

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 455 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Glorioso offered the following:

3
4 **Amendment**

5 Remove lines 193-1338 and insert:
6 change in enrollment, volunteer, or employment status shall be
7 reported in person at the sheriff's office, or the Department of
8 Corrections if the sexual predator is in the custody or control
9 of or under the supervision of the Department of Corrections,
10 within 48 hours after any change in status. The sheriff or the
11 Department of Corrections shall promptly notify each institution
12 of the sexual predator's presence and any change in the sexual
13 predator's enrollment, volunteer, or employment status.

14 2. Any other information determined necessary by the
15 department, including criminal and corrections records;
16 nonprivileged personnel and treatment records; and evidentiary
17 genetic markers when available.

18 (b) If the sexual predator is in the custody or control
19 of, or under the supervision of, the Department of Corrections,

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Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

20 or is in the custody of a private correctional facility, the
21 sexual predator must register with the Department of
22 Corrections. A sexual predator who is under the supervision of
23 the Department of Corrections but who is not incarcerated must
24 register with the Department of Corrections within 3 business
25 days after the court finds the offender to be a sexual predator.
26 The Department of Corrections shall provide to the department
27 registration information and the location of, and local
28 telephone number for, any Department of Corrections office that
29 is responsible for supervising the sexual predator. In addition,
30 the Department of Corrections shall notify the department if the
31 sexual predator escapes or absconds from custody or supervision
32 or if the sexual predator dies.

33 (c) If the sexual predator is in the custody of a local
34 jail, the custodian of the local jail shall register the sexual
35 predator within 3 business days after intake of the sexual
36 predator for any reason and upon release, and shall forward the
37 registration information to the department. The custodian of the
38 local jail shall also take a digitized photograph of the sexual
39 predator while the sexual predator remains in custody and shall
40 provide the digitized photograph to the department. The
41 custodian shall notify the department if the sexual predator
42 escapes from custody or dies.

43 (d) If the sexual predator is under federal supervision,
44 the federal agency responsible for supervising the sexual
45 predator may forward to the department any information regarding
46 the sexual predator which is consistent with the information
47 provided by the Department of Corrections under this section,

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Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

48 and may indicate whether use of the information is restricted to
49 law enforcement purposes only or may be used by the department
50 for purposes of public notification.

51 (e)1. If the sexual predator is not in the custody or
52 control of, or under the supervision of, the Department of
53 Corrections or is not in the custody of a private correctional
54 facility, the sexual predator shall register in person:

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

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

61 2. Any change in the sexual predator's permanent or
62 temporary residence, name, ~~or any~~ electronic mail addresses,
63 ~~address and or Internet identifiers any instant message name~~
64 required to be provided pursuant to subparagraph (g)4., after
65 the sexual predator registers in person at the sheriff's office
66 as provided in subparagraph 1., shall be accomplished in the
67 manner provided in paragraphs (g), (i), and (j). When a sexual
68 predator registers with the sheriff's office, the sheriff shall
69 take a photograph, ~~and~~ a set of fingerprints, and palm prints of
70 the predator and forward the photographs, palm prints, and
71 fingerprints to the department, along with the information that
72 the predator is required to provide pursuant to this section.

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

Amendment No. 1

76 sexual predator under the supervision of the Department of
77 Corrections, shall register in person at a driver ~~driver's~~
78 license office of the Department of Highway Safety and Motor
79 Vehicles and shall present proof of registration. At the driver
80 ~~driver's~~ license office the sexual predator shall:

81 1. If otherwise qualified, secure a Florida driver
82 ~~driver's~~ license, renew a Florida driver ~~driver's~~ license, or
83 secure an identification card. The sexual predator shall
84 identify himself or herself as a sexual predator who is required
85 to comply with this section, provide his or her place of
86 permanent, temporary, or transient residence, including a rural
87 route address and a post office box, and submit to the taking of
88 a photograph for use in issuing a driver ~~driver's~~ license,
89 renewed license, or identification card, and for use by the
90 department in maintaining current records of sexual predators. A
91 post office box shall not be provided in lieu of a physical
92 residential address. If the sexual predator's place of residence
93 is a motor vehicle, trailer, mobile home, or manufactured home,
94 as defined in chapter 320, the sexual predator shall also
95 provide to the Department of Highway Safety and Motor Vehicles
96 the vehicle identification number; the license tag number; the
97 registration number; and a description, including color scheme,
98 of the motor vehicle, trailer, mobile home, or manufactured
99 home. If a sexual predator's place of residence is a vessel,
100 live-aboard vessel, or houseboat, as defined in chapter 327, the
101 sexual predator shall also provide to the Department of Highway
102 Safety and Motor Vehicles the hull identification number; the
103 manufacturer's serial number; the name of the vessel, live-

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Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

104 aboard vessel, or houseboat; the registration number; and a
105 description, including color scheme, of the vessel, live-aboard
106 vessel, or houseboat.

107 2. Pay the costs assessed by the Department of Highway
108 Safety and Motor Vehicles for issuing or renewing a driver
109 ~~driver's~~ license or identification card as required by this
110 section. The driver ~~driver's~~ license or identification card
111 issued to the sexual predator must be in compliance with s.
112 322.141(3).

113 3. Provide, upon request, any additional information
114 necessary to confirm the identity of the sexual predator,
115 including a set of fingerprints.

116 (g)1. Each time a sexual predator's driver ~~driver's~~
117 license or identification card is subject to renewal, and,
118 without regard to the status of the predator's driver ~~driver's~~
119 license or identification card, within 48 hours after any change
120 of the predator's residence or change in the predator's name by
121 reason of marriage or other legal process, the predator shall
122 report in person to a driver ~~driver's~~ license office and shall
123 be subject to the requirements specified in paragraph (f). The
124 Department of Highway Safety and Motor Vehicles shall forward to
125 the department and to the Department of Corrections all
126 photographs and information provided by sexual predators.
127 Notwithstanding the restrictions set forth in s. 322.142, the
128 Department of Highway Safety and Motor Vehicles is authorized to
129 release a reproduction of a color-photograph or digital-image
130 license to the Department of Law Enforcement for purposes of
131 public notification of sexual predators as provided in this

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Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

132 section. A sexual predator who is unable to secure or update a
133 driver license or identification card with the Department of
134 Highway Safety and Motor Vehicles as provided in paragraph (f)
135 and this paragraph must also report any change of the predator's
136 residence or change in the predator's name by reason of marriage
137 or other legal process within 48 hours after the change to the
138 sheriff's office in the county where the predator resides or is
139 located and provide confirmation that he or she reported such
140 information to the Department of Highway Safety and Motor
141 Vehicles.

