

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 appropriation; providing an
 90 effective date.

91

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

93

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

98 775.21 The Florida Sexual Predators Act.—

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

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

110 (4) SEXUAL PREDATOR CRITERIA.—

111 (a) For a current offense committed on or after October 1,
 112 1993, upon conviction, an offender shall be designated as a

113 "sexual predator" under subsection (5), and subject to
114 registration under subsection (6) and community and public
115 notification under subsection (7) if:

116 1. The felony is:

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

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

140 2. The offender has not received a pardon for any felony

141 or similar law of another jurisdiction that is necessary for the
 142 operation of this paragraph; and

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

146 (6) REGISTRATION.—

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

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

169 she has a passport, and, if he or she is an alien, must produce
170 or provide information about documents establishing his or her
171 immigration status. The sexual predator must also provide
172 information about any professional licenses he or she may have.

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

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

197 within 48 hours after any change in status. The sheriff or the
198 Department of Corrections shall promptly notify each institution
199 of the sexual predator's presence and any change in the sexual
200 predator's enrollment, volunteer, or employment status.

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

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

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

225 local jail shall also take a digitized photograph of the sexual
 226 predator while the sexual predator remains in custody and shall
 227 provide the digitized photograph to the department. The
 228 custodian shall notify the department if the sexual predator
 229 escapes from custody or dies.

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

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

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

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

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

253 as provided in subparagraph 1., shall be accomplished in the
 254 manner provided in paragraphs (g), (i), and (j). When a sexual
 255 predator registers with the sheriff's office, the sheriff shall
 256 take a photograph, ~~and~~ a set of fingerprints, and palm prints of
 257 the predator and forward the photographs, palm prints, and
 258 fingerprints to the department, along with the information that
 259 the predator is required to provide pursuant to this section.

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

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

281 as defined in chapter 320, the sexual predator shall also
282 provide to the Department of Highway Safety and Motor Vehicles
283 the vehicle identification number; the license tag number; the
284 registration number; and a description, including color scheme,
285 of the motor vehicle, trailer, mobile home, or manufactured
286 home. If a sexual predator's place of residence is a vessel,
287 live-aboard vessel, or houseboat, as defined in chapter 327, the
288 sexual predator shall also provide to the Department of Highway
289 Safety and Motor Vehicles the hull identification number; the
290 manufacturer's serial number; the name of the vessel, live-
291 aboard vessel, or houseboat; the registration number; and a
292 description, including color scheme, of the vessel, live-aboard
293 vessel, or houseboat.

294 2. Pay the costs assessed by the Department of Highway
295 Safety and Motor Vehicles for issuing or renewing a driver
296 ~~driver's~~ license or identification card as required by this
297 section. The driver ~~driver's~~ license or identification card
298 issued to the sexual predator must be in compliance with s.
299 322.141(3).

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

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

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

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

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

342 | 3. A sexual predator who remains at a permanent,
343 | temporary, or transient residence after reporting his or her
344 | intent to vacate such residence shall, within 48 hours after the
345 | date upon which the predator indicated he or she would or did
346 | vacate such residence, report in person to the sheriff's office
347 | to which he or she reported pursuant to subparagraph 2. for the
348 | purpose of reporting his or her address at such residence. When
349 | the sheriff receives the report, the sheriff shall promptly
350 | convey the information to the department. An offender who makes
351 | a report as required under subparagraph 2. but fails to make a
352 | report as required under this subparagraph commits a felony of
353 | the second degree, punishable as provided in s. 775.082, s.
354 | 775.083, or s. 775.084.

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

363 | (h) The department must notify the sheriff and the state
364 | attorney of the county and, if applicable, the police chief of

365 the municipality, where the sexual predator maintains a
366 residence.

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

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

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

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

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

421 unless a fingerprint comparison is made, and that it is illegal
422 to use public information regarding a registered sexual predator
423 to facilitate the commission of a crime.

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

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

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

449 Corrections. Local law enforcement agencies shall report to the
 450 department any failure by a sexual predator to comply with
 451 registration requirements.

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

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

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

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

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

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

505 department.

506 (10) PENALTIES.—

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

524 Section 2. Section 800.03, Florida Statutes, is amended to
 525 read:

526 800.03 Exposure of sexual organs.—

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

532 (2) (a) Except as provided in paragraph (b), a violation of

533 | this section is a misdemeanor of the first degree, punishable as
 534 | provided in s. 775.082 or s. 775.083.

535 | (b) A third or subsequent violation of this section is a
 536 | felony of the third degree, punishable as provided in s.
 537 | 775.082, s. 775.083, or s. 775.084.

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

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

542 | 903.046 Purpose of and criteria for bail determination.—

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

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

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

557 | 943.0435 Sexual offenders required to register with the
 558 | department; penalty.—

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

560 | (a)1. "Sexual offender" means a person who meets the

561 criteria in sub-subparagraph a., sub-subparagraph b., sub-
562 subparagraph c., or sub-subparagraph d., as follows:

563 a.(I) Has been convicted of committing, or attempting,
564 soliciting, or conspiring to commit, any of the criminal
565 offenses proscribed in the following statutes in this state or
566 similar offenses in another jurisdiction: s. 393.135(2); s.
567 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
568 the victim is a minor and the defendant is not the victim's
569 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
570 794.05; s. 796.03; s. 796.035; s. 796.045; s. 800.04; s.
571 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
572 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s.
573 916.1075(2); or s. 985.701(1); or any similar offense committed
574 in this state which has been redesignated from a former statute
575 number to one of those listed in this sub-sub-subparagraph; and

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

585 b. Establishes or maintains a residence in this state and
586 who has not been designated as a sexual predator by a court of
587 this state but who has been designated as a sexual predator, as
588 a sexually violent predator, or by another sexual offender

589 designation in another state or jurisdiction and was, as a
590 result of such designation, subjected to registration or
591 community or public notification, or both, or would be if the
592 person were a resident of that state or jurisdiction, without
593 regard to whether the person otherwise meets the criteria for
594 registration as a sexual offender;

