

1 A bill to be entitled
2 An act relating to sex offenses; amending s. 775.21,
3 F.S.; replacing the definition of the term "instant
4 message name" with the definition of the term
5 "Internet identifier"; providing that voluntary
6 disclosure of specified information waives a
7 disclosure exemption for such information; conforming
8 provisions; adding additional offenses to the list of
9 sexual predator qualifying offenses; requiring
10 disclosure of additional information during the sexual
11 predator registration process; requiring that a sexual
12 predator who is unable to secure or update a driver
13 license or identification card within a specified
14 period must report specified information to the local
15 sheriff's office within a specified period after such
16 change with confirmation that he or she also reported
17 such information to the Department of Highway Safety
18 and Motor Vehicles; revising reporting requirements if
19 a sexual predator plans to leave the United States for
20 more than a specified period; providing criminal
21 penalties for knowingly providing false registration
22 information by act or omission; amending s. 800.03,
23 F.S.; providing enhanced penalties for third or
24 subsequent indecent exposure violations; amending s.
25 903.046, F.S.; requiring a court considering whether
26 to release a defendant on bail to determine whether
27 the defendant is subject to registration as a sexual
28 offender or sexual predator and, if so, to hold the

29 | defendant without bail until the first appearance on
30 | the case; providing an exception; amending s.
31 | 943.0435, F.S.; adding additional offenses to the list
32 | of sexual offender qualifying offenses; replacing the
33 | definition of the term "instant message name" with the
34 | definition of the term "Internet identifier";
35 | conforming provisions; requiring disclosure of
36 | additional sexual offender registration information;
37 | requiring that a sexual offender who is unable to
38 | secure or update a driver license or identification
39 | card within a specified period must report specified
40 | information to the local sheriff's office within a
41 | specified period of such change with confirmation that
42 | he or she also reported such information to the
43 | Department of Highway Safety and Motor Vehicles;
44 | providing additional requirements for sexual offenders
45 | intending to reside outside of the United States;
46 | revising criteria applicable to provisions allowing
47 | removal from the requirement to register as a sexual
48 | offender; providing criminal penalties for knowingly
49 | providing false registration information by act or
50 | omission; amending s. 943.04351, F.S.; requiring a
51 | specified national search of registration information
52 | regarding sexual predators and sexual offenders prior
53 | to appointment or employment of persons by state
54 | agencies and governmental subdivisions; amending s.
55 | 943.04354, F.S.; revising the criteria applicable to
56 | provisions allowing removal of the requirement to

57 register as a sexual offender or sexual predator;
58 amending s. 943.0437, F.S.; replacing the term
59 "instant message name" with the term "Internet
60 identifier"; amending ss. 944.606 and 944.607, F.S.;
61 adding additional offenses to the list of sexual
62 offender qualifying offenses; replacing the definition
63 of the term "instant message name" with the definition
64 of the term "Internet identifier"; conforming
65 provisions; requiring disclosure of additional
66 registration information; providing criminal penalties
67 for knowingly providing false registration information
68 by act or omission; amending s. 947.005, F.S.;
69 revising the definition of the term "risk assessment";
70 amending s. 948.31, F.S.; authorizing the court to
71 require sexual offenders and sexual predators who are
72 on probation or community control to undergo an
73 evaluation to determine whether the offender or
74 predator needs sexual offender treatment; requiring
75 the probationer or community controllee to pay for the
76 treatment; removing a provision prohibiting contact
77 with minors if sexual offender treatment is
78 recommended; amending ss. 985.481 and 985.4815, F.S.;
79 requiring disclosure of additional registration
80 information by certain sexual offenders adjudicated
81 delinquent and certain juvenile sexual offenders;
82 providing criminal penalties for knowingly providing
83 false registration information by act or omission;
84 amending s. 947.1405, F.S.; requiring the commission

85 to order electronic monitoring for certain conditional
 86 releasees; amending s. 948.30, F.S.; requiring the
 87 court to order electronic monitoring for certain
 88 offenders; amending s. 921.0022, F.S.; correcting
 89 references; providing an effective date.

90

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

92

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

97 775.21 The Florida Sexual Predators Act.—

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

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

109 (4) SEXUAL PREDATOR CRITERIA.—

110 (a) For a current offense committed on or after October 1,
 111 1993, upon conviction, an offender shall be designated as a
 112 "sexual predator" under subsection (5), and subject to

113 registration under subsection (6) and community and public
 114 notification under subsection (7) if:

115 1. The felony is:

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

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

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

141 operation of this paragraph; and

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

145 (6) REGISTRATION.—

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

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

169 or provide information about documents establishing his or her
170 immigration status. The sexual predator must also provide
171 information about any professional licenses he or she may have.

172 a. If the sexual predator's place of residence is a motor
173 vehicle, trailer, mobile home, or manufactured home, as defined
174 in chapter 320, the sexual predator shall also provide to the
175 department written notice of the vehicle identification number;
176 the license tag number; the registration number; and a
177 description, including color scheme, of the motor vehicle,
178 trailer, mobile home, or manufactured home. If a sexual
179 predator's place of residence is a vessel, live-aboard vessel,
180 or houseboat, as defined in chapter 327, the sexual predator
181 shall also provide to the department written notice of the hull
182 identification number; the manufacturer's serial number; the
183 name of the vessel, live-aboard vessel, or houseboat; the
184 registration number; and a description, including color scheme,
185 of the vessel, live-aboard vessel, or houseboat.

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

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197 of Corrections shall promptly notify each institution of the
198 sexual predator's presence and any change in the sexual
199 predator's enrollment, volunteer, or employment status.

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

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

219 (c) If the sexual predator is in the custody of a local
220 jail, the custodian of the local jail shall register the sexual
221 predator within 3 business days after intake of the sexual
222 predator for any reason and upon release, and shall forward the
223 registration information to the department. The custodian of the
224 local jail shall also take a digitized photograph of the sexual

225 predator while the sexual predator remains in custody and shall
 226 provide the digitized photograph to the department. The
 227 custodian shall notify the department if the sexual predator
 228 escapes from custody or dies.

229 (d) If the sexual predator is under federal supervision,
 230 the federal agency responsible for supervising the sexual
 231 predator may forward to the department any information regarding
 232 the sexual predator which is consistent with the information
 233 provided by the Department of Corrections under this section,
 234 and may indicate whether use of the information is restricted to
 235 law enforcement purposes only or may be used by the department
 236 for purposes of public notification.

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

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

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

247 2. Any change in the sexual predator's permanent or
 248 temporary residence, name, or all any electronic mail addresses
 249 ~~address~~ and all Internet identifiers ~~any instant message name~~
 250 required to be provided pursuant to subparagraph (g)4., after
 251 the sexual predator registers in person at the sheriff's office
 252 as provided in subparagraph 1., shall be accomplished in the

253 manner provided in paragraphs (g), (i), and (j). When a sexual
 254 predator registers with the sheriff's office, the sheriff shall
 255 take a photograph, ~~and~~ a set of fingerprints, and palm prints of
 256 the predator and forward the photographs, palm prints, and
 257 fingerprints to the department, along with the information that
 258 the predator is required to provide pursuant to this section.