142 2. A sexual predator who vacates a permanent, temporary,
143 or transient residence and fails to establish or maintain
144 another permanent, temporary, or transient residence shall,
145 within 48 hours after vacating the permanent, temporary, or
146 transient residence, report in person to the sheriff's office of
147 the county in which he or she is located. The sexual predator
148 shall specify the date upon which he or she intends to or did
149 vacate such residence. The sexual predator must provide or
150 update all of the registration information required under
151 paragraph (a). The sexual predator must provide an address for
152 the residence or other place that he or she is or will be
153 located during the time in which he or she fails to establish or
154 maintain a permanent or temporary residence.

155 3. A sexual predator who remains at a permanent,
156 temporary, or transient residence after reporting his or her
157 intent to vacate such residence shall, within 48 hours after the
158 date upon which the predator indicated he or she would or did
159 vacate such residence, report in person to the sheriff's office

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Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

160 to which he or she reported pursuant to subparagraph 2. for the
161 purpose of reporting his or her address at such residence. When
162 the sheriff receives the report, the sheriff shall promptly
163 convey the information to the department. An offender who makes
164 a report as required under subparagraph 2. but fails to make a
165 report as required under this subparagraph commits a felony of
166 the second degree, punishable as provided in s. 775.082, s.
167 775.083, or s. 775.084.

168 4. A sexual predator must register all ~~any~~ electronic mail
169 addresses and Internet identifiers ~~address or instant message~~
170 ~~name~~ with the department prior to using such electronic mail
171 addresses and Internet identifiers ~~address or instant message~~
172 ~~name on or after October 1, 2007~~. The department shall establish
173 an online system through which sexual predators may securely
174 access and update all electronic mail address and Internet
175 identifier ~~instant message name~~ information.

176 (h) The department must notify the sheriff and the state
177 attorney of the county and, if applicable, the police chief of
178 the municipality, where the sexual predator maintains a
179 residence.

180 (i) A sexual predator who intends to establish a
181 permanent, temporary, or transient residence in another state or
182 jurisdiction other than the State of Florida shall report in
183 person to the sheriff of the county of current residence within
184 48 hours before the date he or she intends to leave this state
185 to establish residence in another state or jurisdiction or
186 within 21 days before his or her planned departure date if the
187 intended residence of 5 days or more is outside of the United

Amendment No. 1

188 States. The sexual predator must provide to the sheriff the
189 address, municipality, county, ~~and state~~, and country of
190 intended residence. The sheriff shall promptly provide to the
191 department the information received from the sexual predator.
192 The department shall notify the statewide law enforcement
193 agency, or a comparable agency, in the intended state, ~~or~~
194 jurisdiction, or country of residence of the sexual predator's
195 intended residence. The failure of a sexual predator to provide
196 his or her intended place of residence is punishable as provided
197 in subsection (10).

198 (j) A sexual predator who indicates his or her intent to
199 establish a permanent, temporary, or transient residence in
200 another state, ~~a~~ or jurisdiction other than the State of
201 Florida, or another country and later decides to remain in this
202 state shall, within 48 hours after the date upon which the
203 sexual predator indicated he or she would leave this state,
204 report in person to the sheriff to which the sexual predator
205 reported the intended change of residence, and report his or her
206 intent to remain in this state. If the sheriff is notified by
207 the sexual predator that he or she intends to remain in this
208 state, the sheriff shall promptly report this information to the
209 department. A sexual predator who reports his or her intent to
210 establish a permanent, temporary, or transient residence in
211 another state, ~~a~~ or jurisdiction other than the State of
212 Florida, or another country, but who remains in this state
213 without reporting to the sheriff in the manner required by this
214 paragraph, commits a felony of the second degree, punishable as
215 provided in s. 775.082, s. 775.083, or s. 775.084.

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

216 (k)1. The department is responsible for the online
217 maintenance of current information regarding each registered
218 sexual predator. The department must maintain hotline access for
219 state, local, and federal law enforcement agencies to obtain
220 instantaneous locator file and offender characteristics
221 information on all released registered sexual predators for
222 purposes of monitoring, tracking, and prosecution. The
223 photograph and fingerprints do not have to be stored in a
224 computerized format.

225 2. The department's sexual predator registration list,
226 containing the information described in subparagraph (a)1., is a
227 public record. The department is authorized to disseminate this
228 public information by any means deemed appropriate, including
229 operating a toll-free telephone number for this purpose. When
230 the department provides information regarding a registered
231 sexual predator to the public, department personnel must advise
232 the person making the inquiry that positive identification of a
233 person believed to be a sexual predator cannot be established
234 unless a fingerprint comparison is made, and that it is illegal
235 to use public information regarding a registered sexual predator
236 to facilitate the commission of a crime.

237 3. The department shall adopt guidelines as necessary
238 regarding the registration of sexual predators and the
239 dissemination of information regarding sexual predators as
240 required by this section.

241 (l) A sexual predator must maintain registration with the
242 department for the duration of his or her life, unless the
243 sexual predator has received a full pardon or has had a

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Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

244 conviction set aside in a postconviction proceeding for any
245 offense that met the criteria for the sexual predator
246 designation.

247 (8) VERIFICATION.—The department and the Department of
248 Corrections shall implement a system for verifying the addresses
249 of sexual predators. The system must be consistent with the
250 provisions of the federal Adam Walsh Child Protection and Safety
251 Act of 2006 and any other federal standards applicable to such
252 verification or required to be met as a condition for the
253 receipt of federal funds by the state. The Department of
254 Corrections shall verify the addresses of sexual predators who
255 are not incarcerated but who reside in the community under the
256 supervision of the Department of Corrections and shall report to
257 the department any failure by a sexual predator to comply with
258 registration requirements. County and local law enforcement
259 agencies, in conjunction with the department, shall verify the
260 addresses of sexual predators who are not under the care,
261 custody, control, or supervision of the Department of
262 Corrections. Local law enforcement agencies shall report to the
263 department any failure by a sexual predator to comply with
264 registration requirements.

265 (a) A sexual predator must report in person each year
266 during the month of the sexual predator's birthday and during
267 every third month thereafter to the sheriff's office in the
268 county in which he or she resides or is otherwise located to
269 reregister. The sheriff's office may determine the appropriate
270 times and days for reporting by the sexual predator, which shall
271 be consistent with the reporting requirements of this paragraph.