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

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

617 (I) Section 794.011, excluding s. 794.011(10);
 618 (II) Section 800.04(4)(b) where the victim is under 12
 619 years of age or where the court finds sexual activity by the use
 620 of force or coercion;
 621 (III) Section 800.04(5)(c)1. where the court finds
 622 molestation involving unclothed genitals; or
 623 (IV) Section 800.04(5)(d) where the court finds the use of
 624 force or coercion and unclothed genitals.
 625 2. For all qualifying offenses listed in sub-subparagraph
 626 (1)(a)1.d., the court shall make a written finding of the age of
 627 the offender at the time of the offense.
 628
 629 For each violation of a qualifying offense listed in this
 630 subsection, except for a violation of s. 794.011, the court
 631 shall make a written finding of the age of the victim at the
 632 time of the offense. For a violation of s. 800.04(4), the court
 633 shall additionally make a written finding indicating that the
 634 offense did or did not involve sexual activity and indicating
 635 that the offense did or did not involve force or coercion. For a
 636 violation of s. 800.04(5), the court shall additionally make a
 637 written finding that the offense did or did not involve
 638 unclothed genitals or genital area and that the offense did or
 639 did not involve the use of force or coercion.
 640 (g) "Internet identifier ~~Instant message name~~" has the
 641 same meaning as provided in s. 775.21 ~~means an identifier that~~
 642 ~~allows a person to communicate in real time with another person~~
 643 ~~using the Internet.~~
 644 (2) A sexual offender shall:

- 645 (a) Report in person at the sheriff's office:
- 646 1. In the county in which the offender establishes or
- 647 maintains a permanent, temporary, or transient residence within
- 648 48 hours after:
- 649 a. Establishing permanent, temporary, or transient
- 650 residence in this state; or
- 651 b. Being released from the custody, control, or
- 652 supervision of the Department of Corrections or from the custody
- 653 of a private correctional facility; or
- 654 2. In the county where he or she was convicted within 48
- 655 hours after being convicted for a qualifying offense for
- 656 registration under this section if the offender is not in the
- 657 custody or control of, or under the supervision of, the
- 658 Department of Corrections, or is not in the custody of a private
- 659 correctional facility.

660

661 Any change in the information required to be provided pursuant

662 to paragraph (b), including, but not limited to, any change in

663 the sexual offender's permanent, temporary, or transient

664 residence, name, ~~any~~ electronic mail addresses, or Internet

665 identifiers ~~address and any instant message name~~ required to be

666 provided pursuant to paragraph (4) (d), after the sexual offender

667 reports in person at the sheriff's office, shall be accomplished

668 in the manner provided in subsections (4), (7), and (8).

- 669 (b) Provide his or her name; date of birth; social
- 670 security number; race; sex; height; weight; hair and eye color;
- 671 tattoos or other identifying marks; occupation and place of
- 672 employment; address of permanent or legal residence or address

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

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

701 live-aboard vessel, or houseboat, as defined in chapter 327, the
 702 sexual offender shall also provide to the department written
 703 notice of the hull identification number; the manufacturer's
 704 serial number; the name of the vessel, live-aboard vessel, or
 705 houseboat; the registration number; and a description, including
 706 color scheme, of the vessel, live-aboard vessel, or houseboat.

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

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

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

729 promptly provide to the department the information received from
 730 the sexual offender.

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

757 Department of Highway Safety and Motor Vehicles.

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

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

783 (8) A sexual offender who indicates his or her intent to
784 establish a permanent, temporary, or transient residence in

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

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

808 (a)1. A sexual offender may petition the criminal division
 809 of the circuit court of the circuit in which the sexual offender
 810 resides for the purpose of removing the requirement for
 811 registration as a sexual offender if ~~Who has been lawfully~~
 812 ~~released from confinement, supervision, or sanction, whichever~~

813 ~~is later, for at least 25 years and has not been arrested for~~
814 ~~any felony or misdemeanor offense since release, provided that~~
815 ~~the sexual offender's requirement to register was not based upon~~
816 ~~an adult conviction:~~

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

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

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

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

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

841 offender must provide the court written confirmation that he or
 842 she is not required to register in the state where the
 843 conviction occurred.

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

845 ~~b. For a violation of s. 794.011, excluding s.~~
 846 ~~794.011(10);~~

847 ~~c. For a violation of s. 800.04(4) (b) where the court~~
 848 ~~finds the offense involved a victim under 12 years of age or~~
 849 ~~sexual activity by the use of force or coercion;~~

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

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

853 ~~f. For any attempt or conspiracy to commit any such~~
 854 ~~offense; or~~

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

856
 857 ~~may petition the criminal division of the circuit court of the~~
 858 ~~circuit in which the sexual offender resides for the purpose of~~
 859 ~~removing the requirement for registration as a sexual offender.~~

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

868 a. Fifteen years have elapsed since the sexual offender's

869 registration period for the most recent conviction that required
870 the offender to register began;

871 b. The sexual offender has not been convicted or
872 adjudicated delinquent of any felony offense or of an offense
873 punishable by more than 1 year of imprisonment during the 10
874 years preceding the petition to the court;

875 c. The sexual offender has successfully completed all
876 sanctions imposed for all offenses that required the offender to
877 register; and

878 d. For sexual offenders whose requirement to register is
879 based upon a conviction in another state, the sexual offender is
880 not required to register as a sexual offender pursuant to the
881 laws of the state where the conviction occurred. Such an
882 offender must provide the court written confirmation that he or
883 she is not required to register in the state where the
884 conviction occurred.

885 3. A sexual offender required to register under sub-
886 subparagraph (1)(a)1.d. may petition the criminal division of
887 the circuit court of the circuit in which the sexual offender
888 resides for the purpose of removing the requirement for
889 registration as a sexual offender if:

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

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

897 c. The sexual offender has successfully completed all
 898 sanctions imposed for any offense that required the offender to
 899 register.

900 ~~4.2.~~ The court may grant or deny relief if the offender
 901 demonstrates to the court that ~~he or she has not been arrested~~
 902 ~~for any crime since release;~~ the requested relief complies with
 903 this paragraph, ~~the provisions of~~ the federal Adam Walsh Child
 904 Protection and Safety Act of 2006, and any other federal
 905 standards applicable to the removal of registration requirements
 906 for a sexual offender or required to be met as a condition for
 907 the receipt of federal funds by the state; and the court is
 908 otherwise satisfied that the offender is not a current or
 909 potential threat to public safety. The state attorney in the
 910 circuit in which the petition is filed and the department must
 911 be given notice of the petition at least 3 weeks before the
 912 hearing on the matter. The state attorney may present evidence
 913 in opposition to the requested relief or may otherwise
 914 demonstrate the reasons why the petition should be denied. If
 915 the court grants the petition, the court shall instruct the
 916 petitioner to provide the department with a certified copy of
 917 the order granting relief. If the court denies the petition, the
 918 court may set a future date at which the sexual offender may
 919 again petition the court for relief, subject to the standards
 920 for relief provided in this subsection.

