facility shall  
1041 take the digitized photograph of the sexual offender within 60  
1042 days before the sexual offender's release and provide this  
1043 photograph to the Department of Corrections and also place it in  
1044 the sexual offender's file. If the sexual offender is in the

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1045 custody of a local jail, the custodian of the local jail shall  
1046 register the offender within 3 business days after intake of the  
1047 offender for any reason and upon release, and shall notify the  
1048 Department of Law Enforcement of the sexual offender's release  
1049 and provide to the Department of Law Enforcement the information  
1050 specified in this paragraph and any information specified in  
1051 subparagraph 2. that the Department of Law Enforcement requests.

1052 2. The department may provide any other information deemed  
1053 necessary, including criminal and corrections records,  
1054 nonprivileged personnel and treatment records, when available.

1055 Section 7. Paragraphs (a) and (f) of subsection (1),  
1056 subsection (4), and paragraph (c) of subsection (13) of section  
1057 944.607, Florida Statutes, are amended to read:

1058 944.607 Notification to Department of Law Enforcement of  
1059 information on sexual offenders.-

1060 (1) As used in this section, the term:

1061 (a) "Sexual offender" means a person who is in the custody  
1062 or control of, or under the supervision of, the department or is  
1063 in the custody of a private correctional facility:

1064 1. On or after October 1, 1997, as a result of a conviction  
1065 for committing, or attempting, soliciting, or conspiring to  
1066 commit, any of the criminal offenses proscribed in the following  
1067 statutes in this state or similar offenses in another  
1068 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.  
1069 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
1070 defendant is not the victim's parent or guardian; s. 794.011,  
1071 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.  
1072 796.045; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.  
1073 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s.

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1074 847.0145; s. 916.1075; or s. 985.701(1); or any similar offense  
 1075 committed in this state which has been redesignated from a  
 1076 former statute number to one of those listed in this paragraph;  
 1077 or

1078 2. Who establishes or maintains a residence in this state  
 1079 and who has not been designated as a sexual predator by a court  
 1080 of this state but who has been designated as a sexual predator,  
 1081 as a sexually violent predator, or by another sexual offender  
 1082 designation in another state or jurisdiction and was, as a  
 1083 result of such designation, subjected to registration or  
 1084 community or public notification, or both, or would be if the  
 1085 person were a resident of that state or jurisdiction, without  
 1086 regard as to whether the person otherwise meets the criteria for  
 1087 registration as a sexual offender.

1088 (f) "Internet identifier ~~Instant message name~~" has the same  
 1089 meaning as provided in s. 775.21 ~~means an identifier that allows~~  
 1090 ~~a person to communicate in real time with another person using~~  
 1091 ~~the Internet.~~

1092 (4) A sexual offender, as described in this section, who is  
 1093 under the supervision of the Department of Corrections but is  
 1094 not incarcerated shall ~~must~~ register with the Department of  
 1095 Corrections within 3 business days after sentencing for a  
 1096 registrable offense and otherwise provide information as  
 1097 required by this subsection.

1098 (a) The sexual offender shall provide his or her name; date  
 1099 of birth; social security number; race; sex; height; weight;  
 1100 hair and eye color; tattoos or other identifying marks; all ~~any~~  
 1101 electronic mail addresses ~~address~~ and all Internet identifiers  
 1102 ~~any instant message name~~ required to be provided pursuant to s.

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1103 943.0435(4)(d); the make, model, color, registration number, and  
1104 license tag number of all vehicles owned; permanent or legal  
1105 residence and address of temporary residence within the state or  
1106 out of state while the sexual offender is under supervision in  
1107 this state, including any rural route address or post office  
1108 box; if no permanent or temporary address, any transient  
1109 residence within the state; and address, location or  
1110 description, and dates of any current or known future temporary  
1111 residence within the state or out of state. The sexual offender  
1112 shall also produce his or her passport, if he or she has a  
1113 passport, and, if he or she is an alien, shall produce or  
1114 provide information about documents establishing his or her  
1115 immigration status. The Department of Corrections shall verify  
1116 the address of each sexual offender in the manner described in  
1117 ss. 775.21 and 943.0435. The department shall report to the  
1118 Department of Law Enforcement any failure by a sexual predator  
1119 or sexual offender to comply with registration requirements.