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

272 Reregistration shall include any changes to the following
273 information:

274 1. Name; social security number; age; race; sex; date of
275 birth; height; weight; tattoos or other identifying marks; hair
276 and eye color; address of any permanent residence and address of
277 any current temporary residence, within the state or out of
278 state, including a rural route address and a post office box; if
279 no permanent or temporary address, any transient residence
280 within the state; address, location or description, and dates of
281 any current or known future temporary residence within the state
282 or out of state; ~~any~~ electronic mail addresses ~~address and or~~
283 Internet identifiers ~~any instant message name~~ required to be
284 provided pursuant to subparagraph (6)(g)4.; home telephone
285 numbers ~~number and any or~~ cellular telephone numbers ~~number~~;
286 date and place of any employment; the vehicle ~~vehicle~~ make, model,
287 color, registration number, and license tag number of any
288 vehicles owned; fingerprints; palm prints; and photograph. A
289 post office box shall not be provided in lieu of a physical
290 residential address. The sexual predator must also produce his
291 or her passport, if he or she has a passport, and, if he or she
292 is an alien, must produce or provide information about documents
293 establishing his or her immigration status. The sexual predator
294 must also provide information about any professional licenses he
295 or she may have.

296 2. If the sexual predator is enrolled, employed,
297 volunteering, or carrying on a vocation at an institution of
298 higher education in this state, the sexual predator shall also
299 provide to the department the name, address, and county of each

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

300 institution, including each campus attended, and the sexual
301 predator's enrollment, volunteer, or employment status.

302 3. If the sexual predator's place of residence is a motor
303 vehicle, trailer, mobile home, or manufactured home, as defined
304 in chapter 320, the sexual predator shall also provide the
305 vehicle identification number; the license tag number; the
306 registration number; and a description, including color scheme,
307 of the motor vehicle, trailer, mobile home, or manufactured
308 home. If the sexual predator's place of residence is a vessel,
309 live-aboard vessel, or houseboat, as defined in chapter 327, the
310 sexual predator shall also provide the hull identification
311 number; the manufacturer's serial number; the name of the
312 vessel, live-aboard vessel, or houseboat; the registration
313 number; and a description, including color scheme, of the
314 vessel, live-aboard vessel, or houseboat.

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

319 (10) PENALTIES.—

320 (a) Except as otherwise specifically provided, a sexual
321 predator who fails to register; who fails, after registration,
322 to maintain, acquire, or renew a driver ~~driver's~~ license or
323 identification card; who fails to provide required location
324 information, electronic mail address information prior to use,
325 Internet identifier ~~instant message name~~ information prior to
326 use, all home telephone numbers ~~number~~ and ~~any~~ cellular
327 telephone numbers ~~number~~, or change-of-name information; who

Amendment No. 1

328 fails to make a required report in connection with vacating a
329 permanent residence; who fails to reregister as required; who
330 fails to respond to any address verification correspondence from
331 the department within 3 weeks of the date of the correspondence;
332 who knowingly provides false registration information by act or
333 omission; or who otherwise fails, by act or omission, to comply
334 with the requirements of this section, commits a felony of the
335 third degree, punishable as provided in s. 775.082, s. 775.083,
336 or s. 775.084.

337 Section 2. Section 800.03, Florida Statutes, is amended to
338 read:

339 800.03 Exposure of sexual organs.—

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

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

348 (b) A third or subsequent violation of this section is a
349 felony of the third degree, punishable as provided in s.
350 775.082, s. 775.083, or s. 775.084.

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

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

355 903.046 Purpose of and criteria for bail determination.—

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

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

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

366 Section 4. Paragraphs (a) and (g) of subsection (1),
367 subsection (2), paragraphs (a) and (d) of subsection (4),
368 subsections (7), (8), and (11), and paragraph (c) of subsection
369 (14) of section 943.0435, Florida Statutes, are amended to read:

370 943.0435 Sexual offenders required to register with the
371 department; penalty.—

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

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

376 a.(I) Has been convicted of committing, or attempting,
377 soliciting, or conspiring to commit, any of the criminal
378 offenses proscribed in the following statutes in this state or
379 similar offenses in another jurisdiction: s. 393.135(2); s.
380 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
381 the victim is a minor and the defendant is not the victim's
382 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
383 794.05; s. 796.03; s. 796.035; s. 796.045; s. 800.04; s.

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

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Amendment No. 1

384 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
385 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s.
386 916.1075(2); or s. 985.701(1); or any similar offense committed
387 in this state which has been redesignated from a former statute
388 number to one of those listed in this sub-sub-subparagraph; and

389 (II) Has been released on or after October 1, 1997, from
390 the sanction imposed for any conviction of an offense described
391 in sub-sub-subparagraph (I). For purposes of sub-sub-
392 subparagraph (I), a sanction imposed in this state or in any
393 other jurisdiction includes, but is not limited to, a fine,
394 probation, community control, parole, conditional release,
395 control release, or incarceration in a state prison, federal
396 prison, private correctional facility, or local detention
397 facility;

398 b. Establishes or maintains a residence in this state and
399 who has not been designated as a sexual predator by a court of
400 this state but who has been designated as a sexual predator, as
401 a sexually violent predator, or by another sexual offender
402 designation in another state or jurisdiction and was, as a
403 result of such designation, subjected to registration or
404 community or public notification, or both, or would be if the
405 person were a resident of that state or jurisdiction, without
406 regard to whether the person otherwise meets the criteria for
407 registration as a sexual offender;

408 c. Establishes or maintains a residence in this state who
409 is in the custody or control of, or under the supervision of,
410 any other state or jurisdiction as a result of a conviction for
411 committing, or attempting, soliciting, or conspiring to commit,

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

412 any of the criminal offenses proscribed in the following
413 statutes or similar offense in another jurisdiction: s.
414 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
415 787.025(2)(c), where the victim is a minor and the defendant is
416 not the victim's parent or guardian; s. 794.011, excluding s.
417 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 796.045; s.
418 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
419 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
420 s. 916.1075(2); or s. 985.701(1); or any similar offense
421 committed in this state which has been redesignated from a
422 former statute number to one of those listed in this sub-
423 subparagraph; or

424 d. On or after July 1, 2007, has been adjudicated
425 delinquent for committing, or attempting, soliciting, or
426 conspiring to commit, any of the criminal offenses proscribed in
427 the following statutes in this state or similar offenses in
428 another jurisdiction when the juvenile was 14 years of age or
429 older at the time of the offense:

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

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

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

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

Amendment No. 1

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

441

442 For each violation of a qualifying offense listed in this
443 subsection, except for a violation of s. 794.011, the court
444 shall make a written finding of the age of the victim at the
445 time of the offense. For a violation of s. 800.04(4), the court
446 shall additionally make a written finding indicating that the
447 offense did or did not involve sexual activity and indicating
448 that the offense did or did not involve force or coercion. For a
449 violation of s. 800.04(5), the court shall additionally make a
450 written finding that the offense did or did not involve
451 unclothed genitals or genital area and that the offense did or
452 did not involve the use of force or coercion.

