

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. 921.0022, F.S.; correcting references;
 85 | providing an effective date.

87 | Be It Enacted by the Legislature of the State of Florida:

89 | Section 1. Paragraph (i) of subsection (2), paragraph (a)
 90 | of subsection (4), subsections (6) and (8), and paragraph (a) of
 91 | subsection (10) of section 775.21, Florida Statutes, are amended
 92 | to read:

93 | 775.21 The Florida Sexual Predators Act.—

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

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

105 | (4) SEXUAL PREDATOR CRITERIA.—

106 | (a) For a current offense committed on or after October 1,
 107 | 1993, upon conviction, an offender shall be designated as a
 108 | "sexual predator" under subsection (5), and subject to
 109 | registration under subsection (6) and community and public
 110 | notification under subsection (7) if:

111 | 1. The felony is:

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

117 b. Any felony violation, or any attempt thereof, of s.
118 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
119 787.025(2)(c), where the victim is a minor and the defendant is
120 not the victim's parent or guardian; s. 794.011, excluding s.
121 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 796.045; s.
122 800.04; s. 825.1025 ~~825.1025(2)(b)~~; s. 827.071; s. 847.0135(5);
123 s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a violation of
124 a similar law of another jurisdiction, and the offender has
125 previously been convicted of or found to have committed, or has
126 pled nolo contendere or guilty to, regardless of adjudication,
127 any violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s.
128 787.02, or s. 787.025(2)(c), where the victim is a minor and the
129 defendant is not the victim's parent or guardian; s. 794.011,
130 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.
131 796.045; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.
132 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 916.1075(2);
133 or s. 985.701(1); or a violation of a similar law of another
134 jurisdiction;

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

138 3. A conviction of a felony or similar law of another
139 jurisdiction necessary to the operation of this paragraph has

140 not been set aside in any postconviction proceeding.

141 (6) REGISTRATION.—

142 (a) A sexual predator must register with the department
 143 through the sheriff's office by providing the following
 144 information to the department:

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

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

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

196 2. Any other information determined necessary by the
197 department, including criminal and corrections records;
198 nonprivileged personnel and treatment records; and evidentiary
199 genetic markers when available.

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

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

224 escapes from custody or dies.

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

233 (e)1. If the sexual predator is not in the custody or
 234 control of, or under the supervision of, the Department of
 235 Corrections or is not in the custody of a private correctional
 236 facility, the sexual predator shall register in person:

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

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

243 2. Any change in the sexual predator's permanent or
 244 temporary residence, name, ~~or any electronic mail addresses, or~~
 245 Internet identifiers ~~address and any instant message name~~
 246 required to be provided pursuant to subparagraph (g)4., after
 247 the sexual predator registers in person at the sheriff's office
 248 as provided in subparagraph 1., shall be accomplished in the
 249 manner provided in paragraphs (g), (i), and (j). When a sexual
 250 predator registers with the sheriff's office, the sheriff shall
 251 take a photograph, ~~and~~ a set of fingerprints, and palm prints of

252 the predator and forward the photographs, palm prints, and
 253 fingerprints to the department, along with the information that
 254 the predator is required to provide pursuant to this section.

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

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

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

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

295 3. Provide, upon request, any additional information
 296 necessary to confirm the identity of the sexual predator,
 297 including a set of fingerprints.

298 (g)1. Each time a sexual predator's driver ~~driver's~~
 299 license or identification card is subject to renewal, and,
 300 without regard to the status of the predator's driver ~~driver's~~
 301 license or identification card, within 48 hours after any change
 302 of the predator's residence or change in the predator's name by
 303 reason of marriage or other legal process, the predator shall
 304 report in person to a driver ~~driver's~~ license office and shall
 305 be subject to the requirements specified in paragraph (f). The
 306 Department of Highway Safety and Motor Vehicles shall forward to
 307 the department and to the Department of Corrections all

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

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

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336 maintain a permanent or temporary residence.

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

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

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

362 (i) A sexual predator who intends to establish a
363 permanent, temporary, or transient residence in another state or

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

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

392 establish a permanent, temporary, or transient residence in
393 another state, a ~~or~~ jurisdiction other than the State of
394 Florida, or another country, but who remains in this state
395 without reporting to the sheriff in the manner required by this
396 paragraph, commits a felony of the second degree, punishable as
397 provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

419 3. The department shall adopt guidelines as necessary

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420 regarding the registration of sexual predators and the
421 dissemination of information regarding sexual predators as
422 required by this section.