1120 (b) If the sexual offender is enrolled, employed,  
1121 volunteering, or carrying on a vocation at an institution of  
1122 higher education in this state, the sexual offender shall  
1123 provide the name, address, and county of each institution,  
1124 including each campus attended, and the sexual offender's  
1125 enrollment, volunteer, or employment status. Each change in  
1126 enrollment, volunteer, or employment status shall be reported to  
1127 the department within 48 hours after the change in status. The  
1128 Department of Corrections shall promptly notify each institution  
1129 of the sexual offender's presence and any change in the sexual  
1130 offender's enrollment, volunteer, or employment status.

1131 (13)

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1132 (c) The sheriff's office may determine the appropriate  
1133 times and days for reporting by the sexual offender, which shall  
1134 be consistent with the reporting requirements of this  
1135 subsection. Reregistration must ~~shall~~ include any changes to the  
1136 following information:

1137 1. Name; social security number; age; race; sex; date of  
1138 birth; height; weight; hair and eye color; address of any  
1139 permanent residence and address of any current temporary  
1140 residence, within the state or out of state, including a rural  
1141 route address and a post office box; if no permanent or  
1142 temporary address, any transient residence; address, location or  
1143 description, and dates of any current or known future temporary  
1144 residence within the state or out of state; all ~~any~~ electronic  
1145 mail addresses ~~address~~ and all Internet identifiers ~~any instant~~  
1146 ~~message name~~ required to be provided pursuant to s.

1147 943.0435(4)(d); date and place of any employment; the vehicle  
1148 make, model, color, registration number, and license tag number  
1149 of all vehicles owned; fingerprints; palm prints; and  
1150 photograph. A post office box may ~~shall~~ not be provided in lieu  
1151 of a physical residential address. The sexual offender shall  
1152 also produce his or her passport, if he or she has a passport,  
1153 and, if he or she is an alien, shall produce or provide  
1154 information about documents establishing his or her immigration  
1155 status. The offender shall also provide information about any  
1156 professional licenses he or she may hold.

1157 2. If the sexual offender is enrolled, employed,  
1158 volunteering, or carrying on a vocation at an institution of  
1159 higher education in this state, the sexual offender shall also  
1160 provide to the department the name, address, and county of each



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1161 institution, including each campus attended, and the sexual  
1162 offender's enrollment, volunteer, or employment status.

1163 3. If the sexual offender's place of residence is a motor  
1164 vehicle, trailer, mobile home, or manufactured home, as defined  
1165 in chapter 320, the sexual offender shall also provide the  
1166 vehicle identification number; the license tag number; the  
1167 registration number; and a description, including color scheme,  
1168 of the motor vehicle, trailer, mobile home, or manufactured  
1169 home. If the sexual offender's place of residence is a vessel,  
1170 live-aboard vessel, or houseboat, as defined in chapter 327, the  
1171 sexual offender shall also provide the hull identification  
1172 number; the manufacturer's serial number; the name of the  
1173 vessel, live-aboard vessel, or houseboat; the registration  
1174 number; and a description, including color scheme, of the  
1175 vessel, live-aboard vessel, or houseboat.

1176 4. Any sexual offender who fails to report in person as  
1177 required at the sheriff's office, ~~or~~ who fails to respond to any  
1178 address verification correspondence from the department within 3  
1179 weeks of the date of the correspondence, ~~or~~ who fails to report  
1180 all electronic mail addresses and all Internet identifiers ~~or~~  
1181 instant message names, or who knowingly provides false  
1182 registration information by act or omission commits a felony of  
1183 the third degree, punishable as provided in s. 775.082, s.  
1184 775.083, or s. 775.084.