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

457 (2) A sexual offender shall:

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

459 1. In the county in which the offender establishes or
460 maintains a permanent, temporary, or transient residence within
461 48 hours after:

462 a. Establishing permanent, temporary, or transient
463 residence in this state; or

Amendment No. 1

464 b. Being released from the custody, control, or
465 supervision of the Department of Corrections or from the custody
466 of a private correctional facility; or

467 2. In the county where he or she was convicted within 48
468 hours after being convicted for a qualifying offense for
469 registration under this section if the offender is not in the
470 custody or control of, or under the supervision of, the
471 Department of Corrections, or is not in the custody of a private
472 correctional facility.

473
474 Any change in the information required to be provided pursuant
475 to paragraph (b), including, but not limited to, any change in
476 the sexual offender's permanent, temporary, or transient
477 residence, name, ~~any~~ electronic mail addresses ~~address and or~~
478 Internet identifiers ~~any instant message name~~ required to be
479 provided pursuant to paragraph (4)(d), after the sexual offender
480 reports in person at the sheriff's office, shall be accomplished
481 in the manner provided in subsections (4), (7), and (8).

482 (b) Provide his or her name; date of birth; social
483 security number; race; sex; height; weight; hair and eye color;
484 tattoos or other identifying marks; occupation and place of
485 employment; address of permanent or legal residence or address
486 of any current temporary residence, within the state or out of
487 state, including a rural route address and a post office box; if
488 no permanent or temporary address, any transient residence
489 within the state, address, location or description, and dates of
490 any current or known future temporary residence within the state
491 or out of state; the make, model, color, registration number,

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

492 and license tag number of all vehicles owned; all home telephone
493 numbers ~~number~~ and any cellular telephone numbers ~~number~~; all
494 any electronic mail addresses ~~address~~ and all Internet
495 identifiers ~~any instant message name~~ required to be provided
496 pursuant to paragraph (4) (d); fingerprints; palm prints;
497 photograph; date and place of each conviction; and a brief
498 description of the crime or crimes committed by the offender. A
499 post office box shall not be provided in lieu of a physical
500 residential address. The sexual offender must also produce his
501 or her passport, if he or she has a passport, and, if he or she
502 is an alien, must produce or provide information about documents
503 establishing his or her immigration status. The sexual offender
504 must also provide information about any professional licenses he
505 or she may have.

506 1. If the sexual offender's place of residence is a motor
507 vehicle, trailer, mobile home, or manufactured home, as defined
508 in chapter 320, the sexual offender shall also provide to the
509 department through the sheriff's office written notice of the
510 vehicle identification number; the license tag number; the
511 registration number; and a description, including color scheme,
512 of the motor vehicle, trailer, mobile home, or manufactured
513 home. If the sexual offender's place of residence is a vessel,
514 live-aboard vessel, or houseboat, as defined in chapter 327, the
515 sexual offender shall also provide to the department written
516 notice of the hull identification number; the manufacturer's
517 serial number; the name of the vessel, live-aboard vessel, or
518 houseboat; the registration number; and a description, including
519 color scheme, of the vessel, live-aboard vessel, or houseboat.

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

520 2. If the sexual offender is enrolled, employed,
521 volunteering, or carrying on a vocation at an institution of
522 higher education in this state, the sexual offender shall also
523 provide to the department through the sheriff's office the name,
524 address, and county of each institution, including each campus
525 attended, and the sexual offender's enrollment, volunteer, or
526 employment status. Each change in enrollment, volunteer, or
527 employment status shall be reported in person at the sheriff's
528 office, within 48 hours after any change in status. The sheriff
529 shall promptly notify each institution of the sexual offender's
530 presence and any change in the sexual offender's enrollment,
531 volunteer, or employment status.

532 (c) Provide any other information determined necessary by
533 the department, including criminal and corrections records;
534 nonprivileged personnel and treatment records; and evidentiary
535 genetic markers, when available.

536

537 When a sexual offender reports at the sheriff's office, the
538 sheriff shall take a photograph, and a set of fingerprints, and
539 palm prints of the offender and forward the photographs, palm
540 prints, and fingerprints to the department, along with the
541 information provided by the sexual offender. The sheriff shall
542 promptly provide to the department the information received from
543 the sexual offender.

544 (4) (a) Each time a sexual offender's driver ~~driver's~~
545 license or identification card is subject to renewal, and,
546 without regard to the status of the offender's driver ~~driver's~~
547 license or identification card, within 48 hours after any change

Amendment No. 1

548 in the offender's permanent, temporary, or transient residence
549 or change in the offender's name by reason of marriage or other
550 legal process, the offender shall report in person to a driver
551 ~~driver's~~ license office, and shall be subject to the
552 requirements specified in subsection (3). The Department of
553 Highway Safety and Motor Vehicles shall forward to the
554 department all photographs and information provided by sexual
555 offenders. Notwithstanding the restrictions set forth in s.
556 322.142, the Department of Highway Safety and Motor Vehicles is
557 authorized to release a reproduction of a color-photograph or
558 digital-image license to the Department of Law Enforcement for
559 purposes of public notification of sexual offenders as provided
560 in this section and ss. 943.043 and 944.606. A sexual offender
561 who is unable to secure or update a driver license or
562 identification card with the Department of Highway Safety and
563 Motor Vehicles as provided in subsection (3) and this subsection
564 must also report any change in the sexual offender's permanent,
565 temporary, or transient residence or change in the offender's
566 name by reason of marriage or other legal process within 48
567 hours after the change to the sheriff's office in the county
568 where the offender resides or is located and provide
569 confirmation that he or she reported such information to the
570 Department of Highway Safety and Motor Vehicles.

571 (d) A sexual offender must register all ~~any~~ electronic
572 mail addresses and Internet identifiers ~~address or instant~~
573 ~~message name~~ with the department prior to using such electronic
574 mail addresses and Internet identifiers ~~address or instant~~
575 ~~message name on or after October 1, 2007.~~ The department shall

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

576 establish an online system through which sexual offenders may
577 securely access and update all electronic mail address and
578 Internet identifier ~~instant message name~~ information.

579 (7) A sexual offender who intends to establish a
580 permanent, temporary, or transient residence in another state or
581 jurisdiction other than the State of Florida shall report in
582 person to the sheriff of the county of current residence within
583 48 hours before the date he or she intends to leave this state
584 to establish residence in another state or jurisdiction or
585 within 21 days before his or her planned departure date if the
586 intended residence of 5 days or more is outside of the United
587 States. The notification must include the address, municipality,
588 county, ~~and state,~~ and country of intended residence. The
589 sheriff shall promptly provide to the department the information
590 received from the sexual offender. The department shall notify
591 the statewide law enforcement agency, or a comparable agency, in
592 the intended state, ~~or~~ jurisdiction, or country of residence of
593 the sexual offender's intended residence. The failure of a
594 sexual offender to provide his or her intended place of
595 residence is punishable as provided in subsection (9).