921 ~~5.3.~~ The department shall remove an offender from
 922 classification as a sexual offender for purposes of registration
 923 if the offender provides to the department a certified copy of
 924 the court's written findings or order that indicates that the

925 offender is no longer required to comply with the requirements
926 for registration as a sexual offender.

927 6. For purposes of this paragraph:

928 a. The registration period of a sexual offender sentenced
929 to a term of incarceration or committed to a residential program
930 begins upon the offender's release from incarceration or
931 commitment for the most recent conviction that required the
932 offender to register.

933 b. A sexual offender's registration period is tolled
934 during any period in which the offender is incarcerated, civilly
935 committed, detained pursuant to chapter 985, or committed to a
936 residential program.

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

950 (14)

951 (c) The sheriff's office may determine the appropriate
952 times and days for reporting by the sexual offender, which shall

953 | be consistent with the reporting requirements of this
954 | subsection. Reregistration shall include any changes to the
955 | following information:

956 | 1. Name; social security number; age; race; sex; date of
957 | birth; height; weight; hair and eye color; address of any
958 | permanent residence and address of any current temporary
959 | residence, within the state or out of state, including a rural
960 | route address and a post office box; if no permanent or
961 | temporary address, any transient residence within the state;
962 | address, location or description, and dates of any current or
963 | known future temporary residence within the state or out of
964 | state; ~~any~~ electronic mail addresses or Internet identifiers
965 | ~~address and any instant message name~~ required to be provided
966 | pursuant to paragraph (4) (d); home telephone numbers or number
967 | ~~and any~~ cellular telephone numbers number; date and place of any
968 | employment; the vehicle make, model, color, registration number,
969 | and license tag number of any vehicles owned; fingerprints; palm
970 | prints; and photograph. A post office box may shall not be
971 | provided in lieu of a physical residential address. The sexual
972 | offender must also produce his or her passport, if he or she has
973 | a passport, and, if he or she is an alien, must produce or
974 | provide information about documents establishing his or her
975 | immigration status. The sexual offender must also provide
976 | information about any professional licenses he or she may have.

977 | 2. If the sexual offender is enrolled, volunteering,
978 | employed, or carrying on a vocation at an institution of higher
979 | education in this state, the sexual offender shall also provide
980 | to the department the name, address, and county of each

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

983 3. If the sexual offender's place of residence is a motor
984 vehicle, trailer, mobile home, or manufactured home, as defined
985 in chapter 320, the sexual offender shall also provide the
986 vehicle identification number; the license tag number; the
987 registration number; and a description, including color scheme,
988 of the motor vehicle, trailer, mobile home, or manufactured
989 home. If the sexual offender's place of residence is a vessel,
990 live-aboard vessel, or houseboat, as defined in chapter 327, the
991 sexual offender shall also provide the hull identification
992 number; the manufacturer's serial number; the name of the
993 vessel, live-aboard vessel, or houseboat; the registration
994 number; and a description, including color scheme, of the
995 vessel, live-aboard vessel or houseboat.

996 4. Any sexual offender who fails to report in person as
997 required at the sheriff's office, ~~or~~ who fails to respond to any
998 address verification correspondence from the department within 3
999 weeks of the date of the correspondence, ~~or~~ who fails to report
1000 all electronic mail addresses and all Internet identifiers prior
1001 to use ~~or instant message names~~, or who knowingly provides false
1002 registration information by act or omission commits a felony of
1003 the third degree, punishable as provided in s. 775.082, s.
1004 775.083, or s. 775.084.

1005 Section 5. Section 943.04351, Florida Statutes, is amended
1006 to read:

1007 943.04351 Search of registration information regarding
1008 sexual predators and sexual offenders required prior to

1009 appointment or employment.—A state agency or governmental
 1010 subdivision, prior to making any decision to appoint or employ a
 1011 person to work, whether for compensation or as a volunteer, at
 1012 any park, playground, day care center, or other place where
 1013 children regularly congregate, must conduct a search of that
 1014 person's name or other identifying information against the
 1015 registration information regarding sexual predators and sexual
 1016 offenders maintained by the Department of Law Enforcement under
 1017 s. 943.043. The agency or governmental subdivision may conduct
 1018 the search using the Internet site maintained by the Department
 1019 of Law Enforcement. Also, a national search must be conducted
 1020 through the Dru Sjodin National Sex Offender Public Website
 1021 maintained by the United States Department of Justice. This
 1022 section does not apply to those positions or appointments within
 1023 a state agency or governmental subdivision for which a state and
 1024 national criminal history background check is conducted.

1025 Section 6. Section 943.04354, Florida Statutes, is amended
 1026 to read:

1027 943.04354 Removal of the requirement to register as a
 1028 sexual offender or sexual predator in special circumstances.—

1029 (1) For purposes of this section, a person shall be
 1030 considered for removal of the requirement to register as a
 1031 sexual offender or sexual predator only if the person:

1032 (a) Was ~~or will be~~ convicted, regardless of adjudication,
 1033 or adjudicated delinquent of a violation of s. 794.011, s.
 1034 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in
 1035 another jurisdiction, or the person committed a violation of s.
 1036 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~

1037 ~~adjudication of guilt was or will be withheld,~~ and the person
 1038 does not have any other conviction, regardless of adjudication,
 1039 or adjudication of delinquency, ~~or withhold of adjudication of~~
 1040 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or
 1041 s. 847.0135(5), or a similar offense in another jurisdiction;

1042 (b) 1. Was convicted, regardless of adjudication, or
 1043 adjudicated delinquent of an offense listed in paragraph (a) and
 1044 is required to register as a sexual offender or sexual predator
 1045 solely on the basis of this conviction or adjudication
 1046 violation; or and

1047 2. Was convicted, regardless of adjudication, or
 1048 adjudicated delinquent of an offense in another jurisdiction
 1049 that is similar to an offense listed in paragraph (a) and no
 1050 longer meets the criteria for registration as a sexual offender
 1051 or sexual predator under the laws of the jurisdiction where the
 1052 similar offense occurred; and

1053 (c) Is not more than 4 years older than the victim of this
 1054 violation who was 13 ~~14~~ years of age or older but less ~~not more~~
 1055 than 18 ~~17~~ years of age at the time the person committed this
 1056 violation.