1185 Section 8. Subsection (11) of section 947.005, Florida  
1186 Statutes, is amended to read:

1187 947.005 Definitions.—As used in this chapter, unless the  
1188 context clearly indicates otherwise:

1189 (11) "Risk assessment" means an assessment completed by a

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1190 ~~an independent~~ qualified practitioner to evaluate the level of  
1191 risk associated when a sex offender has contact with a child.

1192 Section 9. Section 948.31, Florida Statutes, is amended to  
1193 read:

1194 948.31 Evaluation and treatment of sexual predators and  
1195 offenders on probation or community control.—The court may ~~shall~~  
1196 ~~require an evaluation by a qualified practitioner to determine~~  
1197 ~~the need of a probationer or community controllee for treatment.~~  
1198 ~~If the court determines that a need therefor is established by~~  
1199 ~~the evaluation process, the court shall require sexual offender~~  
1200 ~~treatment as a term or condition of probation or community~~  
1201 ~~control for any probationer or community controllee person who~~  
1202 ~~is required to register as a sexual predator under s. 775.21 or~~  
1203 ~~sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to~~  
1204 ~~undergo an evaluation by a qualified practitioner to determine~~  
1205 ~~whether the probationer or community controllee needs sexual~~  
1206 ~~offender treatment. If the qualified practitioner determines~~  
1207 ~~that sexual offender treatment is needed and recommends~~  
1208 ~~treatment, the probationer or community controllee must~~  
1209 ~~successfully complete and pay for the treatment. Such treatment~~  
1210 ~~must ~~shall be required to~~ be obtained from a qualified~~  
1211 ~~practitioner as defined in s. 948.001. Treatment may not be~~  
1212 ~~administered by a qualified practitioner who has been convicted~~  
1213 ~~or adjudicated delinquent of committing, or attempting,~~  
1214 ~~soliciting, or conspiring to commit, any offense that is listed~~  
1215 ~~in s. 943.0435(1)(a)1.a.(I). ~~The court shall impose a~~~~  
1216 ~~~~restriction against contact with minors if sexual offender~~~~  
1217 ~~~~treatment is recommended. The evaluation and recommendations for~~~~  
1218 ~~~~treatment of the probationer or community controllee shall be~~~~

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1219 ~~provided to the court for review.~~

1220 Section 10. Paragraph (a) of subsection (3) of section  
1221 985.481, Florida Statutes, is amended to read:

1222 985.481 Sexual offenders adjudicated delinquent;  
1223 notification upon release.-

1224 (3) (a) The department must provide information regarding  
1225 any sexual offender who is being released after serving a period  
1226 of residential commitment under the department for any offense,  
1227 as follows:

1228 1. The department must provide the sexual offender's name,  
1229 any change in the offender's name by reason of marriage or other  
1230 legal process, and any alias, if known; the correctional  
1231 facility from which the sexual offender is released; the sexual  
1232 offender's social security number, race, sex, date of birth,  
1233 height, weight, and hair and eye color; the make, model, color,  
1234 registration number, and license tag number of all vehicles  
1235 owned, if known; address of any planned permanent residence or  
1236 temporary residence, within the state or out of state, including  
1237 a rural route address and a post office box; if no permanent or  
1238 temporary address, any transient residence within the state;  
1239 address, location or description, and dates of any known future  
1240 temporary residence within the state or out of state; date and  
1241 county of disposition and each crime for which there was a  
1242 disposition; a copy of the offender's fingerprints and a  
1243 digitized photograph taken within 60 days before release; the  
1244 date of release of the sexual offender; ~~all~~ ~~and~~ home telephone  
1245 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information  
1246 about any professional licenses that the offender may hold, if  
1247 known; and passport information, if he or she has a passport,