596 (8) A sexual offender who indicates his or her intent to
597 establish a permanent, temporary, or transient residence in
598 another state, a ~~or~~ jurisdiction other than the State of
599 Florida, or another country and later decides to remain in this
600 state shall, within 48 hours after the date upon which the
601 sexual offender indicated he or she would leave this state,
602 report in person to the sheriff to which the sexual offender
603 reported the intended change of permanent, temporary, or

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

604 transient residence, and report his or her intent to remain in
605 this state. The sheriff shall promptly report this information
606 to the department. A sexual offender who reports his or her
607 intent to establish a permanent, temporary, or transient
608 residence in another state, a ~~ex~~ jurisdiction other than the
609 State of Florida, or another country but who remains in this
610 state without reporting to the sheriff in the manner required by
611 this subsection commits a felony of the second degree,
612 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

613 (11) Except as provided in this subsection and s.
614 943.04354, a sexual offender must maintain registration with the
615 department for the duration of his or her life, unless the
616 sexual offender has received a full pardon or has had a
617 conviction set aside in a postconviction proceeding for any
618 offense that meets the criteria for classifying the person as a
619 sexual offender for purposes of registration. ~~However, a sexual~~
620 ~~offender:~~

621 (a)1. A sexual offender may petition the criminal division
622 of the circuit court of the circuit in which the sexual offender
623 resides for the purpose of removing the requirement for
624 registration as a sexual offender if ~~Who has been lawfully~~
625 ~~released from confinement, supervision, or sanction, whichever~~
626 ~~is later, for at least 25 years and has not been arrested for~~
627 ~~any felony or misdemeanor offense since release, provided that~~
628 ~~the sexual offender's requirement to register was not based upon~~
629 ~~an adult conviction:~~

Amendment No. 1

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

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

637 c. The sexual offender has successfully completed all
638 sanctions imposed for all offenses that required the offender to
639 register;

640 d. The sexual offender's requirement to register was not
641 based upon an adult conviction for a violation of s. 787.01, s.
642 794.011, excluding s. 794.011(10), s. 800.04(4)(b) where the
643 court finds the offense involved a victim under 12 years of age
644 or sexual activity by the use of force or coercion, s.
645 800.04(5)(b), or s. 800.04(5)(c)2. where the court finds the
646 offense involved unclothed genitals or genital area; for any
647 attempt or conspiracy to commit any offense listed in this sub-
648 subparagraph; or for a violation of similar law of another
649 jurisdiction; and

650 e. For sexual offenders whose requirement to register is
651 based upon a conviction in another state, the sexual offender is
652 not required to register as a sexual offender pursuant to the
653 laws of the state where the conviction occurred. Such offenders
654 must provide the court written confirmation that he or she is
655 not required to register in the state where the conviction
656 occurred.

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

Amendment No. 1

- 658 ~~b. For a violation of s. 794.011, excluding s.~~
659 ~~794.011(10);~~
- 660 ~~e. For a violation of s. 800.04(4) (b) where the court~~
661 ~~finds the offense involved a victim under 12 years of age or~~
662 ~~sexual activity by the use of force or coercion;~~
- 663 ~~d. For a violation of s. 800.04(5) (b);~~
- 664 ~~e. For a violation of s. 800.04(5)e.2. where the court~~
665 ~~finds the offense involved unclothed genitals or genital area;~~
- 666 ~~f. For any attempt or conspiracy to commit any such~~
667 ~~offense; or~~
- 668 ~~g. For a violation of similar law of another jurisdiction,~~

669
670 ~~may petition the criminal division of the circuit court of the~~
671 ~~circuit in which the sexual offender resides for the purpose of~~
672 ~~removing the requirement for registration as a sexual offender.~~

673 2. A sexual offender whose requirement to register was
674 based upon an adult conviction for a violation of s. 787.02 or
675 s. 827.071(5), for any attempt or conspiracy to commit any
676 offense listed in this subparagraph, or for a violation of
677 similar law of another jurisdiction may petition the criminal
678 division of the circuit court of the circuit in which the sexual
679 offender resides for the purpose of removing the requirement for
680 registration as a sexual offender if:

681 a. Fifteen years have elapsed since the sexual offender's
682 registration period for the most recent conviction that required
683 the offender to register began;

684 b. The sexual offender has not been convicted or
685 adjudicated delinquent of any felony offense or of an offense

Amendment No. 1

686 punishable by more than 1 year of imprisonment during the 10
687 years preceding the petition to the court;

688 c. The sexual offender has successfully completed all
689 sanctions imposed for all offenses that required the offender to
690 register; and

691 d. For sexual offenders whose requirement to register is
692 based upon a conviction in another state, the sexual offender is
693 not required to register as a sexual offender pursuant to the
694 laws of the state where the conviction occurred. Such offenders
695 must provide the court written confirmation that he or she is
696 not required to register in the state where the conviction
697 occurred.

698 3. A sexual offender required to register under sub-
699 subparagraph (1)(a)1.d. may petition the criminal division of
700 the circuit court of the circuit in which the sexual offender
701 resides for the purpose of removing the requirement for
702 registration as a sexual offender if:

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

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

710 c. The sexual offender has successfully completed all
711 sanctions imposed for any offense that required the offender to
712 register.

Amendment No. 1

713 ~~4.2.~~ The court may grant or deny relief if the offender
714 demonstrates to the court that ~~he or she has not been arrested~~
715 ~~for any crime since release;~~ the requested relief complies with
716 this paragraph, the provisions of the federal Adam Walsh Child
717 Protection and Safety Act of 2006, and any other federal
718 standards applicable to the removal of registration requirements
719 for a sexual offender or required to be met as a condition for
720 the receipt of federal funds by the state; and the court is
721 otherwise satisfied that the offender is not a current or
722 potential threat to public safety. The state attorney in the
723 circuit in which the petition is filed and the department must
724 be given notice of the petition at least 3 weeks before the
725 hearing on the matter. The state attorney may present evidence
726 in opposition to the requested relief or may otherwise
727 demonstrate the reasons why the petition should be denied. If
728 the court grants the petition, the court shall instruct the
729 petitioner to provide the department with a certified copy of
730 the order granting relief. If the court denies the petition, the
731 court may set a future date at which the sexual offender may
732 again petition the court for relief, subject to the standards
733 for relief provided in this subsection.

734 ~~5.3.~~ The department shall remove an offender from
735 classification as a sexual offender for purposes of registration
736 if the offender provides to the department a certified copy of
737 the court's written findings or order that indicates that the
738 offender is no longer required to comply with the requirements
739 for registration as a sexual offender.

740 6. For purposes of this paragraph:

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Amendment No. 1

741 a. The registration period of a sexual offender sentenced
742 to a term of incarceration or committed to a residential program
743 begins upon the offender's release from incarceration or
744 commitment for the most recent conviction that required the
745 offender to register.