1057 (2) If a person meets the criteria in subsection (1) ~~and~~
 1058 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
 1059 ~~847.0135(5) was committed on or after July 1, 2007,~~ the person
 1060 may move the criminal court of the circuit in which the offense
 1061 occurred or the sentencing court or, for persons convicted or
 1062 adjudicated delinquent of a qualifying offense in another
 1063 jurisdiction, the criminal circuit court of the circuit in which
 1064 the person resides that will sentence or dispose of this

1065 ~~violation~~ to remove the requirement that the person register as
 1066 a sexual offender or sexual predator. The person must allege in
 1067 the motion that he or she meets the criteria in subsection (1)
 1068 and that removal of the registration requirement will not
 1069 conflict with federal law. Persons convicted or adjudicated
 1070 delinquent of an offense in another jurisdiction that is similar
 1071 to an offense listed in paragraph (1)(a) must provide the court
 1072 written confirmation that he or she is not required to register
 1073 in the state where the conviction or adjudication occurred. The
 1074 state attorney and the department must be given notice of the
 1075 motion at least 21 days before the date of sentencing, ~~or~~
 1076 disposition of the this violation, or hearing on the motion and
 1077 may present evidence in opposition to the requested relief or
 1078 may otherwise demonstrate why the motion should be denied. At
 1079 sentencing, ~~or~~ disposition of the this violation, or hearing on
 1080 the motion, the court shall rule on this motion and, if the
 1081 court determines the person meets the criteria in subsection (1)
 1082 and the removal of the registration requirement will not
 1083 conflict with federal law, it may grant the motion and order the
 1084 removal of the registration requirement. The court shall
 1085 instruct the person to provide the department a certified copy
 1086 of the order granting relief. If the court denies the motion,
 1087 the person is not authorized under this section to file another
 1088 motion ~~petition~~ for removal of the registration requirement.

1089 ~~(3)(a) This subsection applies to a person who:~~
 1090 ~~1. Is not a person described in subsection (2) because the~~
 1091 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
 1092 ~~committed on or after July 1, 2007;~~

1093 ~~2. Is subject to registration as a sexual offender or~~
 1094 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
 1095 ~~827.071; and~~

1096 ~~3. Meets the criteria in subsection (1).~~

1097 ~~(b) A person may petition the court in which the sentence~~
 1098 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~
 1099 ~~827.071 occurred for removal of the requirement to register as a~~
 1100 ~~sexual offender or sexual predator. The person must allege in~~
 1101 ~~the petition that he or she meets the criteria in subsection (1)~~
 1102 ~~and removal of the registration requirement will not conflict~~
 1103 ~~with federal law. The state attorney must be given notice of the~~
 1104 ~~petition at least 21 days before the hearing on the petition and~~
 1105 ~~may present evidence in opposition to the requested relief or~~
 1106 ~~may otherwise demonstrate why the petition should be denied. The~~
 1107 ~~court shall rule on the petition and, if the court determines~~
 1108 ~~the person meets the criteria in subsection (1) and removal of~~
 1109 ~~the registration requirement will not conflict with federal law,~~
 1110 ~~it may grant the petition and order the removal of the~~
 1111 ~~registration requirement. If the court denies the petition, the~~
 1112 ~~person is not authorized under this section to file any further~~
 1113 ~~petition for removal of the registration requirement.~~

1114 (3)~~(4)~~ If a person provides to the Department of Law
 1115 Enforcement a certified copy of the court's order removing the
 1116 requirement that the person register as a sexual offender or
 1117 sexual predator for the violation of s. 794.011, s. 800.04, s.
 1118 827.071, or s. 847.0135(5), or a similar offense in another
 1119 jurisdiction, the registration requirement will not apply to the
 1120 person and the department shall remove all information about the

1121 person from the public registry of sexual offenders and sexual
 1122 predators maintained by the department. However, the removal of
 1123 this information from the public registry does not mean that the
 1124 public is denied access to information about the person's
 1125 criminal history or record that is otherwise available as a
 1126 public record.

1127 Section 7. Subsection (2) and paragraph (a) of subsection
 1128 (3) of section 943.0437, Florida Statutes, are amended to read:

1129 943.0437 Commercial social networking websites.—

1130 (2) The department may provide information relating to
 1131 electronic mail addresses and Internet identifiers ~~instant~~
 1132 ~~message names~~ maintained as part of the sexual offender registry
 1133 to commercial social networking websites or third parties
 1134 designated by commercial social networking websites. The
 1135 commercial social networking website may use this information
 1136 for the purpose of comparing registered users and screening
 1137 potential users of the commercial social networking website
 1138 against the list of electronic mail addresses and Internet
 1139 identifiers ~~instant message names~~ provided by the department.

1140 (3) This section shall not be construed to impose any
 1141 civil liability on a commercial social networking website for:

1142 (a) Any action voluntarily taken in good faith to remove
 1143 or disable any profile of a registered user associated with an
 1144 electronic mail address or Internet identifier ~~instant message~~
 1145 ~~name~~ contained in the sexual offender registry.

1146 Section 8. Paragraphs (b) and (d) of subsection (1) and
 1147 paragraph (a) of subsection (3) of section 944.606, Florida
 1148 Statutes, are amended to read:

1149 944.606 Sexual offenders; notification upon release.—
 1150 (1) As used in this section:
 1151 (b) "Sexual offender" means a person who has been
 1152 convicted of committing, or attempting, soliciting, or
 1153 conspiring to commit, any of the criminal offenses proscribed in
 1154 the following statutes in this state or similar offenses in
 1155 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1156 s. 787.02, or s. 787.025(2) (c), where the victim is a minor and
 1157 the defendant is not the victim's parent or guardian; s.
 1158 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 1159 796.045; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s.
 1160 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 1161 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
 1162 similar offense committed in this state which has been
 1163 redesignated from a former statute number to one of those listed
 1164 in this subsection, when the department has received verified
 1165 information regarding such conviction; an offender's
 1166 computerized criminal history record is not, in and of itself,
 1167 verified information.