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1248 and, if he or she is an alien, information about documents  
1249 establishing his or her immigration status ~~number~~. The  
1250 department shall notify the Department of Law Enforcement if the  
1251 sexual offender escapes, absconds, or dies. If the sexual  
1252 offender is in the custody of a private correctional facility,  
1253 the facility shall take the digitized photograph of the sexual  
1254 offender within 60 days before the sexual offender's release and  
1255 also place it in the sexual offender's file. If the sexual  
1256 offender is in the custody of a local jail, the custodian of the  
1257 local jail shall register the offender within 3 business days  
1258 after intake of the offender for any reason and upon release,  
1259 and shall notify the Department of Law Enforcement of the sexual  
1260 offender's release and provide to the Department of Law  
1261 Enforcement the information specified in this subparagraph and  
1262 any information specified in subparagraph 2. which the  
1263 Department of Law Enforcement requests.

1264 2. The department may provide any other information  
1265 considered necessary, including criminal and delinquency  
1266 records, when available.

1267 Section 11. Subsection (4) and paragraph (b) of subsection  
1268 (13) of section 985.4815, Florida Statutes, are amended to read:

1269 985.4815 Notification to Department of Law Enforcement of  
1270 information on juvenile sexual offenders.—

1271 (4) A sexual offender, as described in this section, who is  
1272 under the supervision of the department but who is not committed  
1273 shall ~~must~~ register with the department within 3 business days  
1274 after adjudication and disposition for a registrable offense and  
1275 otherwise provide information as required by this subsection.

1276 (a) The sexual offender shall provide his or her name; date

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1277 of birth; social security number; race; sex; height; weight;  
1278 hair and eye color; tattoos or other identifying marks; the  
1279 make, model, color, registration number, and license tag number  
1280 of all vehicles owned; permanent or legal residence and address  
1281 of temporary residence within the state or out of state while  
1282 the sexual offender is in the care or custody or under the  
1283 jurisdiction or supervision of the department in this state,  
1284 including any rural route address or post office box; if no  
1285 permanent or temporary address, any transient residence;  
1286 address, location or description, and dates of any current or  
1287 known future temporary residence within the state or out of  
1288 state; and the name and address of each school attended. The  
1289 sexual offender shall also produce his or her passport, if he or  
1290 she has a passport, and, if he or she is an alien, shall produce  
1291 or provide information about documents establishing his or her  
1292 immigration status. The offender shall also provide information  
1293 about any professional licenses that he or she may hold. The  
1294 department shall verify the address of each sexual offender and  
1295 shall report to the Department of Law Enforcement any failure by  
1296 a sexual offender to comply with registration requirements.

1297 (b) If the sexual offender is enrolled, employed,  
1298 volunteering, or carrying on a vocation at an institution of  
1299 higher education in this state, the sexual offender shall  
1300 provide the name, address, and county of each institution,  
1301 including each campus attended, and the sexual offender's  
1302 enrollment, volunteer, or employment status. Each change in  
1303 enrollment, volunteer, or employment status shall be reported to  
1304 the department within 48 hours after the change in status. The  
1305 department shall promptly notify each institution of the sexual

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1306 offender's presence and any change in the sexual offender's  
1307 enrollment, volunteer, or employment status.

1308 (13)

1309 (b) The sheriff's office may determine the appropriate  
1310 times and days for reporting by the sexual offender, which shall  
1311 be consistent with the reporting requirements of this  
1312 subsection. Reregistration must ~~shall~~ include any changes to the  
1313 following information:

1314 1. Name; social security number; age; race; sex; date of  
1315 birth; height; weight; hair and eye color; fingerprints; palm  
1316 prints; address of any permanent residence and address of any  
1317 current temporary residence, within the state or out of state,  
1318 including a rural route address and a post office box; if no  
1319 permanent or temporary address, any transient residence;  
1320 address, location or description, and dates of any current or  
1321 known future temporary residence within the state or out of  
1322 state; passport information, if he or she has a passport, and,  
1323 if he or she is an alien, information about documents  
1324 establishing his or her immigration status; name and address of  
1325 each school attended; date and place of any employment; the  
1326 ~~vehicle~~ make, model, color, registration number, and license tag  
1327 number of all vehicles owned; fingerprints; and photograph. A  
1328 post office box may ~~shall~~ not be provided in lieu of a physical  
1329 residential address. The offender shall also provide information  
1330 about any professional licenses that he or she may hold.