746 b. A sexual offender's registration period is tolled
747 during any period in which the offender is incarcerated, civilly
748 committed, detained pursuant to chapter 985, or committed to a
749 residential program.

750 (b) A sexual offender as defined in sub-subparagraph
751 (1)(a)1.b. must maintain registration with the department for
752 the duration of his or her life until the person provides the
753 department with an order issued by the court that designated the
754 person as a sexual predator, as a sexually violent predator, or
755 by another sexual offender designation in the state or
756 jurisdiction in which the order was issued which states that
757 such designation has been removed or demonstrates to the
758 department that such designation, if not imposed by a court, has
759 been removed by operation of law or court order in the state or
760 jurisdiction in which the designation was made, and provided
761 such person no longer meets the criteria for registration as a
762 sexual offender under the laws of this state.

763 (14)

764 (c) The sheriff's office may determine the appropriate
765 times and days for reporting by the sexual offender, which shall
766 be consistent with the reporting requirements of this
767 subsection. Reregistration shall include any changes to the
768 following information:

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

769 1. Name; social security number; age; race; sex; date of
770 birth; height; weight; hair and eye color; address of any
771 permanent residence and address of any current temporary
772 residence, within the state or out of state, including a rural
773 route address and a post office box; if no permanent or
774 temporary address, any transient residence within the state;
775 address, location or description, and dates of any current or
776 known future temporary residence within the state or out of
777 state; ~~any~~ electronic mail addresses ~~address and~~ or Internet
778 identifiers ~~any instant message name~~ required to be provided
779 pursuant to paragraph (4) (d); home telephone numbers ~~number~~ and
780 or any cellular telephone numbers ~~number~~; date and place of any
781 employment; the vehicle make, model, color, registration number,
782 and license tag number of any vehicles owned; fingerprints; palm
783 prints; and photograph. A post office box may ~~shall~~ not be
784 provided in lieu of a physical residential address. The sexual
785 offender must also produce his or her passport, if he or she has
786 a passport, and, if he or she is an alien, must produce or
787 provide information about documents establishing his or her
788 immigration status. The sexual offender must also provide
789 information about any professional licenses he or she may have.

790 2. If the sexual offender is enrolled, volunteering,
791 employed, or carrying on a vocation at an institution of higher
792 education in this state, the sexual offender shall also provide
793 to the department the name, address, and county of each
794 institution, including each campus attended, and the sexual
795 offender's enrollment, volunteer, or employment status.

Amendment No. 1

796 3. If the sexual offender's place of residence is a motor
797 vehicle, trailer, mobile home, or manufactured home, as defined
798 in chapter 320, the sexual offender shall also provide the
799 vehicle identification number; the license tag number; the
800 registration number; and a description, including color scheme,
801 of the motor vehicle, trailer, mobile home, or manufactured
802 home. If the sexual offender's place of residence is a vessel,
803 live-aboard vessel, or houseboat, as defined in chapter 327, the
804 sexual offender shall also provide the hull identification
805 number; the manufacturer's serial number; the name of the
806 vessel, live-aboard vessel, or houseboat; the registration
807 number; and a description, including color scheme, of the
808 vessel, live-aboard vessel or houseboat.

809 4. Any sexual offender who fails to report in person as
810 required at the sheriff's office, ~~or~~ who fails to respond to any
811 address verification correspondence from the department within 3
812 weeks of the date of the correspondence, ~~or~~ who fails to report
813 all electronic mail addresses and all Internet identifiers prior
814 to use or instant message names, or who knowingly provides false
815 registration information by act or omission commits a felony of
816 the third degree, punishable as provided in s. 775.082, s.
817 775.083, or s. 775.084.

818 Section 5. Section 943.04351, Florida Statutes, is amended
819 to read:

820 943.04351 Search of registration information regarding
821 sexual predators and sexual offenders required prior to
822 appointment or employment.—A state agency or governmental
823 subdivision, prior to making any decision to appoint or employ a

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

824 person to work, whether for compensation or as a volunteer, at
825 any park, playground, day care center, or other place where
826 children regularly congregate, must conduct a search of that
827 person's name or other identifying information against the
828 registration information regarding sexual predators and sexual
829 offenders maintained by the Department of Law Enforcement under
830 s. 943.043. The agency or governmental subdivision may conduct
831 the search using the Internet site maintained by the Department
832 of Law Enforcement. Also, a national search must be conducted
833 through the Dru Sjodin National Sex Offender Public Website
834 maintained by the United States Department of Justice. This
835 section does not apply to those positions or appointments within
836 a state agency or governmental subdivision for which a state and
837 national criminal history background check is conducted.

838 Section 6. Section 943.04354, Florida Statutes, is amended
839 to read:

840 943.04354 Removal of the requirement to register as a
841 sexual offender or sexual predator in special circumstances.—

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

845 (a) Was ~~or will be~~ convicted, regardless of adjudication,
846 or adjudicated delinquent of a violation of s. 794.011, s.
847 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in
848 another jurisdiction, ~~or the person committed a violation of s.~~
849 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~
850 ~~adjudication of guilt was or will be withheld,~~ and the person
851 does not have any other conviction, regardless of adjudication,

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

852 ~~or adjudication of delinquency, or withhold of adjudication of~~
853 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or
854 s. 847.0135(5), or a similar offense in another jurisdiction;

855 (b)1. Was convicted, regardless of adjudication, or
856 adjudicated delinquent of an offense listed in paragraph (a) and
857 is required to register as a sexual offender or sexual predator
858 solely on the basis of this conviction or adjudication
859 violation; or and

860 2. Was convicted, regardless of adjudication, or
861 adjudicated delinquent of an offense in another jurisdiction
862 that is similar to an offense listed in paragraph (a) and no
863 longer meets the criteria for registration as a sexual offender
864 or sexual predator under the laws of the jurisdiction where the
865 similar offense occurred; and

866 (c) Is not more than 4 years older than the victim of this
867 violation who was 13 ~~14~~ years of age or older but less ~~not more~~
868 than 18 ~~17~~ years of age at the time the person committed this
869 violation.