259 (f) Within 48 hours after the registration required under
 260 paragraph (a) or paragraph (e), a sexual predator who is not
 261 incarcerated and who resides in the community, including a
 262 sexual predator under the supervision of the Department of
 263 Corrections, shall register in person at a driver ~~driver's~~
 264 license office of the Department of Highway Safety and Motor
 265 Vehicles and shall present proof of registration. At the driver
 266 ~~driver's~~ license office the sexual predator shall:

267 1. If otherwise qualified, secure a Florida driver
 268 ~~driver's~~ license, renew a Florida driver ~~driver's~~ license, or
 269 secure an identification card. The sexual predator shall
 270 identify himself or herself as a sexual predator who is required
 271 to comply with this section, provide his or her place of
 272 permanent, temporary, or transient residence, including a rural
 273 route address and a post office box, and submit to the taking of
 274 a photograph for use in issuing a driver ~~driver's~~ license,
 275 renewed license, or identification card, and for use by the
 276 department in maintaining current records of sexual predators. A
 277 post office box shall not be provided in lieu of a physical
 278 residential address. If the sexual predator's place of residence
 279 is a motor vehicle, trailer, mobile home, or manufactured home,
 280 as defined in chapter 320, the sexual predator shall also

281 provide to the Department of Highway Safety and Motor Vehicles
 282 the vehicle identification number; the license tag number; the
 283 registration number; and a description, including color scheme,
 284 of the motor vehicle, trailer, mobile home, or manufactured
 285 home. If a sexual predator's place of residence is a vessel,
 286 live-aboard vessel, or houseboat, as defined in chapter 327, the
 287 sexual predator shall also provide to the Department of Highway
 288 Safety and Motor Vehicles the hull identification number; the
 289 manufacturer's serial number; the name of the vessel, live-
 290 aboard vessel, or houseboat; the registration number; and a
 291 description, including color scheme, of the vessel, live-aboard
 292 vessel, or houseboat.

293 2. Pay the costs assessed by the Department of Highway
 294 Safety and Motor Vehicles for issuing or renewing a driver
 295 ~~driver's~~ license or identification card as required by this
 296 section. The driver ~~driver's~~ license or identification card
 297 issued to the sexual predator must be in compliance with s.
 298 322.141(3).

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

302 (g)1. Each time a sexual predator's driver ~~driver's~~
 303 license or identification card is subject to renewal, and,
 304 without regard to the status of the predator's driver ~~driver's~~
 305 license or identification card, within 48 hours after any change
 306 of the predator's residence or change in the predator's name by
 307 reason of marriage or other legal process, the predator shall
 308 report in person to a driver ~~driver's~~ license office and shall

309 | be subject to the requirements specified in paragraph (f). The
310 | Department of Highway Safety and Motor Vehicles shall forward to
311 | the department and to the Department of Corrections all
312 | photographs and information provided by sexual predators.
313 | Notwithstanding the restrictions set forth in s. 322.142, the
314 | Department of Highway Safety and Motor Vehicles is authorized to
315 | release a reproduction of a color-photograph or digital-image
316 | license to the Department of Law Enforcement for purposes of
317 | public notification of sexual predators as provided in this
318 | section. A sexual predator who is unable to secure or update a
319 | driver license or identification card with the Department of
320 | Highway Safety and Motor Vehicles as provided in paragraph (f)
321 | and this paragraph must also report any change of the predator's
322 | residence or change in the predator's name by reason of marriage
323 | or other legal process within 48 hours after the change to the
324 | sheriff's office in the county where the predator resides or is
325 | located and provide confirmation that he or she reported such
326 | information to the Department of Highway Safety and Motor
327 | Vehicles.

328 | 2. A sexual predator who vacates a permanent, temporary,
329 | or transient residence and fails to establish or maintain
330 | another permanent, temporary, or transient residence shall,
331 | within 48 hours after vacating the permanent, temporary, or
332 | transient residence, report in person to the sheriff's office of
333 | the county in which he or she is located. The sexual predator
334 | shall specify the date upon which he or she intends to or did
335 | vacate such residence. The sexual predator must provide or
336 | update all of the registration information required under

337 paragraph (a). The sexual predator must provide an address for
 338 the residence or other place that he or she is or will be
 339 located during the time in which he or she fails to establish or
 340 maintain a permanent or temporary residence.

341 3. A sexual predator who remains at a permanent,
 342 temporary, or transient residence after reporting his or her
 343 intent to vacate such residence shall, within 48 hours after the
 344 date upon which the predator indicated he or she would or did
 345 vacate such residence, report in person to the sheriff's office
 346 to which he or she reported pursuant to subparagraph 2. for the
 347 purpose of reporting his or her address at such residence. When
 348 the sheriff receives the report, the sheriff shall promptly
 349 convey the information to the department. An offender who makes
 350 a report as required under subparagraph 2. but fails to make a
 351 report as required under this subparagraph commits a felony of
 352 the second degree, punishable as provided in s. 775.082, s.
 353 775.083, or s. 775.084.

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

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

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365 residence.

366 (i) A sexual predator who intends to establish a
367 permanent, temporary, or transient residence in another state or
368 jurisdiction other than the State of Florida shall report in
369 person to the sheriff of the county of current residence within
370 48 hours before the date he or she intends to leave this state
371 to establish residence in another state or jurisdiction or
372 within 21 days before his or her planned departure date if the
373 intended residence of 5 days or more is outside of the United
374 States. The sexual predator must provide to the sheriff the
375 address, municipality, county, ~~and~~ state, and country of
376 intended residence. The sheriff shall promptly provide to the
377 department the information received from the sexual predator.
378 The department shall notify the statewide law enforcement
379 agency, or a comparable agency, in the intended state, ~~or~~
380 jurisdiction, or country of residence of the sexual predator's
381 intended residence. The failure of a sexual predator to provide
382 his or her intended place of residence is punishable as provided
383 in subsection (10).

384 (j) A sexual predator who indicates his or her intent to
385 establish a permanent, temporary, or transient residence in
386 another state, a ~~or~~ jurisdiction other than the State of
387 Florida, or another country and later decides to remain in this
388 state shall, within 48 hours after the date upon which the
389 sexual predator indicated he or she would leave this state,
390 report in person to the sheriff to which the sexual predator
391 reported the intended change of residence, and report his or her
392 intent to remain in this state. If the sheriff is notified by

393 | the sexual predator that he or she intends to remain in this
 394 | state, the sheriff shall promptly report this information to the
 395 | department. A sexual predator who reports his or her intent to
 396 | establish a permanent, temporary, or transient residence in
 397 | another state, a ~~or~~ jurisdiction other than the State of
 398 | Florida, or another country, but who remains in this state
 399 | without reporting to the sheriff in the manner required by this
 400 | paragraph, commits a felony of the second degree, punishable as
 401 | provided in s. 775.082, s. 775.083, or s. 775.084.

402 | (k)1. The department is responsible for the online
 403 | maintenance of current information regarding each registered
 404 | sexual predator. The department must maintain hotline access for
 405 | state, local, and federal law enforcement agencies to obtain
 406 | instantaneous locator file and offender characteristics
 407 | information on all released registered sexual predators for
 408 | purposes of monitoring, tracking, and prosecution. The
 409 | photograph and fingerprints do not have to be stored in a
 410 | computerized format.

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

421 to use public information regarding a registered sexual predator
422 to facilitate the commission of a crime.