1331 2. If the sexual offender is enrolled, employed,  
1332 volunteering, or carrying on a vocation at an institution of  
1333 higher education in this state, the sexual offender shall also  
1334 provide to the department the name, address, and county of each

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1335 institution, including each campus attended, and the sexual  
1336 offender's enrollment, volunteer, or employment status.

1337 3. If the sexual offender's place of residence is a motor  
1338 vehicle, trailer, mobile home, or manufactured home, as defined  
1339 in chapter 320, the sexual offender shall also provide the  
1340 vehicle identification number; the license tag number; the  
1341 registration number; and a description, including color scheme,  
1342 of the motor vehicle, trailer, mobile home, or manufactured  
1343 home. If the sexual offender's place of residence is a vessel,  
1344 live-aboard vessel, or houseboat, as defined in chapter 327, the  
1345 sexual offender shall also provide the hull identification  
1346 number; the manufacturer's serial number; the name of the  
1347 vessel, live-aboard vessel, or houseboat; the registration  
1348 number; and a description, including color scheme, of the  
1349 vessel, live-aboard vessel, or houseboat.

1350 4. Any sexual offender who fails to report in person as  
1351 required at the sheriff's office, ~~or~~ who fails to respond to any  
1352 address verification correspondence from the department within 3  
1353 weeks after the date of the correspondence, or who knowingly  
1354 provides false registration information by act or omission  
1355 commits a felony of the third degree, punishable as provided in  
1356 ss. 775.082, 775.083, and 775.084.

1357 Section 12. Paragraphs (g) and (i) of subsection (3) of  
1358 section 921.0022, Florida Statutes, are amended to read:

1359 921.0022 Criminal Punishment Code; offense severity ranking  
1360 chart.—

1361 (3) OFFENSE SEVERITY RANKING CHART

1362 (g) LEVEL 7

1363

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	Florida Statute	Felony Degree	Description
1364	316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
1365	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
1366	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.
1367	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1368	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
1369	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1370	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.



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1371	456.065 (2)	3rd	Practicing a health care profession without a license.
1372	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1373	458.327 (1)	3rd	Practicing medicine without a license.
1374	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1375	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1376	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1377	462.17	3rd	Practicing naturopathy without a license.
1378	463.015 (1)	3rd	Practicing optometry without a license.
1379	464.016 (1)	3rd	Practicing nursing without a license.
1380	465.015 (2)	3rd	Practicing pharmacy without a license.
1381	466.026 (1)	3rd	Practicing dentistry or dental hygiene

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without a license.

467.201 3rd Practicing midwifery without a license.

468.366 3rd Delivering respiratory care services without a license.

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

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

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

484.053 3rd Dispensing hearing aids without a license.

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 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.

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560.125 (5) (a) 3rd Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

1391

655.50 (10) (b) 1. 3rd Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

1392

775.21 (10) (a) 3rd Sexual predator; failure to register; failure to renew driver ~~driver's~~ license or identification card; other registration violations.

1393

775.21 (10) (b) 3rd Sexual predator working where children regularly congregate.

1394

775.21 (10) (g) 3rd Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

1395

782.051 (3) 2nd Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

1396

782.07 (1) 2nd Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

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782.071                    2nd    Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

1399

782.072                    2nd    Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

1400

784.045 (1) (a) 1.        2nd    Aggravated battery; intentionally causing great bodily harm or disfigurement.

1401

784.045 (1) (a) 2.        2nd    Aggravated battery; using deadly weapon.

1402

784.045 (1) (b)           2nd    Aggravated battery; perpetrator aware victim pregnant.

1403

784.048 (4)                3rd    Aggravated stalking; violation of injunction or court order.

1404

784.048 (7)                3rd    Aggravated stalking; violation of court order.