870 (2) If a person meets the criteria in subsection (1) ~~and~~
871 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
872 ~~847.0135(5) was committed on or after July 1, 2007, the person~~
873 may move the criminal court of the circuit in which the offense
874 occurred or the sentencing court or, for persons convicted or
875 adjudicated delinquent of a qualifying offense in another
876 jurisdiction, the criminal circuit court of the circuit in which
877 the person resides ~~that will sentence or dispose of this~~
878 ~~violation~~ to remove the requirement that the person register as
879 a sexual offender or sexual predator. The person must allege in

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

880 the motion that he or she meets the criteria in subsection (1)
881 and that removal of the registration requirement will not
882 conflict with federal law. Persons convicted or adjudicated
883 delinquent of an offense in another jurisdiction that is similar
884 to an offense listed in paragraph (1) (a) must provide the court
885 written confirmation that he or she is not required to register
886 in the state where the conviction or adjudication occurred. The
887 state attorney and the department must be given notice of the
888 motion at least 21 days before the date of sentencing, ~~or~~
889 disposition of the this violation, or hearing on the motion and
890 may present evidence in opposition to the requested relief or
891 may otherwise demonstrate why the motion should be denied. At
892 sentencing, ~~or~~ disposition of the this violation, or hearing on
893 the motion, the court shall rule on this motion and, if the
894 court determines the person meets the criteria in subsection (1)
895 and the removal of the registration requirement will not
896 conflict with federal law, it may grant the motion and order the
897 removal of the registration requirement. The court shall
898 instruct the person to provide the department a certified copy
899 of the order granting relief. If the court denies the motion,
900 the person is not authorized under this section to file another
901 motion ~~petition~~ for removal of the registration requirement.

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

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

Amendment No. 1

906 ~~2. Is subject to registration as a sexual offender or~~
907 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
908 ~~827.071; and~~

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

910 ~~(b) A person may petition the court in which the sentence~~
911 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~
912 ~~827.071 occurred for removal of the requirement to register as a~~
913 ~~sexual offender or sexual predator. The person must allege in~~
914 ~~the petition that he or she meets the criteria in subsection (1)~~
915 ~~and removal of the registration requirement will not conflict~~
916 ~~with federal law. The state attorney must be given notice of the~~
917 ~~petition at least 21 days before the hearing on the petition and~~
918 ~~may present evidence in opposition to the requested relief or~~
919 ~~may otherwise demonstrate why the petition should be denied. The~~
920 ~~court shall rule on the petition and, if the court determines~~
921 ~~the person meets the criteria in subsection (1) and removal of~~
922 ~~the registration requirement will not conflict with federal law,~~
923 ~~it may grant the petition and order the removal of the~~
924 ~~registration requirement. If the court denies the petition, the~~
925 ~~person is not authorized under this section to file any further~~
926 ~~petition for removal of the registration requirement.~~

927 ~~(3)(4)~~ If a person provides to the Department of Law
928 Enforcement a certified copy of the court's order removing the
929 requirement that the person register as a sexual offender or
930 sexual predator for the violation of s. 794.011, s. 800.04, s.
931 827.071, or s. 847.0135(5), or a similar offense in another
932 jurisdiction, the registration requirement will not apply to the
933 person and the department shall remove all information about the

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

934 person from the public registry of sexual offenders and sexual
935 predators maintained by the department. However, the removal of
936 this information from the public registry does not mean that the
937 public is denied access to information about the person's
938 criminal history or record that is otherwise available as a
939 public record.

940 Section 7. Subsection (2) and paragraph (a) of subsection
941 (3) of section 943.0437, Florida Statutes, are amended to read:

942 943.0437 Commercial social networking websites.-

943 (2) The department may provide information relating to
944 electronic mail addresses and Internet identifiers ~~instant~~
945 ~~message names~~ maintained as part of the sexual offender registry
946 to commercial social networking websites or third parties
947 designated by commercial social networking websites. The
948 commercial social networking website may use this information
949 for the purpose of comparing registered users and screening
950 potential users of the commercial social networking website
951 against the list of electronic mail addresses and Internet
952 identifiers ~~instant message names~~ provided by the department.

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

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

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

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

962 944.606 Sexual offenders; notification upon release.—

963 (1) As used in this section:

964 (b) "Sexual offender" means a person who has been
965 convicted of committing, or attempting, soliciting, or
966 conspiring to commit, any of the criminal offenses proscribed in
967 the following statutes in this state or similar offenses in
968 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
969 s. 787.02, or s. 787.025(2) (c), where the victim is a minor and
970 the defendant is not the victim's parent or guardian; s.
971 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
972 796.045; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s.
973 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
974 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
975 similar offense committed in this state which has been
976 redesignated from a former statute number to one of those listed
977 in this subsection, when the department has received verified
978 information regarding such conviction; an offender's
979 computerized criminal history record is not, in and of itself,
980 verified information.

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

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

988 1. The department must provide: the sexual offender's
989 name, any change in the offender's name by reason of marriage or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 455 (2012)

Amendment No. 1

990 other legal process, and any alias, if known; the correctional
991 facility from which the sexual offender is released; the sexual
992 offender's social security number, race, sex, date of birth,
993 height, weight, and hair and eye color; address of any planned
994 permanent residence or temporary residence, within the state or
995 out of state, including a rural route address and a post office
996 box; if no permanent or temporary address, any transient
997 residence within the state; address, location or description,
998 and dates of any known future temporary residence within the
999 state or out of state; date and county of sentence and each
1000 crime for which the offender was sentenced; a copy of the
1001 offender's fingerprints, palm prints, and a digitized photograph
1002 taken within 60 days before release; the date of release of the
1003 sexual offender; all any electronic mail addresses address and
1004 all Internet identifiers any instant message name required to be
1005 provided pursuant to s. 943.0435(4) (d); all and home telephone
1006 numbers number and any cellular telephone numbers; information
1007 about any professional licenses the offender may have, if known;
1008 and passport information, if he or she has a passport, and, if
1009 he or she is an alien, information about documents establishing
1010 his or her immigration status number. The department shall
1011 notify the Department of Law Enforcement if the sexual offender
1012 escapes, absconds, or dies. If the sexual offender is in the
1013 custody of a private correctional facility, the facility shall
1014 take the digitized photograph of the sexual offender within 60
1015 days before the sexual offender's release and provide this
1016 photograph to the Department of Corrections and also place it in
1017 the sexual offender's file. If the sexual offender is in the

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Page 37 of 43

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 455 (2012)

Amendment No. 1

1018 custody of a local jail, the custodian of the local jail shall
1019 register the offender within 3 business days after intake of the
1020 offender for any reason and upon release, and shall notify the
1021 Department of Law Enforcement of the sexual offender's release
1022 and provide to the Department of Law Enforcement the information
1023 specified in this paragraph and any information specified in
1024 subparagraph 2. that the Department of Law Enforcement requests.

1025 2. The department may provide any other information deemed
1026 necessary, including criminal and corrections records,
1027 nonprivileged personnel and treatment records, when available.