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

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

433 (8) VERIFICATION.—The department and the Department of
434 Corrections shall implement a system for verifying the addresses
435 of sexual predators. The system must be consistent with the
436 provisions of the federal Adam Walsh Child Protection and Safety
437 Act of 2006 and any other federal standards applicable to such
438 verification or required to be met as a condition for the
439 receipt of federal funds by the state. The Department of
440 Corrections shall verify the addresses of sexual predators who
441 are not incarcerated but who reside in the community under the
442 supervision of the Department of Corrections and shall report to
443 the department any failure by a sexual predator to comply with
444 registration requirements. County and local law enforcement
445 agencies, in conjunction with the department, shall verify the
446 addresses of sexual predators who are not under the care,
447 custody, control, or supervision of the Department of
448 Corrections. Local law enforcement agencies shall report to the

449 department any failure by a sexual predator to comply with
 450 registration requirements.

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

460 1. Name; social security number; age; race; sex; date of
 461 birth; height; weight; tattoos or other identifying marks; hair
 462 and eye color; address of any permanent residence and address of
 463 any current temporary residence, within the state or out of
 464 state, including a rural route address and a post office box; if
 465 no permanent or temporary address, any transient residence
 466 within the state; address, location or description, and dates of
 467 any current or known future temporary residence within the state
 468 or out of state; all any electronic mail addresses ~~address~~ and
 469 all Internet identifiers ~~any instant message name~~ required to be
 470 provided pursuant to subparagraph (6)(g)4.; all home telephone
 471 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date
 472 and place of any employment; the ~~vehicle~~ make, model, color,
 473 registration number, and license tag number of all vehicles
 474 owned; fingerprints; palm prints; and photograph. A post office
 475 box shall not be provided in lieu of a physical residential
 476 address. The sexual predator must also produce his or her

477 passport, if he or she has a passport, and, if he or she is an
478 alien, must produce or provide information about documents
479 establishing his or her immigration status. The sexual predator
480 must also provide information about any professional licenses he
481 or she may have.

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

488 3. If the sexual predator's place of residence is a motor
489 vehicle, trailer, mobile home, or manufactured home, as defined
490 in chapter 320, the sexual predator shall also provide the
491 vehicle identification number; the license tag number; the
492 registration number; and a description, including color scheme,
493 of the motor vehicle, trailer, mobile home, or manufactured
494 home. If the sexual predator's place of residence is a vessel,
495 live-aboard vessel, or houseboat, as defined in chapter 327, the
496 sexual predator shall also provide the hull identification
497 number; the manufacturer's serial number; the name of the
498 vessel, live-aboard vessel, or houseboat; the registration
499 number; and a description, including color scheme, of the
500 vessel, live-aboard vessel, or houseboat.

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

505 (10) PENALTIES.—

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

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

524 800.03 Exposure of sexual organs.—

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

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

533 (b) A third or subsequent violation of this section is a
 534 felony of the third degree, punishable as provided in s.
 535 775.082, s. 775.083, or s. 775.084.

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

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

540 903.046 Purpose of and criteria for bail determination.—

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

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

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

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

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

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

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

572 in this state which has been redesignated from a former statute
 573 number to one of those listed in this sub-sub-subparagraph; and

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

583 b. Establishes or maintains a residence in this state and
 584 who has not been designated as a sexual predator by a court of
 585 this state but who has been designated as a sexual predator, as
 586 a sexually violent predator, or by another sexual offender
 587 designation in another state or jurisdiction and was, as a
 588 result of such designation, subjected to registration or

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589 community or public notification, or both, or would be if the
590 person were a resident of that state or jurisdiction, without
591 regard to whether the person otherwise meets the criteria for
592 registration as a sexual offender;

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

609 d. On or after July 1, 2007, has been adjudicated
610 delinquent for committing, or attempting, soliciting, or
611 conspiring to commit, any of the criminal offenses proscribed in
612 the following statutes in this state or similar offenses in
613 another jurisdiction when the juvenile was 14 years of age or
614 older at the time of the offense:

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

616 (II) Section 800.04(4)(b) where the victim is under 12

617 | years of age or where the court finds sexual activity by the use
 618 | of force or coercion;

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

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

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

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

638 | (g) "Internet identifier ~~Instant message name~~" has the
 639 | same meaning as provided in s. 775.21 ~~means an identifier that~~
 640 | ~~allows a person to communicate in real time with another person~~
 641 | ~~using the Internet.~~

642 | (2) A sexual offender shall:

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

644 | 1. In the county in which the offender establishes or

645 maintains a permanent, temporary, or transient residence within
 646 48 hours after:

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

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

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

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

667 (b) Provide his or her name; date of birth; social
 668 security number; race; sex; height; weight; hair and eye color;
 669 tattoos or other identifying marks; occupation and place of
 670 employment; address of permanent or legal residence or address
 671 of any current temporary residence, within the state or out of
 672 state, including a rural route address and a post office box; if

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

691 1. If the sexual offender's place of residence is a motor
 692 vehicle, trailer, mobile home, or manufactured home, as defined
 693 in chapter 320, the sexual offender shall also provide to the
 694 department through the sheriff's office written notice of the
 695 vehicle identification number; the license tag number; the
 696 registration number; and a description, including color scheme,
 697 of the motor vehicle, trailer, mobile home, or manufactured
 698 home. If the sexual offender's place of residence is a vessel,
 699 live-aboard vessel, or houseboat, as defined in chapter 327, the
 700 sexual offender shall also provide to the department written

701 notice of the hull identification number; the manufacturer's
 702 serial number; the name of the vessel, live-aboard vessel, or
 703 houseboat; the registration number; and a description, including
 704 color scheme, of the vessel, live-aboard vessel, or houseboat.

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

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

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

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

756 (d) A sexual offender must register all ~~any~~ electronic

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

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

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

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

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

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

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813 ~~the sexual offender's requirement to register was not based upon~~
814 ~~an adult conviction:~~

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

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

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

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

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

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

840 ~~b. For a violation of s. 794.011, excluding s.~~

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841 ~~794.011(10);~~

842 ~~e. For a violation of s. 800.04(4) (b) where the court~~
843 ~~finds the offense involved a victim under 12 years of age or~~
844 ~~sexual activity by the use of force or coercion;~~

845 ~~d. For a violation of s. 800.04(5) (b);~~

846 ~~e. For a violation of s. 800.04(5)e.2. where the court~~
847 ~~finds the offense involved unclothed genitals or genital area;~~

848 ~~f. For any attempt or conspiracy to commit any such~~
849 ~~offense; or~~

850 ~~g. For a violation of similar law of another jurisdiction,~~

851
852 ~~may petition the criminal division of the circuit court of the~~
853 ~~circuit in which the sexual offender resides for the purpose of~~
854 ~~removing the requirement for registration as a sexual offender.~~

855 2. A sexual offender whose requirement to register was
856 based upon an adult conviction for a violation of s. 787.02 or
857 s. 827.071(5), for any attempt or conspiracy to commit any
858 offense listed in this subparagraph, or for a violation of
859 similar law of another jurisdiction may petition the criminal
860 division of the circuit court of the circuit in which the sexual
861 offender resides for the purpose of removing the requirement for
862 registration as a sexual offender if:

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

866 b. The sexual offender has not been convicted or
867 adjudicated delinquent of any felony offense or of an offense
868 punishable by more than 1 year of imprisonment during the 10

869 years preceding the petition to the court;

870 c. The sexual offender has successfully completed all
871 sanctions imposed for all offenses that required the offender to
872 register; and

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

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

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

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

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

892 4.2. The court may grant or deny relief if the offender
893 demonstrates to the court that ~~he or she has not been arrested~~
894 ~~for any crime since release;~~ the requested relief complies with
895 this paragraph, ~~the provisions of the federal Adam Walsh Child~~
896 Protection and Safety Act of 2006, and any other federal

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897 standards applicable to the removal of registration requirements
898 for a sexual offender or required to be met as a condition for
899 the receipt of federal funds by the state; and the court is
900 otherwise satisfied that the offender is not a current or
901 potential threat to public safety. The state attorney in the
902 circuit in which the petition is filed and the department must
903 be given notice of the petition at least 3 weeks before the
904 hearing on the matter. The state attorney may present evidence
905 in opposition to the requested relief or may otherwise
906 demonstrate the reasons why the petition should be denied. If
907 the court grants the petition, the court shall instruct the
908 petitioner to provide the department with a certified copy of
909 the order granting relief. If the court denies the petition, the
910 court may set a future date at which the sexual offender may
911 again petition the court for relief, subject to the standards
912 for relief provided in this subsection.