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

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

447 (a) A sexual predator must report in person each year

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

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

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476 must also provide information about any professional licenses he
477 or she may have.

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

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

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

501 (10) PENALTIES.—

502 (a) Except as otherwise specifically provided, a sexual
503 predator who fails to register; who fails, after registration,

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

519 Section 2. Section 800.03, Florida Statutes, is amended to
 520 read:

521 800.03 Exposure of sexual organs.—

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

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

530 (b) A third or subsequent violation of this section is a
 531 felony of the third degree, punishable as provided in s.

532 775.082, s. 775.083, or s. 775.084.

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

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

537 903.046 Purpose of and criteria for bail determination.—

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

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

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

552 943.0435 Sexual offenders required to register with the
553 department; penalty.—

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

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

558 a.(I) Has been convicted of committing, or attempting,
559 soliciting, or conspiring to commit, any of the criminal

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

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

588 regard to whether the person otherwise meets the criteria for
 589 registration as a sexual offender;

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

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

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

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

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

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

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

623
 624 For each violation of a qualifying offense listed in this
 625 subsection, except for a violation of s. 794.011, the court
 626 shall make a written finding of the age of the victim at the
 627 time of the offense. For a violation of s. 800.04(4), the court
 628 shall additionally make a written finding indicating that the
 629 offense did or did not involve sexual activity and indicating
 630 that the offense did or did not involve force or coercion. For a
 631 violation of s. 800.04(5), the court shall additionally make a
 632 written finding that the offense did or did not involve
 633 unclothed genitals or genital area and that the offense did or
 634 did not involve the use of force or coercion.

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

639 (2) A sexual offender shall:

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

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

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644 a. Establishing permanent, temporary, or transient
645 residence in this state; or
646 b. Being released from the custody, control, or
647 supervision of the Department of Corrections or from the custody
648 of a private correctional facility; or
649 2. In the county where he or she was convicted within 48
650 hours after being convicted for a qualifying offense for
651 registration under this section if the offender is not in the
652 custody or control of, or under the supervision of, the
653 Department of Corrections, or is not in the custody of a private
654 correctional facility.

655
656 Any change in the information required to be provided pursuant
657 to paragraph (b), including, but not limited to, any change in
658 the sexual offender's permanent, temporary, or transient
659 residence, name, ~~any~~ electronic mail addresses, or Internet
660 identifiers ~~address and any instant message name~~ required to be
661 provided pursuant to paragraph (4)(d), after the sexual offender
662 reports in person at the sheriff's office, shall be accomplished
663 in the manner provided in subsections (4), (7), and (8).

664 (b) Provide his or her name; date of birth; social
665 security number; race; sex; height; weight; hair and eye color;
666 tattoos or other identifying marks; occupation and place of
667 employment; address of permanent or legal residence or address
668 of any current temporary residence, within the state or out of
669 state, including a rural route address and a post office box; if
670 no permanent or temporary address, any transient residence
671 within the state, address, location or description, and dates of

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672 any current or known future temporary residence within the state
673 or out of state; the make, model, color, registration number,
674 and license tag number of all vehicles owned; all home telephone
675 numbers ~~number~~ and any cellular telephone numbers ~~number~~; all
676 any electronic mail addresses ~~address~~ and all Internet
677 identifiers ~~any instant message name~~ required to be provided
678 pursuant to paragraph (4) (d); fingerprints; palm prints;
679 photograph; date and place of each conviction; and a brief
680 description of the crime or crimes committed by the offender. A
681 post office box shall not be provided in lieu of a physical
682 residential address. The sexual offender must also produce his
683 or her passport, if he or she has a passport, and, if he or she
684 is an alien, must produce or provide information about documents
685 establishing his or her immigration status. The sexual offender
686 must also provide information about any professional licenses he
687 or she may have.

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

700 houseboat; the registration number; and a description, including
 701 color scheme, of the vessel, live-aboard vessel, or houseboat.

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

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

718
 719 When a sexual offender reports at the sheriff's office, the
 720 sheriff shall take a photograph, ~~and~~ a set of fingerprints, and
 721 palm prints of the offender and forward the photographs, palm
 722 prints, and fingerprints to the department, along with the
 723 information provided by the sexual offender. The sheriff shall
 724 promptly provide to the department the information received from
 725 the sexual offender.