1168 (d) "Internet identifier ~~Instant message name~~" has the
 1169 same meaning as provided in s. 775.21 ~~means an identifier that~~
 1170 ~~allows a person to communicate in real time with another person~~
 1171 ~~using the Internet.~~

1172 (3) (a) The department must provide information regarding
 1173 any sexual offender who is being released after serving a period
 1174 of incarceration for any offense, as follows:

1175 1. The department must provide: the sexual offender's
 1176 name, any change in the offender's name by reason of marriage or

1177 other legal process, and any alias, if known; the correctional
 1178 facility from which the sexual offender is released; the sexual
 1179 offender's social security number, race, sex, date of birth,
 1180 height, weight, and hair and eye color; address of any planned
 1181 permanent residence or temporary residence, within the state or
 1182 out of state, including a rural route address and a post office
 1183 box; if no permanent or temporary address, any transient
 1184 residence within the state; address, location or description,
 1185 and dates of any known future temporary residence within the
 1186 state or out of state; date and county of sentence and each
 1187 crime for which the offender was sentenced; a copy of the
 1188 offender's fingerprints, palm prints, and a digitized photograph
 1189 taken within 60 days before release; the date of release of the
 1190 sexual offender; all ~~any~~ electronic mail addresses ~~address~~ and
 1191 all Internet identifiers ~~any instant message name~~ required to be
 1192 provided pursuant to s. 943.0435(4)(d); all ~~and~~ home telephone
 1193 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
 1194 about any professional licenses the offender may have, if known;
 1195 and passport information, if he or she has a passport, and, if
 1196 he or she is an alien, information about documents establishing
 1197 his or her immigration status ~~number~~. The department shall
 1198 notify the Department of Law Enforcement if the sexual offender
 1199 escapes, absconds, or dies. If the sexual offender is in the
 1200 custody of a private correctional facility, the facility shall
 1201 take the digitized photograph of the sexual offender within 60
 1202 days before the sexual offender's release and provide this
 1203 photograph to the Department of Corrections and also place it in
 1204 the sexual offender's file. If the sexual offender is in the

1205 custody of a local jail, the custodian of the local jail shall
 1206 register the offender within 3 business days after intake of the
 1207 offender for any reason and upon release, and shall notify the
 1208 Department of Law Enforcement of the sexual offender's release
 1209 and provide to the Department of Law Enforcement the information
 1210 specified in this paragraph and any information specified in
 1211 subparagraph 2. that the Department of Law Enforcement requests.

1212 2. The department may provide any other information deemed
 1213 necessary, including criminal and corrections records,
 1214 nonprivileged personnel and treatment records, when available.

1215 Section 9. Paragraphs (a) and (f) of subsection (1),
 1216 subsection (4), and paragraph (c) of subsection (13) of section
 1217 944.607, Florida Statutes, are amended to read:

1218 944.607 Notification to Department of Law Enforcement of
 1219 information on sexual offenders.—

1220 (1) As used in this section, the term:

1221 (a) "Sexual offender" means a person who is in the custody
 1222 or control of, or under the supervision of, the department or is
 1223 in the custody of a private correctional facility:

1224 1. On or after October 1, 1997, as a result of a
 1225 conviction for committing, or attempting, soliciting, or
 1226 conspiring to commit, any of the criminal offenses proscribed in
 1227 the following statutes in this state or similar offenses in
 1228 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1229 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 1230 the defendant is not the victim's parent or guardian; s.
 1231 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 1232 796.035; s. 796.045; s. 800.04; s. 825.1025; s. 827.071; s.

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1233 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 1234 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
 1235 similar offense committed in this state which has been
 1236 redesignated from a former statute number to one of those listed
 1237 in this paragraph; or

1238 2. Who establishes or maintains a residence in this state
 1239 and who has not been designated as a sexual predator by a court
 1240 of this state but who has been designated as a sexual predator,
 1241 as a sexually violent predator, or by another sexual offender
 1242 designation in another state or jurisdiction and was, as a
 1243 result of such designation, subjected to registration or
 1244 community or public notification, or both, or would be if the
 1245 person were a resident of that state or jurisdiction, without
 1246 regard as to whether the person otherwise meets the criteria for
 1247 registration as a sexual offender.

1248 (f) "Internet identifier ~~Instant message name~~" has the
 1249 same meaning as provided in s. 775.21 ~~means an identifier that~~
 1250 ~~allows a person to communicate in real time with another person~~
 1251 ~~using the Internet.~~

1252 (4) A sexual offender, as described in this section, who
 1253 is under the supervision of the Department of Corrections but is
 1254 not incarcerated must register with the Department of
 1255 Corrections within 3 business days after sentencing for a
 1256 registrable offense and otherwise provide information as
 1257 required by this subsection.

1258 (a) The sexual offender shall provide his or her name;
 1259 date of birth; social security number; race; sex; height;
 1260 weight; hair and eye color; tattoos or other identifying marks;

1261 all ~~any~~ electronic mail addresses ~~address~~ and all Internet
1262 identifiers ~~any instant message name~~ required to be provided
1263 pursuant to s. 943.0435(4)(d); all home telephone numbers and
1264 cellular telephone numbers; the make, model, color, registration
1265 number, and license tag number of all vehicles owned; permanent
1266 or legal residence and address of temporary residence within the
1267 state or out of state while the sexual offender is under
1268 supervision in this state, including any rural route address or
1269 post office box; if no permanent or temporary address, any
1270 transient residence within the state; and address, location or
1271 description, and dates of any current or known future temporary
1272 residence within the state or out of state. The sexual offender
1273 must also produce his or her passport, if he or she has a
1274 passport, and, if he or she is an alien, must produce or provide
1275 information about documents establishing his or her immigration
1276 status. The sexual offender must also provide information about
1277 any professional licenses he or she may have. The Department of
1278 Corrections shall verify the address of each sexual offender in
1279 the manner described in ss. 775.21 and 943.0435. The department
1280 shall report to the Department of Law Enforcement any failure by
1281 a sexual predator or sexual offender to comply with registration
1282 requirements.

1283 (b) If the sexual offender is enrolled, employed,
1284 volunteering, or carrying on a vocation at an institution of
1285 higher education in this state, the sexual offender shall
1286 provide the name, address, and county of each institution,
1287 including each campus attended, and the sexual offender's
1288 enrollment, volunteer, or employment status. Each change in

1289 enrollment, volunteer, or employment status shall be reported to
 1290 the department within 48 hours after the change in status. The
 1291 Department of Corrections shall promptly notify each institution
 1292 of the sexual offender's presence and any change in the sexual
 1293 offender's enrollment, volunteer, or employment status.