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

919 6. For purposes of this paragraph:

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

924 b. A sexual offender's registration period is tolled

925 during any period in which the offender is incarcerated, civilly
 926 committed, detained pursuant to chapter 985, or committed to a
 927 residential program.

928 (b) A sexual offender as defined in sub-subparagraph
 929 (1)(a)1.b. must maintain registration with the department for
 930 the duration of his or her life until the person provides the
 931 department with an order issued by the court that designated the
 932 person as a sexual predator, as a sexually violent predator, or
 933 by another sexual offender designation in the state or
 934 jurisdiction in which the order was issued which states that
 935 such designation has been removed or demonstrates to the
 936 department that such designation, if not imposed by a court, has
 937 been removed by operation of law or court order in the state or
 938 jurisdiction in which the designation was made, and provided
 939 such person no longer meets the criteria for registration as a
 940 sexual offender under the laws of this state.

941 (14)

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

- 947 1. Name; social security number; age; race; sex; date of
 948 birth; height; weight; hair and eye color; address of any
 949 permanent residence and address of any current temporary
 950 residence, within the state or out of state, including a rural
 951 route address and a post office box; if no permanent or
 952 temporary address, any transient residence within the state;

953 address, location or description, and dates of any current or
954 known future temporary residence within the state or out of
955 state; all ~~any~~ electronic mail addresses ~~address~~ and all
956 Internet identifiers ~~any instant message name~~ required to be
957 provided pursuant to paragraph (4) (d); all home telephone
958 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date
959 and place of any employment; the ~~vehicle~~ make, model, color,
960 registration number, and license tag number of all vehicles
961 owned; fingerprints; palm prints; and photograph. A post office
962 box may ~~shall~~ not be provided in lieu of a physical residential
963 address. The sexual offender must also produce his or her
964 passport, if he or she has a passport, and, if he or she is an
965 alien, must produce or provide information about documents
966 establishing his or her immigration status. The sexual offender
967 must also provide information about any professional licenses he
968 or she may have.

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

975 3. If the sexual offender's place of residence is a motor
976 vehicle, trailer, mobile home, or manufactured home, as defined
977 in chapter 320, the sexual offender shall also provide the
978 vehicle identification number; the license tag number; the
979 registration number; and a description, including color scheme,
980 of the motor vehicle, trailer, mobile home, or manufactured

981 home. If the sexual offender's place of residence is a vessel,
 982 live-aboard vessel, or houseboat, as defined in chapter 327, the
 983 sexual offender shall also provide the hull identification
 984 number; the manufacturer's serial number; the name of the
 985 vessel, live-aboard vessel, or houseboat; the registration
 986 number; and a description, including color scheme, of the
 987 vessel, live-aboard vessel or houseboat.

988 4. Any sexual offender who fails to report in person as
 989 required at the sheriff's office, ~~or~~ who fails to respond to any
 990 address verification correspondence from the department within 3
 991 weeks of the date of the correspondence, or who fails to report
 992 all electronic mail addresses and all Internet identifiers ~~or~~
 993 instant message names, or who knowingly provides false
 994 registration information by act or omission commits a felony of
 995 the third degree, punishable as provided in s. 775.082, s.
 996 775.083, or s. 775.084.

997 Section 5. Section 943.04351, Florida Statutes, is amended
 998 to read:

999 943.04351 Search of registration information regarding
 1000 sexual predators and sexual offenders required prior to
 1001 appointment or employment.—A state agency or governmental
 1002 subdivision, prior to making any decision to appoint or employ a
 1003 person to work, whether for compensation or as a volunteer, at
 1004 any park, playground, day care center, or other place where
 1005 children regularly congregate, must conduct a search of that
 1006 person's name or other identifying information against the
 1007 registration information regarding sexual predators and sexual
 1008 offenders maintained by the Department of Law Enforcement under

1009 s. 943.043. The agency or governmental subdivision may conduct
 1010 the search using the Internet site maintained by the Department
 1011 of Law Enforcement. Also, a national search must be conducted
 1012 through the Dru Sjodin National Sex Offender Public Website
 1013 maintained by the United States Department of Justice. This
 1014 section does not apply to those positions or appointments within
 1015 a state agency or governmental subdivision for which a state and
 1016 national criminal history background check is conducted.

1017 Section 6. Section 943.04354, Florida Statutes, is amended
 1018 to read:

1019 943.04354 Removal of the requirement to register as a
 1020 sexual offender or sexual predator in special circumstances.—

1021 (1) For purposes of this section, a person shall be
 1022 considered for removal of the requirement to register as a
 1023 sexual offender or sexual predator only if the person:

1024 (a) Was ~~or will be~~ convicted, regardless of adjudication,
 1025 or adjudicated delinquent of a violation of s. 794.011, s.
 1026 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in
 1027 another jurisdiction, or the person committed a violation of s.
 1028 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which
 1029 adjudication of guilt was or will be withheld, and the person
 1030 does not have any other conviction, regardless of adjudication,
 1031 or adjudication of delinquency, or withhold of adjudication of
 1032 guilt for a violation of s. 794.011, s. 800.04, s. 827.071, or
 1033 s. 847.0135(5), or a similar offense in another jurisdiction;

1034 (b) 1. Was convicted, regardless of adjudication, or
 1035 adjudicated delinquent of an offense listed in paragraph (a) and
 1036 is required to register as a sexual offender or sexual predator

1037 solely on the basis of this conviction or adjudication
 1038 violation; ~~or~~ and

1039 2. Was convicted, regardless of adjudication, or
 1040 adjudicated delinquent of an offense in another jurisdiction
 1041 that is similar to an offense listed in paragraph (a) and no
 1042 longer meets the criteria for registration as a sexual offender
 1043 or sexual predator under the laws of the jurisdiction where the
 1044 similar offense occurred; and

1045 (c) Is not more than 4 years older than the victim of this
 1046 violation who was 13 ~~14~~ years of age or older but less ~~not more~~
 1047 than 18 ~~17~~ years of age at the time the person committed this
 1048 violation.