726 (4) (a) Each time a sexual offender's driver ~~driver's~~
 727 license or identification card is subject to renewal, and,

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

753 (d) A sexual offender must register all ~~any~~ electronic
754 mail addresses and Internet identifiers ~~address or instant~~
755 ~~message name~~ with the department prior to using such electronic

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

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

778 (8) A sexual offender who indicates his or her intent to
779 establish a permanent, temporary, or transient residence in
780 another state, a ~~or~~ jurisdiction other than the State of
781 Florida, or another country and later decides to remain in this
782 state shall, within 48 hours after the date upon which the
783 sexual offender indicated he or she would leave this state,

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

795 (11) Except as provided in this subsection and s.
 796 943.04354, a sexual offender must maintain registration with the
 797 department for the duration of his or her life, unless the
 798 sexual offender has received a full pardon or has had a
 799 conviction set aside in a postconviction proceeding for any
 800 offense that meets the criteria for classifying the person as a
 801 sexual offender for purposes of registration. ~~However, a sexual~~
 802 ~~offender:~~

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

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- 812 a. Twenty-five years have elapsed since the sexual
813 offender's registration period for the most recent conviction
814 that required the offender to register began;
- 815 b. The sexual offender has not been convicted or
816 adjudicated delinquent of any felony offense or of an offense
817 punishable by more than 1 year of imprisonment during the 25
818 years preceding the petition to the court;
- 819 c. The sexual offender has successfully completed all
820 sanctions imposed for all offenses that required the offender to
821 register;
- 822 d. The sexual offender's requirement to register was not
823 based upon an adult conviction for a violation of s. 787.01, s.
824 794.011, excluding s. 794.011(10), s. 800.04(4)(b) where the
825 court finds the offense involved a victim under 12 years of age
826 or sexual activity by the use of force or coercion, s.
827 800.04(5)(b), or s. 800.04(5)(c)2. where the court finds the
828 offense involved unclothed genitals or genital area; for any
829 attempt or conspiracy to commit any offense listed in this sub-
830 subparagraph; or for a violation of similar law of another
831 jurisdiction; and
- 832 e. For sexual offenders whose requirement to register is
833 based upon a conviction in another state, the sexual offender is
834 not required to register as a sexual offender pursuant to the
835 laws of the state where the conviction occurred. Such an
836 offender must provide the court written confirmation that he or
837 she is not required to register in the state where the
838 conviction occurred.
- 839 ~~a. For a violation of s. 787.01 or s. 787.02;~~

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- 840 ~~b. For a violation of s. 794.011, excluding s.~~
841 ~~794.011(10);~~
- 842 ~~e. For a violation of s. 800.04(4)(b) where the court~~
843 ~~finds the offense involved a victim under 12 years of age or~~
844 ~~sexual activity by the use of force or coercion;~~
- 845 ~~d. For a violation of s. 800.04(5)(b);~~
- 846 ~~e. For a violation of s. 800.04(5)c.2. where the court~~
847 ~~finds the offense involved unclothed genitals or genital area;~~
- 848 ~~f. For any attempt or conspiracy to commit any such~~
849 ~~offense; or~~
- 850 ~~g. For a violation of similar law of another jurisdiction,~~
851
852 ~~may petition the criminal division of the circuit court of the~~
853 ~~circuit in which the sexual offender resides for the purpose of~~
854 ~~removing the requirement for registration as a sexual offender.~~
- 855 2. A sexual offender whose requirement to register was
856 based upon an adult conviction for a violation of s. 787.02 or
857 s. 827.071(5), for any attempt or conspiracy to commit any
858 offense listed in this subparagraph, or for a violation of
859 similar law of another jurisdiction may petition the criminal
860 division of the circuit court of the circuit in which the sexual
861 offender resides for the purpose of removing the requirement for
862 registration as a sexual offender if:
- 863 a. Fifteen years have elapsed since the sexual offender's
864 registration period for the most recent conviction that required
865 the offender to register began;
- 866 b. The sexual offender has not been convicted or
867 adjudicated delinquent of any felony offense or of an offense

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

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

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

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

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

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

892 c. The sexual offender has successfully completed all
893 sanctions imposed for any offense that required the offender to
894 register.