1028 Section 9. Paragraphs (a) and (f) of subsection (1),
1029 subsection (4), and paragraph (c) of subsection (13) of section
1030 944.607, Florida Statutes, are amended to read:

1031 944.607 Notification to Department of Law Enforcement of
1032 information on sexual offenders.-

1033 (1) As used in this section, the term:

1034 (a) "Sexual offender" means a person who is in the custody
1035 or control of, or under the supervision of, the department or is
1036 in the custody of a private correctional facility:

1037 1. On or after October 1, 1997, as a result of a
1038 conviction for committing, or attempting, soliciting, or
1039 conspiring to commit, any of the criminal offenses proscribed in
1040 the following statutes in this state or similar offenses in
1041 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
1042 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
1043 the defendant is not the victim's parent or guardian; s.
1044 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
1045 796.035; s. 796.045; s. 800.04; s. 825.1025; s. 827.071; s.

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 455 (2012)

Amendment No. 1

1046 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
1047 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
1048 similar offense committed in this state which has been
1049 redesignated from a former statute number to one of those listed
1050 in this paragraph; or

1051 2. Who establishes or maintains a residence in this state
1052 and who has not been designated as a sexual predator by a court
1053 of this state but who has been designated as a sexual predator,
1054 as a sexually violent predator, or by another sexual offender
1055 designation in another state or jurisdiction and was, as a
1056 result of such designation, subjected to registration or
1057 community or public notification, or both, or would be if the
1058 person were a resident of that state or jurisdiction, without
1059 regard as to whether the person otherwise meets the criteria for
1060 registration as a sexual offender.

1061 (f) "Internet identifier ~~Instant message name~~" has the
1062 same meaning as provided in s. 775.21 ~~means an identifier that~~
1063 ~~allows a person to communicate in real time with another person~~
1064 ~~using the Internet.~~

1065 (4) A sexual offender, as described in this section, who
1066 is under the supervision of the Department of Corrections but is
1067 not incarcerated must register with the Department of
1068 Corrections within 3 business days after sentencing for a
1069 registrable offense and otherwise provide information as
1070 required by this subsection.

1071 (a) The sexual offender shall provide his or her name;
1072 date of birth; social security number; race; sex; height;
1073 weight; hair and eye color; tattoos or other identifying marks;

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

1074 all any electronic mail addresses ~~address~~ and all Internet
1075 identifiers ~~any instant message name~~ required to be provided
1076 pursuant to s. 943.0435(4)(d); all home telephone numbers and
1077 cellular telephone numbers; the make, model, color, registration
1078 number, and license tag number of all vehicles owned; permanent
1079 or legal residence and address of temporary residence within the
1080 state or out of state while the sexual offender is under
1081 supervision in this state, including any rural route address or
1082 post office box; if no permanent or temporary address, any
1083 transient residence within the state; and address, location or
1084 description, and dates of any current or known future temporary
1085 residence within the state or out of state. The sexual offender
1086 must also produce his or her passport, if he or she has a
1087 passport, and, if he or she is an alien, must produce or provide
1088 information about documents establishing his or her immigration
1089 status. The sexual offender must also provide information about
1090 any professional licenses he or she may have. The Department of
1091 Corrections shall verify the address of each sexual offender in
1092 the manner described in ss. 775.21 and 943.0435. The department
1093 shall report to the Department of Law Enforcement any failure by
1094 a sexual predator or sexual offender to comply with registration
1095 requirements.

1096 (b) If the sexual offender is enrolled, employed,
1097 volunteering, or carrying on a vocation at an institution of
1098 higher education in this state, the sexual offender shall
1099 provide the name, address, and county of each institution,
1100 including each campus attended, and the sexual offender's
1101 enrollment, volunteer, or employment status. Each change in

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

1102 enrollment, volunteer, or employment status shall be reported to
1103 the department within 48 hours after the change in status. The
1104 Department of Corrections shall promptly notify each institution
1105 of the sexual offender's presence and any change in the sexual
1106 offender's enrollment, volunteer, or employment status.

1107 (13)

1108 (c) The sheriff's office may determine the appropriate
1109 times and days for reporting by the sexual offender, which shall
1110 be consistent with the reporting requirements of this
1111 subsection. Reregistration shall include any changes to the
1112 following information:

1113 1. Name; social security number; age; race; sex; date of
1114 birth; height; weight; hair and eye color; address of any
1115 permanent residence and address of any current temporary
1116 residence, within the state or out of state, including a rural
1117 route address and a post office box; if no permanent or
1118 temporary address, any transient residence; address, location or
1119 description, and dates of any current or known future temporary
1120 residence within the state or out of state; ~~any~~ electronic mail
1121 addresses ~~address~~ ~~and~~ or Internet identifiers ~~any instant~~
1122 ~~message name~~ required to be provided pursuant to s.

1123 943.0435(4)(d); home telephone numbers or cellular telephone
1124 numbers; date and place of any employment; the ~~vehicle~~ make,
1125 model, color, registration number, and license tag number of any
1126 vehicles owned; fingerprints; palm prints; and photograph. A
1127 post office box shall not be provided in lieu of a physical
1128 residential address. The sexual offender must also produce his
1129 or her passport, if he or she has a passport, and, if he or she

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

Amendment No. 1

1130 is an alien, must produce or provide information about documents
1131 establishing his or her immigration status. The sexual offender
1132 must also provide information about any professional licenses he
1133 or she may have.

1134 2. If the sexual offender is enrolled, employed,
1135 volunteering, or carrying on a vocation at an institution of
1136 higher education in this state, the sexual offender shall also
1137 provide to the department the name, address, and county of each
1138 institution, including each campus attended, and the sexual
1139 offender's enrollment, volunteer, or employment status.

1140 3. If the sexual offender's place of residence is a motor
1141 vehicle, trailer, mobile home, or manufactured home, as defined
1142 in chapter 320, the sexual offender shall also provide the
1143 vehicle identification number; the license tag number; the
1144 registration number; and a description, including color scheme,
1145 of the motor vehicle, trailer, mobile home, or manufactured
1146 home. If the sexual offender's place of residence is a vessel,
1147 live-aboard vessel, or houseboat, as defined in chapter 327, the
1148 sexual offender shall also provide the hull identification
1149 number; the manufacturer's serial number; the name of the
1150 vessel, live-aboard vessel, or houseboat; the registration
1151 number; and a description, including color scheme, of the
1152 vessel, live-aboard vessel or houseboat.

1153 4. Any sexual offender who fails to report in person as
1154 required at the sheriff's office, ~~or~~ who fails to respond to any
1155 address verification correspondence from the department within 3
1156 weeks of the date of the correspondence, ~~or~~ who fails to report
1157 all electronic mail addresses or all Internet identifiers prior

656125 - h0455-line193.docx

Published On: 2/21/2012 7:01:26 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 455 (2012)

Amendment No. 1

1158 to use ~~or instant message names,~~ or who knowingly provides false
1159 registration information by act or omission commits a felony of
1160 the third degree, punishable as provided in s. 775.082, s.
1161 775.083, or s. 775.084.