1405

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

784.074 (1) (a)           1st    Aggravated battery on sexually violent

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1406

predators facility staff.

1407

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

1408

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

1409

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

1410

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

1411

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

1412

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

1413

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

1414

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

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

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1415

destruction.

790.166 (4)

2nd

Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

1416

790.23

1st, PBL

Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

1417

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.

1418

796.03

2nd

Procuring any person under 18 ~~16~~ years for prostitution.

1419

800.04 (5) (c) 1.

2nd

Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.

1420

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.

1421

806.01 (2)

2nd

Maliciously damage structure by fire or explosive.

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1422

810.02 (3) (a) 2nd Burglary of occupied dwelling; unarmed;  
no assault or battery.

1423

810.02 (3) (b) 2nd Burglary of unoccupied dwelling;  
unarmed; no assault or battery.

1424

810.02 (3) (d) 2nd Burglary of occupied conveyance;  
unarmed; no assault or battery.

1425

810.02 (3) (e) 2nd Burglary of authorized emergency  
vehicle.

1426

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.

1427

812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less  
than \$50,000, grand theft in 2nd  
degree.

1428

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

1429

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

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1430

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

1431

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

1432

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

1433

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

1434

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

1435

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

1436

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

1437

817.2341 1st Making false entries of material fact  
(2) (b) & or false statements regarding property  
(3) (b) values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

1438



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1439	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1440	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.
1441	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1442	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1443	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1444	838.015	2nd	Bribery.
1445	838.016	2nd	Unlawful compensation or reward for official behavior.
1446	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1447	838.22	2nd	Bid tampering.

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1448

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

1449

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

1450

872.06 2nd Abuse of a dead human body.

1451

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

1452

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.

1453

893.13(1)(e)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 property used for religious services or a specified business site.

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1454	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).
1455	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1456	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1457	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1458	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1459	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1460	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1461	893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1462	893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.

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1463	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1464	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1465	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1466	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1467	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1468	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1469	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1469	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with

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1470

reporting requirements.

943.0435(13)

3rd

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

1471

943.0435(14)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification.

1472

944.607(9)

3rd

Sexual offender; failure to comply with reporting requirements.

1473

944.607(10)(a)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

1474

944.607(12)

3rd

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

1475

944.607(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification.

1476

985.4815(10)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

1477

985.4815(12)

3rd

Failure to report or providing false information about a sexual offender;

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1478

harbor or conceal a sexual offender.

985.4815(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification.

1479

1480

(i) LEVEL 9

1481

Florida

Felony

Statute

Degree

Description

1482

316.193

1st

(3) (c) 3.b.

DUI manslaughter; failing to render aid or give information.

1483

327.35(3) (c) 3.b.

1st

BUI manslaughter; failing to render aid or give information.

1484

409.920

1st

(2) (b) 1.c.

Medicaid provider fraud; \$50,000 or more.

1485

499.0051(9)

1st

Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.

1486

560.123(8) (b) 3.

1st

Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.

1487

560.125(5) (c)

1st

Money transmitter business by

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1488  
1489  
1490  
1491  
1492  
1493  
1494  
1495

unauthorized person, currency, or  
payment instruments totaling or  
exceeding \$100,000.

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

775.0844              1st      Aggravated white collar crime.

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

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

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

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

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

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1496

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

1497

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

1498

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.

1499

790.161 1st Attempted capital destructive device offense.

1500

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

1501

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

1502

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

794.011(4) 1st Sexual battery; victim 12 years or



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1503

older, certain circumstances.

794.011 (8) (b)

1st

Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

1504

794.08 (2)

1st

Female genital mutilation; victim younger than 18 years of age.

1505

800.04 (5) (b)

Life

Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.

1506

812.13 (2) (a)

1st, PBL

Robbery with firearm or other deadly weapon.

1507

812.133 (2) (a)

1st, PBL

Carjacking; firearm or other deadly weapon.

1508

812.135 (2) (b)

1st

Home-invasion robbery with weapon.