1294 (13)

1295 (c) The sheriff's office may determine the appropriate
 1296 times and days for reporting by the sexual offender, which shall
 1297 be consistent with the reporting requirements of this
 1298 subsection. Reregistration shall include any changes to the
 1299 following information:

1300 1. Name; social security number; age; race; sex; date of
 1301 birth; height; weight; hair and eye color; address of any
 1302 permanent residence and address of any current temporary
 1303 residence, within the state or out of state, including a rural
 1304 route address and a post office box; if no permanent or
 1305 temporary address, any transient residence; address, location or
 1306 description, and dates of any current or known future temporary
 1307 residence within the state or out of state; ~~any~~ electronic mail
 1308 addresses or Internet identifiers ~~address and any instant~~
 1309 ~~message name~~ required to be provided pursuant to s.
 1310 943.0435(4)(d); home telephone numbers or cellular telephone
 1311 numbers; date and place of any employment; the ~~vehicle~~ make,
 1312 model, color, registration number, and license tag number of any
 1313 vehicles owned; fingerprints; palm prints; and photograph. A
 1314 post office box shall not be provided in lieu of a physical
 1315 residential address. The sexual offender must also produce his
 1316 or her passport, if he or she has a passport, and, if he or she

1317 is an alien, must produce or provide information about documents
 1318 establishing his or her immigration status. The sexual offender
 1319 must also provide information about any professional licenses he
 1320 or she may have.

1321 2. If the sexual offender is enrolled, employed,
 1322 volunteering, or carrying on a vocation at an institution of
 1323 higher education in this state, the sexual offender shall also
 1324 provide to the department the name, address, and county of each
 1325 institution, including each campus attended, and the sexual
 1326 offender's enrollment, volunteer, or employment status.

1327 3. If the sexual offender's place of residence is a motor
 1328 vehicle, trailer, mobile home, or manufactured home, as defined
 1329 in chapter 320, the sexual offender shall also provide the
 1330 vehicle identification number; the license tag number; the
 1331 registration number; and a description, including color scheme,
 1332 of the motor vehicle, trailer, mobile home, or manufactured
 1333 home. If the sexual offender's place of residence is a vessel,
 1334 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1335 sexual offender shall also provide the hull identification
 1336 number; the manufacturer's serial number; the name of the
 1337 vessel, live-aboard vessel, or houseboat; the registration
 1338 number; and a description, including color scheme, of the
 1339 vessel, live-aboard vessel or houseboat.

1340 4. Any sexual offender who fails to report in person as
 1341 required at the sheriff's office, ~~or~~ who fails to respond to any
 1342 address verification correspondence from the department within 3
 1343 weeks of the date of the correspondence, ~~or~~ who fails to report
 1344 all electronic mail addresses or Internet identifiers prior to

1345 use or instant message names, or who knowingly provides false
 1346 registration information by act or omission commits a felony of
 1347 the third degree, punishable as provided in s. 775.082, s.
 1348 775.083, or s. 775.084.

1349 Section 10. Subsection (11) of section 947.005, Florida
 1350 Statutes, is amended to read:

1351 947.005 Definitions.—As used in this chapter, unless the
 1352 context clearly indicates otherwise:

1353 (11) "Risk assessment" means an assessment completed by a
 1354 ~~an independent~~ qualified practitioner to evaluate the level of
 1355 risk associated when a sex offender has contact with a child.

1356 Section 11. Section 948.31, Florida Statutes, is amended
 1357 to read:

1358 948.31 Evaluation and treatment of sexual predators and
 1359 offenders on probation or community control.—The court may ~~shall~~
 1360 ~~require an evaluation by a qualified practitioner to determine~~
 1361 ~~the need of a probationer or community controllee for treatment.~~
 1362 ~~If the court determines that a need therefor is established by~~
 1363 ~~the evaluation process, the court shall require sexual offender~~
 1364 ~~treatment as a term or condition of probation or community~~
 1365 ~~control for any~~ probationer or community controllee person who
 1366 is required to register as a sexual predator under s. 775.21 or
 1367 sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to
 1368 undergo an evaluation, at the probationer or community
 1369 controllee's expense, by a qualified practitioner to determine
 1370 whether such person needs sexual offender treatment. If the
 1371 qualified practitioner determines that sexual offender treatment
 1372 is needed and recommends treatment, the probationer or community

1373 controllee must successfully complete and pay for the treatment.
 1374 Such treatment must ~~shall be required to~~ be obtained from a
 1375 qualified practitioner as defined in s. 948.001. Treatment may
 1376 not be administered by a qualified practitioner who has been
 1377 convicted or adjudicated delinquent of committing, or
 1378 attempting, soliciting, or conspiring to commit, any offense
 1379 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~
 1380 ~~impose a restriction against contact with minors if sexual~~
 1381 ~~offender treatment is recommended. The evaluation and~~
 1382 ~~recommendations for treatment of the probationer or community~~
 1383 ~~controllee shall be provided to the court for review.~~

1384 Section 12. Paragraph (a) of subsection (3) of section
 1385 985.481, Florida Statutes, is amended to read:

1386 985.481 Sexual offenders adjudicated delinquent;
 1387 notification upon release.—

1388 (3)(a) The department must provide information regarding
 1389 any sexual offender who is being released after serving a period
 1390 of residential commitment under the department for any offense,
 1391 as follows:

1392 1. The department must provide the sexual offender's name,
 1393 any change in the offender's name by reason of marriage or other
 1394 legal process, and any alias, if known; the correctional
 1395 facility from which the sexual offender is released; the sexual
 1396 offender's social security number, race, sex, date of birth,
 1397 height, weight, and hair and eye color; the make, model, color,
 1398 registration number, and license tag number of all vehicles
 1399 owned, if known; address of any planned permanent residence or
 1400 temporary residence, within the state or out of state, including

1401 a rural route address and a post office box; if no permanent or
 1402 temporary address, any transient residence within the state;
 1403 address, location or description, and dates of any known future
 1404 temporary residence within the state or out of state; date and
 1405 county of disposition and each crime for which there was a
 1406 disposition; a copy of the offender's fingerprints and a
 1407 digitized photograph taken within 60 days before release; the
 1408 date of release of the sexual offender; all ~~and~~ home telephone
 1409 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
 1410 about any professional licenses the offender may have, if known;
 1411 and passport information, if he or she has a passport, and, if
 1412 he or she is an alien, information about documents establishing
 1413 his or her immigration status ~~number~~. The department shall
 1414 notify the Department of Law Enforcement if the sexual offender
 1415 escapes, absconds, or dies. If the sexual offender is in the
 1416 custody of a private correctional facility, the facility shall
 1417 take the digitized photograph of the sexual offender within 60
 1418 days before the sexual offender's release and also place it in
 1419 the sexual offender's file. If the sexual offender is in the
 1420 custody of a local jail, the custodian of the local jail shall
 1421 register the offender within 3 business days after intake of the
 1422 offender for any reason and upon release, and shall notify the
 1423 Department of Law Enforcement of the sexual offender's release
 1424 and provide to the Department of Law Enforcement the information
 1425 specified in this subparagraph and any information specified in
 1426 subparagraph 2. which the Department of Law Enforcement
 1427 requests.