1049 (2) If a person meets the criteria in subsection (1) ~~and~~
 1050 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
 1051 ~~847.0135(5) was committed on or after July 1, 2007, the person~~
 1052 may move the sentencing court or, for persons convicted or
 1053 adjudicated delinquent of a qualifying offense in another
 1054 jurisdiction, the criminal circuit court of the circuit in which
 1055 the person resides ~~that will sentence or dispose of this~~
 1056 ~~violation~~ to remove the requirement that the person register as
 1057 a sexual offender or sexual predator. The person must allege in
 1058 the motion that he or she meets the criteria in subsection (1)
 1059 and that removal of the registration requirement will not
 1060 conflict with federal law. Persons convicted or adjudicated
 1061 delinquent of an offense in another jurisdiction that is similar
 1062 to an offense listed in paragraph (1)(a) must provide the court
 1063 written confirmation that he or she is not required to register
 1064 in the state where the conviction or adjudication occurred. The

1065 state attorney and the department must be given notice of the
 1066 motion at least 21 days before the date of sentencing, ~~or~~
 1067 disposition of the this violation, or hearing on the motion and
 1068 may present evidence in opposition to the requested relief or
 1069 may otherwise demonstrate why the motion should be denied. At
 1070 sentencing, ~~or~~ disposition of the this violation, or hearing on
 1071 the motion, the court shall rule on this motion and, if the
 1072 court determines the person meets the criteria in subsection (1)
 1073 and the removal of the registration requirement will not
 1074 conflict with federal law, it may grant the motion and order the
 1075 removal of the registration requirement. The court shall
 1076 instruct the person to provide the department a certified copy
 1077 of the order granting relief. If the court denies the motion,
 1078 the person is not authorized under this section to petition for
 1079 removal of the registration requirement.

- 1080 ~~(3) (a) This subsection applies to a person who:~~
- 1081 ~~1. Is not a person described in subsection (2) because the~~
 - 1082 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
 - 1083 ~~committed on or after July 1, 2007;~~
 - 1084 ~~2. Is subject to registration as a sexual offender or~~
 - 1085 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
 - 1086 ~~827.071; and~~
 - 1087 ~~3. Meets the criteria in subsection (1).~~
- 1088 ~~(b) A person may petition the court in which the sentence~~
- 1089 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~
- 1090 ~~827.071 occurred for removal of the requirement to register as a~~
- 1091 ~~sexual offender or sexual predator. The person must allege in~~
- 1092 ~~the petition that he or she meets the criteria in subsection (1)~~

1093 ~~and removal of the registration requirement will not conflict~~
 1094 ~~with federal law. The state attorney must be given notice of the~~
 1095 ~~petition at least 21 days before the hearing on the petition and~~
 1096 ~~may present evidence in opposition to the requested relief or~~
 1097 ~~may otherwise demonstrate why the petition should be denied. The~~
 1098 ~~court shall rule on the petition and, if the court determines~~
 1099 ~~the person meets the criteria in subsection (1) and removal of~~
 1100 ~~the registration requirement will not conflict with federal law,~~
 1101 ~~it may grant the petition and order the removal of the~~
 1102 ~~registration requirement. If the court denies the petition, the~~
 1103 ~~person is not authorized under this section to file any further~~
 1104 ~~petition for removal of the registration requirement.~~

1105 (3)-(4) If a person provides to the Department of Law
 1106 Enforcement a certified copy of the court's order removing the
 1107 requirement that the person register as a sexual offender or
 1108 sexual predator for the violation of s. 794.011, s. 800.04, s.
 1109 827.071, or s. 847.0135(5), or a similar offense in another
 1110 jurisdiction, the registration requirement will not apply to the
 1111 person and the department shall remove all information about the
 1112 person from the public registry of sexual offenders and sexual
 1113 predators maintained by the department. However, the removal of
 1114 this information from the public registry does not mean that the
 1115 public is denied access to information about the person's
 1116 criminal history or record that is otherwise available as a
 1117 public record.

1118 Section 7. Subsection (2) and paragraph (a) of subsection
 1119 (3) of section 943.0437, Florida Statutes, are amended to read:
 1120 943.0437 Commercial social networking websites.—

1121 (2) The department may provide information relating to
 1122 electronic mail addresses and Internet identifiers ~~instant~~
 1123 ~~message names~~ maintained as part of the sexual offender registry
 1124 to commercial social networking websites or third parties
 1125 designated by commercial social networking websites. The
 1126 commercial social networking website may use this information
 1127 for the purpose of comparing registered users and screening
 1128 potential users of the commercial social networking website
 1129 against the list of electronic mail addresses and Internet
 1130 identifiers ~~instant message names~~ provided by the department.

1131 (3) This section shall not be construed to impose any
 1132 civil liability on a commercial social networking website for:

1133 (a) Any action voluntarily taken in good faith to remove
 1134 or disable any profile of a registered user associated with an
 1135 electronic mail address or Internet identifier ~~instant message~~
 1136 ~~name~~ contained in the sexual offender registry.

1137 Section 8. Paragraphs (b) and (d) of subsection (1) and
 1138 paragraph (a) of subsection (3) of section 944.606, Florida
 1139 Statutes, are amended to read:

1140 944.606 Sexual offenders; notification upon release.—

1141 (1) As used in this section:

1142 (b) "Sexual offender" means a person who has been
 1143 convicted of committing, or attempting, soliciting, or
 1144 conspiring to commit, any of the criminal offenses proscribed in
 1145 the following statutes in this state or similar offenses in
 1146 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1147 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 1148 the defendant is not the victim's parent or guardian; s.

1149 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 1150 796.045; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s.
 1151 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 1152 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
 1153 similar offense committed in this state which has been
 1154 redesignated from a former statute number to one of those listed
 1155 in this subsection, when the department has received verified
 1156 information regarding such conviction; an offender's
 1157 computerized criminal history record is not, in and of itself,
 1158 verified information.

1159 (d) "Internet identifier ~~Instant message name~~" has the
 1160 same meaning as provided in s. 775.21 ~~means an identifier that~~
 1161 ~~allows a person to communicate in real time with another person~~
 1162 ~~using the Internet.~~

1163 (3)(a) The department must provide information regarding
 1164 any sexual offender who is being released after serving a period
 1165 of incarceration for any offense, as follows:

1166 1. The department must provide: the sexual offender's
 1167 name, any change in the offender's name by reason of marriage or
 1168 other legal process, and any alias, if known; the correctional
 1169 facility from which the sexual offender is released; the sexual
 1170 offender's social security number, race, sex, date of birth,
 1171 height, weight, and hair and eye color; address of any planned
 1172 permanent residence or temporary residence, within the state or
 1173 out of state, including a rural route address and a post office
 1174 box; if no permanent or temporary address, any transient
 1175 residence within the state; address, location or description,
 1176 and dates of any known future temporary residence within the

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1177 state or out of state; date and county of sentence and each
1178 crime for which the offender was sentenced; a copy of the
1179 offender's fingerprints, palm prints, and a digitized photograph
1180 taken within 60 days before release; the date of release of the
1181 sexual offender; all ~~any~~ electronic mail addresses ~~address~~ and
1182 all Internet identifiers ~~any instant message name~~ required to be
1183 provided pursuant to s. 943.0435(4)(d); all ~~and~~ home telephone
1184 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
1185 about any professional licenses the offender may have, if known;
1186 and passport information, if he or she has a passport, and, if
1187 he or she is an alien, information about documents establishing
1188 his or her immigration status ~~number~~. The department shall
1189 notify the Department of Law Enforcement if the sexual offender
1190 escapes, absconds, or dies. If the sexual offender is in the
1191 custody of a private correctional facility, the facility shall
1192 take the digitized photograph of the sexual offender within 60
1193 days before the sexual offender's release and provide this
1194 photograph to the Department of Corrections and also place it in
1195 the sexual offender's file. If the sexual offender is in the
1196 custody of a local jail, the custodian of the local jail shall
1197 register the offender within 3 business days after intake of the
1198 offender for any reason and upon release, and shall notify the
1199 Department of Law Enforcement of the sexual offender's release
1200 and provide to the Department of Law Enforcement the information
1201 specified in this paragraph and any information specified in
1202 subparagraph 2. that the Department of Law Enforcement requests.
1203 2. The department may provide any other information deemed
1204 necessary, including criminal and corrections records,

1205 nonprivileged personnel and treatment records, when available.