895 4.2. The court may grant or deny relief if the offender

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

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

922 6. For purposes of this paragraph:

923 a. The registration period of a sexual offender sentenced

924 to a term of incarceration or committed to a residential program
 925 begins upon the offender's release from incarceration or
 926 commitment for the most recent conviction that required the
 927 offender to register.

928 b. A sexual offender's registration period is tolled
 929 during any period in which the offender is incarcerated, civilly
 930 committed, detained pursuant to chapter 985, or committed to a
 931 residential program.

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

945 (14)

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

951 1. Name; social security number; age; race; sex; date of

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

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

978 3. If the sexual offender's place of residence is a motor
 979 vehicle, trailer, mobile home, or manufactured home, as defined

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

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

1000 Section 5. Section 943.04351, Florida Statutes, is amended
 1001 to read:

1002 943.04351 Search of registration information regarding
 1003 sexual predators and sexual offenders required prior to
 1004 appointment or employment.—A state agency or governmental
 1005 subdivision, prior to making any decision to appoint or employ a
 1006 person to work, whether for compensation or as a volunteer, at
 1007 any park, playground, day care center, or other place where

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1008 children regularly congregate, must conduct a search of that
 1009 person's name or other identifying information against the
 1010 registration information regarding sexual predators and sexual
 1011 offenders maintained by the Department of Law Enforcement under
 1012 s. 943.043. The agency or governmental subdivision may conduct
 1013 the search using the Internet site maintained by the Department
 1014 of Law Enforcement. Also, a national search must be conducted
 1015 through the Dru Sjodin National Sex Offender Public Website
 1016 maintained by the United States Department of Justice. This
 1017 section does not apply to those positions or appointments within
 1018 a state agency or governmental subdivision for which a state and
 1019 national criminal history background check is conducted.

1020 Section 6. Section 943.04354, Florida Statutes, is amended
 1021 to read:

1022 943.04354 Removal of the requirement to register as a
 1023 sexual offender or sexual predator in special circumstances.—

1024 (1) For purposes of this section, a person shall be
 1025 considered for removal of the requirement to register as a
 1026 sexual offender or sexual predator only if the person:

1027 (a) Was ~~or will be~~ convicted, regardless of adjudication,
 1028 or adjudicated delinquent of a violation of s. 794.011, s.
 1029 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in
 1030 another jurisdiction, ~~or the person committed a violation of s.~~
 1031 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~
 1032 ~~adjudication of guilt was or will be withheld,~~ and the person
 1033 does not have any other conviction, regardless of adjudication,
 1034 or ~~adjudication of delinquency, or withhold of adjudication of~~
 1035 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or

1036 s. 847.0135(5), or a similar offense in another jurisdiction;

1037 (b) 1. Was convicted, regardless of adjudication, or
 1038 adjudicated delinquent of an offense listed in paragraph (a) and
 1039 is required to register as a sexual offender or sexual predator
 1040 solely on the basis of this conviction or adjudication
 1041 violation; or and

1042 2. Was convicted, regardless of adjudication, or
 1043 adjudicated delinquent of an offense in another jurisdiction
 1044 that is similar to an offense listed in paragraph (a) and no
 1045 longer meets the criteria for registration as a sexual offender
 1046 or sexual predator under the laws of the jurisdiction where the
 1047 similar offense occurred; and

1048 (c) Is not more than 4 years older than the victim of this
 1049 violation who was 13 ~~14~~ years of age or older but less ~~not more~~
 1050 than 18 ~~17~~ years of age at the time the person committed this
 1051 violation.

1052 (2) If a person meets the criteria in subsection (1) ~~and~~
 1053 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
 1054 ~~847.0135(5) was committed on or after July 1, 2007, the person~~
 1055 may move the criminal court of the circuit in which the offense
 1056 occurred or the sentencing court or, for persons convicted or
 1057 adjudicated delinquent of a qualifying offense in another
 1058 jurisdiction, the criminal circuit court of the circuit in which
 1059 the person resides ~~that will sentence or dispose of this~~
 1060 ~~violation~~ to remove the requirement that the person register as
 1061 a sexual offender or sexual predator. The person must allege in
 1062 the motion that he or she meets the criteria in subsection (1)
 1063 and that removal of the registration requirement will not