1428 2. The department may provide any other information

1429 considered necessary, including criminal and delinquency
 1430 records, when available.

1431 Section 13. Subsection (4) and paragraph (b) of subsection
 1432 (13) of section 985.4815, Florida Statutes, are amended to read:

1433 985.4815 Notification to Department of Law Enforcement of
 1434 information on juvenile sexual offenders.-

1435 (4) A sexual offender, as described in this section, who
 1436 is under the supervision of the department but who is not
 1437 committed must register with the department within 3 business
 1438 days after adjudication and disposition for a registrable
 1439 offense and otherwise provide information as required by this
 1440 subsection.

1441 (a) The sexual offender shall provide his or her name;
 1442 date of birth; social security number; race; sex; height;
 1443 weight; hair and eye color; tattoos or other identifying marks;
 1444 the make, model, color, registration number, and license tag
 1445 number of all vehicles owned; permanent or legal residence and
 1446 address of temporary residence within the state or out of state
 1447 while the sexual offender is in the care or custody or under the
 1448 jurisdiction or supervision of the department in this state,
 1449 including any rural route address or post office box; if no
 1450 permanent or temporary address, any transient residence;
 1451 address, location or description, and dates of any current or
 1452 known future temporary residence within the state or out of
 1453 state; and the name and address of each school attended. The
 1454 sexual offender must also produce his or her passport, if he or
 1455 she has a passport, and, if he or she is an alien, must produce
 1456 or provide information about documents establishing his or her

1457 immigration status. The offender must also provide information
1458 about any professional licenses he or she may have. The
1459 department shall verify the address of each sexual offender and
1460 shall report to the Department of Law Enforcement any failure by
1461 a sexual offender to comply with registration requirements.

1462 (b) If the sexual offender is enrolled, employed,
1463 volunteering, or carrying on a vocation at an institution of
1464 higher education in this state, the sexual offender shall
1465 provide the name, address, and county of each institution,
1466 including each campus attended, and the sexual offender's
1467 enrollment, volunteer, or employment status. Each change in
1468 enrollment, volunteer, or employment status shall be reported to
1469 the department within 48 hours after the change in status. The
1470 department shall promptly notify each institution of the sexual
1471 offender's presence and any change in the sexual offender's
1472 enrollment, volunteer, or employment status.

1473 (13)

1474 (b) The sheriff's office may determine the appropriate
1475 times and days for reporting by the sexual offender, which shall
1476 be consistent with the reporting requirements of this
1477 subsection. Reregistration shall include any changes to the
1478 following information:

1479 1. Name; social security number; age; race; sex; date of
1480 birth; height; weight; hair and eye color; fingerprints; palm
1481 prints; address of any permanent residence and address of any
1482 current temporary residence, within the state or out of state,
1483 including a rural route address and a post office box; if no
1484 permanent or temporary address, any transient residence;

1485 address, location or description, and dates of any current or
 1486 known future temporary residence within the state or out of
 1487 state; passport information, if he or she has a passport, and,
 1488 if he or she is an alien, information about documents
 1489 establishing his or her immigration status; name and address of
 1490 each school attended; date and place of any employment; the
 1491 ~~vehicle~~ make, model, color, registration number, and license tag
 1492 number of all vehicles owned; ~~fingerprints;~~ and photograph. A
 1493 post office box shall not be provided in lieu of a physical
 1494 residential address. The offender must also provide information
 1495 about any professional licenses he or she may have.

1496 2. If the sexual offender is enrolled, employed,
 1497 volunteering, or carrying on a vocation at an institution of
 1498 higher education in this state, the sexual offender shall also
 1499 provide to the department the name, address, and county of each
 1500 institution, including each campus attended, and the sexual
 1501 offender's enrollment, volunteer, or employment status.

1502 3. If the sexual offender's place of residence is a motor
 1503 vehicle, trailer, mobile home, or manufactured home, as defined
 1504 in chapter 320, the sexual offender shall also provide the
 1505 vehicle identification number; the license tag number; the
 1506 registration number; and a description, including color scheme,
 1507 of the motor vehicle, trailer, mobile home, or manufactured
 1508 home. If the sexual offender's place of residence is a vessel,
 1509 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1510 sexual offender shall also provide the hull identification
 1511 number; the manufacturer's serial number; the name of the
 1512 vessel, live-aboard vessel, or houseboat; the registration

1513 number; and a description, including color scheme, of the
 1514 vessel, live-aboard vessel, or houseboat.

1515 4. Any sexual offender who fails to report in person as
 1516 required at the sheriff's office, ~~or~~ who fails to respond to any
 1517 address verification correspondence from the department within 3
 1518 weeks after the date of the correspondence, or who knowingly
 1519 provides false registration information by act or omission
 1520 commits a felony of the third degree, punishable as provided in
 1521 ss. 775.082, 775.083, and 775.084.

1522 Section 14. Subsection (13) is added to section 947.1405,
 1523 Florida Statutes, to read:

1524 947.1405 Conditional release program.—

1525 (13) In addition to all other conditions imposed, for a
 1526 releasee who is subject to conditional release for a crime that
 1527 was committed on or after October 1, 2012, and who has been
 1528 convicted at any time of a violation of s. 800.04(7)(b) or s.
 1529 847.0135(4), or a similar offense in another jurisdiction, the
 1530 commission must order electronic monitoring for the duration of
 1531 the releasee's supervision.

1532 Section 15. Subsection (5) is added to section 948.30,
 1533 Florida Statutes, to read:

1534 948.30 Additional terms and conditions of probation or
 1535 community control for certain sex offenses.—Conditions imposed
 1536 pursuant to this section do not require oral pronouncement at
 1537 the time of sentencing and shall be considered standard
 1538 conditions of probation or community control for offenders
 1539 specified in this section.