1206 Section 9. Paragraphs (a) and (f) of subsection (1),
 1207 subsection (4), and paragraph (c) of subsection (13) of section
 1208 944.607, Florida Statutes, are amended to read:

1209 944.607 Notification to Department of Law Enforcement of
 1210 information on sexual offenders.—

1211 (1) As used in this section, the term:

1212 (a) "Sexual offender" means a person who is in the custody
 1213 or control of, or under the supervision of, the department or is
 1214 in the custody of a private correctional facility:

1215 1. On or after October 1, 1997, as a result of a
 1216 conviction for committing, or attempting, soliciting, or
 1217 conspiring to commit, any of the criminal offenses proscribed in
 1218 the following statutes in this state or similar offenses in
 1219 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1220 s. 787.02, or s. 787.025(2) (c), where the victim is a minor and
 1221 the defendant is not the victim's parent or guardian; s.
 1222 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 1223 796.035; s. 796.045; s. 800.04; s. 825.1025; s. 827.071; s.
 1224 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 1225 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
 1226 similar offense committed in this state which has been
 1227 redesignated from a former statute number to one of those listed
 1228 in this paragraph; or

1229 2. Who establishes or maintains a residence in this state
 1230 and who has not been designated as a sexual predator by a court
 1231 of this state but who has been designated as a sexual predator,
 1232 as a sexually violent predator, or by another sexual offender

1233 designation in another state or jurisdiction and was, as a
 1234 result of such designation, subjected to registration or
 1235 community or public notification, or both, or would be if the
 1236 person were a resident of that state or jurisdiction, without
 1237 regard as to whether the person otherwise meets the criteria for
 1238 registration as a sexual offender.

1239 (f) "Internet identifier ~~Instant message name~~" has the
 1240 same meaning as provided in s. 775.21 ~~means an identifier that~~
 1241 ~~allows a person to communicate in real time with another person~~
 1242 ~~using the Internet.~~

1243 (4) A sexual offender, as described in this section, who
 1244 is under the supervision of the Department of Corrections but is
 1245 not incarcerated must register with the Department of
 1246 Corrections within 3 business days after sentencing for a
 1247 registrable offense and otherwise provide information as
 1248 required by this subsection.

1249 (a) The sexual offender shall provide his or her name;
 1250 date of birth; social security number; race; sex; height;
 1251 weight; hair and eye color; tattoos or other identifying marks;
 1252 all any electronic mail addresses ~~address~~ and all Internet
 1253 identifiers ~~any instant message name~~ required to be provided
 1254 pursuant to s. 943.0435(4)(d); the make, model, color,
 1255 registration number, and license tag number of all vehicles
 1256 owned; permanent or legal residence and address of temporary
 1257 residence within the state or out of state while the sexual
 1258 offender is under supervision in this state, including any rural
 1259 route address or post office box; if no permanent or temporary
 1260 address, any transient residence within the state; and address,

1261 location or description, and dates of any current or known
 1262 future temporary residence within the state or out of state. The
 1263 sexual offender must also produce his or her passport, if he or
 1264 she has a passport, and, if he or she is an alien, must produce
 1265 or provide information about documents establishing his or her
 1266 immigration status. The sexual offender must also provide
 1267 information about any professional licenses he or she may have.
 1268 The Department of Corrections shall verify the address of each
 1269 sexual offender in the manner described in ss. 775.21 and
 1270 943.0435. The department shall report to the Department of Law
 1271 Enforcement any failure by a sexual predator or sexual offender
 1272 to comply with registration requirements.

1273 (b) If the sexual offender is enrolled, employed,
 1274 volunteering, or carrying on a vocation at an institution of
 1275 higher education in this state, the sexual offender shall
 1276 provide the name, address, and county of each institution,
 1277 including each campus attended, and the sexual offender's
 1278 enrollment, volunteer, or employment status. Each change in
 1279 enrollment, volunteer, or employment status shall be reported to
 1280 the department within 48 hours after the change in status. The
 1281 Department of Corrections shall promptly notify each institution
 1282 of the sexual offender's presence and any change in the sexual
 1283 offender's enrollment, volunteer, or employment status.

1284 (13)

1285 (c) The sheriff's office may determine the appropriate
 1286 times and days for reporting by the sexual offender, which shall
 1287 be consistent with the reporting requirements of this
 1288 subsection. Reregistration shall include any changes to the

1289 following information:

1290 1. Name; social security number; age; race; sex; date of
 1291 birth; height; weight; hair and eye color; address of any
 1292 permanent residence and address of any current temporary
 1293 residence, within the state or out of state, including a rural
 1294 route address and a post office box; if no permanent or
 1295 temporary address, any transient residence; address, location or
 1296 description, and dates of any current or known future temporary
 1297 residence within the state or out of state; all ~~any~~ electronic
 1298 mail addresses ~~address~~ and all Internet identifiers ~~any instant~~
 1299 ~~message name~~ required to be provided pursuant to s.

1300 943.0435(4) (d); date and place of any employment; the ~~vehicle~~
 1301 make, model, color, registration number, and license tag number
 1302 of all vehicles owned; fingerprints; palm prints; and
 1303 photograph. A post office box shall not be provided in lieu of a
 1304 physical residential address. The sexual offender must also
 1305 produce his or her passport, if he or she has a passport, and,
 1306 if he or she is an alien, must produce or provide information
 1307 about documents establishing his or her immigration status. The
 1308 sexual offender must also provide information about any
 1309 professional licenses he or she may have.

1310 2. If the sexual offender is enrolled, employed,
 1311 volunteering, or carrying on a vocation at an institution of
 1312 higher education in this state, the sexual offender shall also
 1313 provide to the department the name, address, and county of each
 1314 institution, including each campus attended, and the sexual
 1315 offender's enrollment, volunteer, or employment status.

1316 3. If the sexual offender's place of residence is a motor

1317 vehicle, trailer, mobile home, or manufactured home, as defined
 1318 in chapter 320, the sexual offender shall also provide the
 1319 vehicle identification number; the license tag number; the
 1320 registration number; and a description, including color scheme,
 1321 of the motor vehicle, trailer, mobile home, or manufactured
 1322 home. If the sexual offender's place of residence is a vessel,
 1323 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1324 sexual offender shall also provide the hull identification
 1325 number; the manufacturer's serial number; the name of the
 1326 vessel, live-aboard vessel, or houseboat; the registration
 1327 number; and a description, including color scheme, of the
 1328 vessel, live-aboard vessel or houseboat.

1329 4. Any sexual offender who fails to report in person as
 1330 required at the sheriff's office, ~~or~~ who fails to respond to any
 1331 address verification correspondence from the department within 3
 1332 weeks of the date of the correspondence, ~~or~~ who fails to report
 1333 all electronic mail addresses and all Internet identifiers ~~or~~
 1334 ~~instant message names,~~ or who knowingly provides false
 1335 registration information by act or omission commits a felony of
 1336 the third degree, punishable as provided in s. 775.082, s.
 1337 775.083, or s. 775.084.