1509

817.568 (7)

2nd,  
PBL

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

1510

827.03 (2)

1st

Aggravated child abuse.

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1511

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

1512

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

1513

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.

1514

893.135 1st Attempted capital trafficking offense.

1515

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

1516

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

1517

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

1518

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

1519

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

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1520

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

1521

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

1522

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

1523

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

1524

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

1525

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

1526

1527 Section 13. For the purpose of incorporating the amendments  
1528 made by this act to sections 775.21, 943.0435, and 944.607,  
1529 Florida Statutes, in references thereto, subsection (4) of  
1530 section 322.141, Florida Statutes, is reenacted to read:

1531

322.141 Color or markings of certain licenses or  
1532 identification cards.—

1533

(4) Unless previously secured or updated, each sexual

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1534 offender and sexual predator shall report to the department  
 1535 during the month of his or her reregistration as required under  
 1536 s. 775.21(8), s. 943.0435(14), or s. 944.607(13) in order to  
 1537 obtain an updated or renewed driver's license or identification  
 1538 card as required by subsection (3).

1539 Section 14. For the purpose of incorporating the amendments  
 1540 made by this act to sections 775.21 and 943.0435, Florida  
 1541 Statutes, in references thereto, section 794.056, Florida  
 1542 Statutes, is reenacted to read:

1543 794.056 Rape Crisis Program Trust Fund.—

1544 (1) The Rape Crisis Program Trust Fund is created within  
 1545 the Department of Health for the purpose of providing funds for  
 1546 rape crisis centers in this state. Trust fund moneys shall be  
 1547 used exclusively for the purpose of providing services for  
 1548 victims of sexual assault. Funds credited to the trust fund  
 1549 consist of those funds collected as an additional court  
 1550 assessment in each case in which a defendant pleads guilty or  
 1551 nolo contendere to, or is found guilty of, regardless of  
 1552 adjudication, an offense provided in s. 775.21(6) and (10)(a),  
 1553 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.  
 1554 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.  
 1555 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.  
 1556 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;  
 1557 s. 796.03; s. 796.035; s. 796.04; s. 796.045; s. 796.05; s.  
 1558 796.06; s. 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s.  
 1559 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.  
 1560 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.  
 1561 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),  
 1562 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust

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1563 fund also shall include revenues provided by law, moneys  
1564 appropriated by the Legislature, and grants from public or  
1565 private entities.

1566 (2) The Department of Health shall establish by rule  
1567 criteria consistent with the provisions of s. 794.055(3)(a) for  
1568 distributing moneys from the trust fund to rape crisis centers.

1569 Section 15. For the purpose of incorporating the amendments  
1570 made by this act to sections 775.21 and 943.0435, Florida  
1571 Statutes, in references thereto, section 938.085, Florida  
1572 Statutes, is reenacted to read:

1573 938.085 Additional cost to fund rape crisis centers.—In  
1574 addition to any sanction imposed when a person pleads guilty or  
1575 nolo contendere to, or is found guilty of, regardless of  
1576 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and  
1577 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;  
1578 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.  
1579 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.  
1580 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; s. 796.03;  
1581 s. 796.035; s. 796.04; s. 796.045; s. 796.05; s. 796.06; s.  
1582 796.07(2)(a)–(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.  
1583 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.  
1584 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.  
1585 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and  
1586 (14)(c); or s. 985.701(1), the court shall impose a surcharge of  
1587 \$151. Payment of the surcharge shall be a condition of  
1588 probation, community control, or any other court-ordered  
1589 supervision. The sum of \$150 of the surcharge shall be deposited  
1590 into the Rape Crisis Program Trust Fund established within the  
1591 Department of Health by chapter 2003-140, Laws of Florida. The

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1592 clerk of the court shall retain \$1 of each surcharge that the  
1593 clerk of the court collects as a service charge of the clerk's  
1594 office.

1595 Section 16. This act shall take effect October 1, 2012.  
1596