1540 (5) Effective for a probationer or community controllee

1541 whose crime was committed on or after October 1, 2012, and who:

1542 (a) Is placed on probation or community control for a
 1543 violation of s. 800.04(7)(b) or s. 847.0135(4); or

1544 (b) Has previously been convicted of a violation of s.
 1545 800.04(7)(b) or s. 847.0135(4), or a similar offense in another
 1546 jurisdiction,

1547
 1548 the court must order, in addition to any other requirements of
 1549 this section, mandatory electronic monitoring as a condition of
 1550 the probation or community control supervision.

1551 Section 16. Paragraphs (g) and (i) of subsection (3) of
 1552 section 921.0022, Florida Statutes, are amended to read:

1553 921.0022 Criminal Punishment Code; offense severity
 1554 ranking chart.—

1555 (3) OFFENSE SEVERITY RANKING CHART

1556 (g) LEVEL 7

1557

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

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			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.
1561	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1562	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1563	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1564	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1565	456.065 (2)	3rd	Practicing a health care profession without a license.
1566			

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1567	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1568	458.327 (1)	3rd	Practicing medicine without a license.
1569	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1570	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1571	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1572	462.17	3rd	Practicing naturopathy without a license.
1573	463.015 (1)	3rd	Practicing optometry without a license.
1574	464.016 (1)	3rd	Practicing nursing without a license.
	465.015 (2)	3rd	Practicing pharmacy without a

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1575			license.
	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1576			
	467.201	3rd	Practicing midwifery without a license.
1577			
	468.366	3rd	Delivering respiratory care services without a license.
1578			
	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1579			
	483.901 (9)	3rd	Practicing medical physics without a license.
1580			
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1581			
	484.053	3rd	Dispensing hearing aids without a license.
1582			
	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property

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1583	560.123 (8) (b) 1.	3rd	unlawfully obtained exceeded \$50,000 and there were five or more victims. Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1584	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1585	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1586	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.
1587	775.21 (10) (b)	3rd	Sexual predator working where

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1588	775.21(10)(g)	3rd	children regularly congregate. Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1589	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1590	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1591	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1592	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel

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1593			homicide).
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1594			
	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1595			
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1596			
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1597			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1598			
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1599			
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1600			
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1601			

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1602	784.081 (1)	1st	Aggravated battery on specified official or employee.
1603	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1604	784.083 (1)	1st	Aggravated battery on code inspector.
1605	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1606	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
1607	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1608	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
	790.166 (3)	2nd	Possessing, selling, using, or

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1609			attempting to use a hoax weapon of mass destruction.
	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1610			
	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1611			
	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.
1612			
	796.03	2nd	Procuring any person under <u>18</u> 16 years for prostitution.
1613			
	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
1614			

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1615	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.
1616	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1617	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1618	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1619	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1620	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other

			property damage; 1st degree grand theft.
1621	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1622	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1623	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1624	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1625	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1626	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1627	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1628			

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1629	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1630	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1631	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1632	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.
1633	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but

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1634			less than \$100,000.
	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1635			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1636			
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1637			
	838.015	2nd	Bribery.
1638			
	838.016	2nd	Unlawful compensation or reward for official behavior.
1639			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1640			
	838.22	2nd	Bid tampering.
1641			
	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1642			

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1643	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1644	872.06	2nd	Abuse of a dead human body.
1645	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1646	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.
1646	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.,

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1647	893.13(4)(a)	1st	within 1,000 feet of property used for religious services or a specified business site.
1648	893.135(1)(a)1.	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).
1649	893.135 (1)(b)1.a.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1650	893.135 (1)(c)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1651	893.135(1)(d)1.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1652	893.135(1)(e)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than

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1653			5 kilograms.
	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1654			
	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1655			
	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1656			
	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1657			
	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1658			
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1659			

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1660	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1661	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1662	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1663	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1664	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or

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1665			conceal a sexual offender.
	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1666			
	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1667			
	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1668			
	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1669			
	944.607 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1670			
	985.4815 (10)	3rd	Sexual offender; failure to submit to the taking of a

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1671			digitized photograph.
	985.4815 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1672			
	985.4815 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1673			
1674	(i) LEVEL 9		
1675			
	Florida Statute	Felony Degree	Description
1676			
	316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
1677			
	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
1678			
	409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
1679			
	499.0051 (9)	1st	Knowing sale or purchase of

1680			contraband prescription drugs resulting in great bodily harm.
	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1681			
	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
1682			
	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1683			
	775.0844	1st	Aggravated white collar crime.
1684			
	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
1685			
	782.04 (3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
1686			

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1687	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
1688	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
1689	787.01(1)(a)1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
1690	787.01(1)(a)2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
1691	787.01(1)(a)4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
	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,

1692			molestation, conduct, or exhibition.
	790.161	1st	Attempted capital destructive device offense.
1693			
	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1694			
	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
1695			
	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
1696			
	794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1697			
	794.011(8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1698			

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1699	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
1700	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1701	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
1702	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.
1703	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1704	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.
1705	827.03 (2)	1st	Aggravated child abuse.
	847.0145 (1)	1st	Selling, or otherwise

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1706			transferring custody or control, of a minor.
	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
1707			
	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.
1708			
	893.135	1st	Attempted capital trafficking offense.
1709			
	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1710			
	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1711			
	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than

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1712			30 kilograms.
	893.135	1st	Trafficking in phencyclidine,
	(1) (d) 1.c.		more than 400 grams.
1713			
	893.135	1st	Trafficking in methaqualone,
	(1) (e) 1.c.		more than 25 kilograms.
1714			
	893.135	1st	Trafficking in amphetamine,
	(1) (f) 1.c.		more than 200 grams.
1715			
	893.135	1st	Trafficking in gamma-
	(1) (h) 1.c.		hydroxybutyric acid (GHB), 10
			kilograms or more.
1716			
	893.135	1st	Trafficking in 1,4-Butanediol,
	(1) (j) 1.c.		10 kilograms or more.
1717			
	893.135	1st	Trafficking in Phenethylamines,
	(1) (k) 2.c.		400 grams or more.
1718			
	896.101 (5) (c)	1st	Money laundering, financial
			instruments totaling or
			exceeding \$100,000.
1719			
	896.104 (4) (a) 3.	1st	Structuring transactions to
			evade reporting or registration

requirements, financial
 transactions totaling or
 exceeding \$100,000.

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Section 17. The sum of \$112,420 of recurring funds from
 the General Revenue Fund is appropriated to the Department of
 Corrections to provide electronic monitoring as required in this
 act.

Section 18. This act shall take effect October 1, 2012.