1338 Section 10. Subsection (11) of section 947.005, Florida
 1339 Statutes, is amended to read:

1340 947.005 Definitions.—As used in this chapter, unless the
 1341 context clearly indicates otherwise:

1342 (11) "Risk assessment" means an assessment completed by a
 1343 ~~an independent~~ qualified practitioner to evaluate the level of
 1344 risk associated when a sex offender has contact with a child.

1345 Section 11. Section 948.31, Florida Statutes, is amended
 1346 to read:

1347 948.31 Evaluation and treatment of sexual predators and
 1348 offenders on probation or community control.—The court may ~~shall~~
 1349 require an ~~evaluation by a qualified practitioner to determine~~
 1350 ~~the need of a probationer or community controllee for treatment.~~
 1351 ~~If the court determines that a need therefor is established by~~
 1352 ~~the evaluation process, the court shall require sexual offender~~
 1353 ~~treatment as a term or condition of probation or community~~
 1354 ~~control for any probationer or community controllee person who~~
 1355 is required to register as a sexual predator under s. 775.21 or
 1356 sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to
 1357 undergo an evaluation, at the probationer or community
 1358 controllee's expense, by a qualified practitioner to determine
 1359 whether such person needs sexual offender treatment. If the
 1360 qualified practitioner determines that sexual offender treatment
 1361 is needed and recommends treatment, the probationer or community
 1362 controllee must successfully complete and pay for the treatment.
 1363 Such treatment must ~~shall be required to~~ be obtained from a
 1364 qualified practitioner as defined in s. 948.001. Treatment may
 1365 not be administered by a qualified practitioner who has been
 1366 convicted or adjudicated delinquent of committing, or
 1367 attempting, soliciting, or conspiring to commit, any offense
 1368 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~
 1369 ~~impose a restriction against contact with minors if sexual~~
 1370 ~~offender treatment is recommended. The evaluation and~~
 1371 ~~recommendations for treatment of the probationer or community~~
 1372 ~~controllee shall be provided to the court for review.~~

1373 Section 12. Paragraph (a) of subsection (3) of section
 1374 985.481, Florida Statutes, is amended to read:

1375 985.481 Sexual offenders adjudicated delinquent;
 1376 notification upon release.—

1377 (3) (a) The department must provide information regarding
 1378 any sexual offender who is being released after serving a period
 1379 of residential commitment under the department for any offense,
 1380 as follows:

1381 1. The department must provide the sexual offender's name,
 1382 any change in the offender's name by reason of marriage or other
 1383 legal process, and any alias, if known; the correctional
 1384 facility from which the sexual offender is released; the sexual
 1385 offender's social security number, race, sex, date of birth,
 1386 height, weight, and hair and eye color; the make, model, color,
 1387 registration number, and license tag number of all vehicles
 1388 owned, if known; address of any planned permanent residence or
 1389 temporary residence, within the state or out of state, including
 1390 a rural route address and a post office box; if no permanent or
 1391 temporary address, any transient residence within the state;
 1392 address, location or description, and dates of any known future
 1393 temporary residence within the state or out of state; date and
 1394 county of disposition and each crime for which there was a
 1395 disposition; a copy of the offender's fingerprints and a
 1396 digitized photograph taken within 60 days before release; the
 1397 date of release of the sexual offender; all ~~and~~ home telephone
 1398 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
 1399 about any professional licenses the offender may have, if known;
 1400 and passport information, if he or she has a passport, and, if

1401 he or she is an alien, information about documents establishing
 1402 his or her immigration status ~~number~~. The department shall
 1403 notify the Department of Law Enforcement if the sexual offender
 1404 escapes, absconds, or dies. If the sexual offender is in the
 1405 custody of a private correctional facility, the facility shall
 1406 take the digitized photograph of the sexual offender within 60
 1407 days before the sexual offender's release and also place it in
 1408 the sexual offender's file. If the sexual offender is in the
 1409 custody of a local jail, the custodian of the local jail shall
 1410 register the offender within 3 business days after intake of the
 1411 offender for any reason and upon release, and shall notify the
 1412 Department of Law Enforcement of the sexual offender's release
 1413 and provide to the Department of Law Enforcement the information
 1414 specified in this subparagraph and any information specified in
 1415 subparagraph 2. which the Department of Law Enforcement
 1416 requests.

1417 2. The department may provide any other information
 1418 considered necessary, including criminal and delinquency
 1419 records, when available.

1420 Section 13. Subsection (4) and paragraph (b) of subsection
 1421 (13) of section 985.4815, Florida Statutes, are amended to read:

1422 985.4815 Notification to Department of Law Enforcement of
 1423 information on juvenile sexual offenders.—

1424 (4) A sexual offender, as described in this section, who
 1425 is under the supervision of the department but who is not
 1426 committed must register with the department within 3 business
 1427 days after adjudication and disposition for a registrable
 1428 offense and otherwise provide information as required by this

1429 subsection.

1430 (a) The sexual offender shall provide his or her name;

1431 date of birth; social security number; race; sex; height;

1432 weight; hair and eye color; tattoos or other identifying marks;

1433 the make, model, color, registration number, and license tag

1434 number of all vehicles owned; permanent or legal residence and

1435 address of temporary residence within the state or out of state

1436 while the sexual offender is in the care or custody or under the

1437 jurisdiction or supervision of the department in this state,

1438 including any rural route address or post office box; if no

1439 permanent or temporary address, any transient residence;

1440 address, location or description, and dates of any current or

1441 known future temporary residence within the state or out of

1442 state; and the name and address of each school attended. The

1443 sexual offender must also produce his or her passport, if he or

1444 she has a passport, and, if he or she is an alien, must produce

1445 or provide information about documents establishing his or her

1446 immigration status. The offender must also provide information

1447 about any professional licenses he or she may have. The

1448 department shall verify the address of each sexual offender and

1449 shall report to the Department of Law Enforcement any failure by

1450 a sexual offender to comply with registration requirements.

1451 (b) If the sexual offender is enrolled, employed,

1452 volunteering, or carrying on a vocation at an institution of

1453 higher education in this state, the sexual offender shall

1454 provide the name, address, and county of each institution,

1455 including each campus attended, and the sexual offender's

1456 enrollment, volunteer, or employment status. Each change in

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1457 enrollment, volunteer, or employment status shall be reported to
1458 the department within 48 hours after the change in status. The
1459 department shall promptly notify each institution of the sexual
1460 offender's presence and any change in the sexual offender's
1461 enrollment, volunteer, or employment status.

1462 (13)

1463 (b) The sheriff's office may determine the appropriate
1464 times and days for reporting by the sexual offender, which shall
1465 be consistent with the reporting requirements of this
1466 subsection. Reregistration shall include any changes to the
1467 following information:

1468 1. Name; social security number; age; race; sex; date of
1469 birth; height; weight; hair and eye color; fingerprints; palm
1470 prints; address of any permanent residence and address of any
1471 current temporary residence, within the state or out of state,
1472 including a rural route address and a post office box; if no
1473 permanent or temporary address, any transient residence;
1474 address, location or description, and dates of any current or
1475 known future temporary residence within the state or out of
1476 state; passport information, if he or she has a passport, and,
1477 if he or she is an alien, information about documents
1478 establishing his or her immigration status; name and address of
1479 each school attended; date and place of any employment; the
1480 ~~vehicle~~ make, model, color, registration number, and license tag
1481 number of all vehicles owned; ~~fingerprints;~~ and photograph. A
1482 post office box shall not be provided in lieu of a physical
1483 residential address. The offender must also provide information
1484 about any professional licenses he or she may have.

1485 2. If the sexual offender is enrolled, employed,
 1486 volunteering, or carrying on a vocation at an institution of
 1487 higher education in this state, the sexual offender shall also
 1488 provide to the department the name, address, and county of each
 1489 institution, including each campus attended, and the sexual
 1490 offender's enrollment, volunteer, or employment status.

1491 3. If the sexual offender's place of residence is a motor
 1492 vehicle, trailer, mobile home, or manufactured home, as defined
 1493 in chapter 320, the sexual offender shall also provide the
 1494 vehicle identification number; the license tag number; the
 1495 registration number; and a description, including color scheme,
 1496 of the motor vehicle, trailer, mobile home, or manufactured
 1497 home. If the sexual offender's place of residence is a vessel,
 1498 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1499 sexual offender shall also provide the hull identification
 1500 number; the manufacturer's serial number; the name of the
 1501 vessel, live-aboard vessel, or houseboat; the registration
 1502 number; and a description, including color scheme, of the
 1503 vessel, live-aboard vessel, or houseboat.

1504 4. Any sexual offender who fails to report in person as
 1505 required at the sheriff's office, ~~or~~ who fails to respond to any
 1506 address verification correspondence from the department within 3
 1507 weeks after the date of the correspondence, or who knowingly
 1508 provides false registration information by act or omission
 1509 commits a felony of the third degree, punishable as provided in
 1510 ss. 775.082, 775.083, and 775.084.

1511 Section 14. Subsection (13) is added to section 947.1405,
 1512 Florida Statutes, to read:

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1513 947.1405 Conditional release program.—

1514 (13) In addition to all other conditions imposed, for a
 1515 releasee who is subject to conditional release for a crime that
 1516 was committed on or after October 1, 2012, and who has been
 1517 convicted at any time of a violation of s. 800.04(7)(b) or s.
 1518 847.0135(4), or a similar offense in another jurisdiction, the
 1519 commission must order electronic monitoring for the duration of
 1520 the releasee's supervision.

1521 Section 15. Subsection (5) is added to section 948.30,
 1522 Florida Statutes, to read:

1523 948.30 Additional terms and conditions of probation or
 1524 community control for certain sex offenses.—Conditions imposed
 1525 pursuant to this section do not require oral pronouncement at
 1526 the time of sentencing and shall be considered standard
 1527 conditions of probation or community control for offenders
 1528 specified in this section.

1529 (5) Effective for a probationer or community controllee
 1530 whose crime was committed on or after October 1, 2012, and who:

1531 (a) Is placed on probation or community control for a
 1532 violation of s. 800.04(7)(b) or s. 847.0135(4); or

1533 (b) Has previously been convicted of a violation of s.
 1534 800.04(7)(b) or s. 847.0135(4), or a similar offense in another
 1535 jurisdiction,

1536
 1537 the court must order, in addition to any other requirements of
 1538 this section, mandatory electronic monitoring as a condition of
 1539 the probation or community control supervision.

1540 Section 16. Paragraphs (g) and (i) of subsection (3) of

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1541 section 921.0022, Florida Statutes, are amended to read:
 1542 921.0022 Criminal Punishment Code; offense severity
 1543 ranking chart.—

1544 (3) OFFENSE SEVERITY RANKING CHART
 1545 (g) LEVEL 7
 1546

Florida Statute	Felony Degree	Description
316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.

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1552	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1553	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1554	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1555	456.065 (2)	3rd	Practicing a health care profession without a license.
1556	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1557	458.327 (1)	3rd	Practicing medicine without a license.
1558	459.013 (1)	3rd	Practicing osteopathic medicine without a license.

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1559	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1560	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1561	462.17	3rd	Practicing naturopathy without a license.
1562	463.015 (1)	3rd	Practicing optometry without a license.
1563	464.016 (1)	3rd	Practicing nursing without a license.
1564	465.015 (2)	3rd	Practicing pharmacy without a license.
1565	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1566	467.201	3rd	Practicing midwifery without a license.
1567	468.366	3rd	Delivering respiratory care services without a license.

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1568	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1569	483.901 (9)	3rd	Practicing medical physics without a license.
1570	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1571	484.053	3rd	Dispensing hearing aids without a license.
1572	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.
1573	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.
	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency

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			or payment instruments exceeding \$300 but less than \$20,000.
1574	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1575	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew <u>driver</u> driver's license or identification card; other registration violations.
1576	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
1577	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1578	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted

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1579			felony.
	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1580			
	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1581			
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1582			
	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1583			
	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
1584			
	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
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1586	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1587	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1588	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1589	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1590	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1591	784.081 (1)	1st	Aggravated battery on specified official or employee.
1592	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1593	784.083 (1)	1st	Aggravated battery on code inspector.
	790.07 (4)	1st	Specified weapons violation

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			subsequent to previous conviction of s. 790.07(1) or (2).
1594	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1595	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1596	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1597	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1598	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1599	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the

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1600			penalty enhancements provided for in s. 874.04.
1601	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.
1602	796.03	2nd	Procuring any person under <u>18</u> 16 years for prostitution.
1603	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
1604	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.
1605	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1606	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.

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1607	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1608	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1609	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1610	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.
1611	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1612	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.

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1613	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1614	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1615	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1616	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1617	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1618	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1619	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1620	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.

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	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1621	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1622	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.
1623	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1624	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1625	837.05 (2)	3rd	Giving false information about

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1626			alleged capital felony to a law enforcement officer.
1627	838.015	2nd	Bribery.
1628	838.016	2nd	Unlawful compensation or reward for official behavior.
1629	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1630	838.22	2nd	Bid tampering.
1631	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1632	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1633	872.06	2nd	Abuse of a dead human body.
1634	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

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1635 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.

1636 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.

1637 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).

893.135(1)(a)1. 1st Trafficking in cannabis, more

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1638	893.135 (1) (b) 1.a.	1st	than 25 lbs., less than 2,000 lbs. Trafficking in cocaine, more than 28 grams, less than 200 grams.
1639	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1640	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1641	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1642	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1643	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.

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1645	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1646	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1647	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1648	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1649	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1650	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

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1651	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1652	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1653	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1654	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1655	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1656	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.

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1657	944.607(10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1658	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1659	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1660	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1661	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1662	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.

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1663	(i) LEVEL 9		
1664	Florida	Felony	
1665	Statute	Degree	Description
1666	316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
1667	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
1668	409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
1669	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
1670	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1671	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.

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1672	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1673	775.0844	1st	Aggravated white collar crime.
1674	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
1675	782.04 (3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
1676	782.051 (1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
1677	782.07 (2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
1678	787.01 (1) (a) 1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.

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1679	787.01(1)(a)2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
1680	787.01(1)(a)4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
1681	787.02(3)(a)	1st, <u>PBL</u>	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
1682	790.161	1st	Attempted capital destructive device offense.
1683	790.166(2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1684	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.

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1685	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
1686	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1687	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1688	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
1689	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1690	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
1691	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.

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1692	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1693	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.
1694	827.03 (2)	1st	Aggravated child abuse.
1695	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
1696	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
1697	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.

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1698	893.135	1st	Attempted capital trafficking offense.
1699	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1700	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1701	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
1702	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
1703	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
1704	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
1705	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.

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1706	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
1707	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
1708	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
1709	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
1710	Section 17. This act shall take effect October 1, 2012.		