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1064 conflict with federal law. Persons convicted or adjudicated
 1065 delinquent of an offense in another jurisdiction that is similar
 1066 to an offense listed in paragraph (1) (a) must provide the court
 1067 written confirmation that he or she is not required to register
 1068 in the state where the conviction or adjudication occurred. The
 1069 state attorney and the department must be given notice of the
 1070 motion at least 21 days before the date of sentencing, ~~or~~
 1071 disposition of the ~~this~~ violation, or hearing on the motion and
 1072 may present evidence in opposition to the requested relief or
 1073 may otherwise demonstrate why the motion should be denied. At
 1074 sentencing, ~~or~~ disposition of the ~~this~~ violation, or hearing on
 1075 the motion, the court shall rule on this motion and, if the
 1076 court determines the person meets the criteria in subsection (1)
 1077 and the removal of the registration requirement will not
 1078 conflict with federal law, it may grant the motion and order the
 1079 removal of the registration requirement. The court shall
 1080 instruct the person to provide the department a certified copy
 1081 of the order granting relief. If the court denies the motion,
 1082 the person is not authorized under this section to file another
 1083 motion ~~petition~~ for removal of the registration requirement.

1084 ~~(3) (a) This subsection applies to a person who:~~

1085 ~~1. Is not a person described in subsection (2) because the~~
 1086 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
 1087 ~~committed on or after July 1, 2007;~~

1088 ~~2. Is subject to registration as a sexual offender or~~
 1089 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
 1090 ~~827.071; and~~

1091 ~~3. Meets the criteria in subsection (1).~~

1092 ~~(b) A person may petition the court in which the sentence~~
 1093 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~
 1094 ~~827.071 occurred for removal of the requirement to register as a~~
 1095 ~~sexual offender or sexual predator. The person must allege in~~
 1096 ~~the petition that he or she meets the criteria in subsection (1)~~
 1097 ~~and removal of the registration requirement will not conflict~~
 1098 ~~with federal law. The state attorney must be given notice of the~~
 1099 ~~petition at least 21 days before the hearing on the petition and~~
 1100 ~~may present evidence in opposition to the requested relief or~~
 1101 ~~may otherwise demonstrate why the petition should be denied. The~~
 1102 ~~court shall rule on the petition and, if the court determines~~
 1103 ~~the person meets the criteria in subsection (1) and removal of~~
 1104 ~~the registration requirement will not conflict with federal law,~~
 1105 ~~it may grant the petition and order the removal of the~~
 1106 ~~registration requirement. If the court denies the petition, the~~
 1107 ~~person is not authorized under this section to file any further~~
 1108 ~~petition for removal of the registration requirement.~~

1109 (3)~~(4)~~ If a person provides to the Department of Law
 1110 Enforcement a certified copy of the court's order removing the
 1111 requirement that the person register as a sexual offender or
 1112 sexual predator for the violation of s. 794.011, s. 800.04, s.
 1113 827.071, or s. 847.0135(5), or a similar offense in another
 1114 jurisdiction, the registration requirement will not apply to the
 1115 person and the department shall remove all information about the
 1116 person from the public registry of sexual offenders and sexual
 1117 predators maintained by the department. However, the removal of
 1118 this information from the public registry does not mean that the
 1119 public is denied access to information about the person's

1120 criminal history or record that is otherwise available as a
 1121 public record.

1122 Section 7. Subsection (2) and paragraph (a) of subsection
 1123 (3) of section 943.0437, Florida Statutes, are amended to read:

1124 943.0437 Commercial social networking websites.—

1125 (2) The department may provide information relating to
 1126 electronic mail addresses and Internet identifiers ~~instant~~
 1127 ~~message names~~ maintained as part of the sexual offender registry
 1128 to commercial social networking websites or third parties
 1129 designated by commercial social networking websites. The
 1130 commercial social networking website may use this information
 1131 for the purpose of comparing registered users and screening
 1132 potential users of the commercial social networking website
 1133 against the list of electronic mail addresses and Internet
 1134 identifiers ~~instant message names~~ provided by the department.

1135 (3) This section shall not be construed to impose any
 1136 civil liability on a commercial social networking website for:

1137 (a) Any action voluntarily taken in good faith to remove
 1138 or disable any profile of a registered user associated with an
 1139 electronic mail address or Internet identifier ~~instant message~~
 1140 ~~name~~ contained in the sexual offender registry.

1141 Section 8. Paragraphs (b) and (d) of subsection (1) and
 1142 paragraph (a) of subsection (3) of section 944.606, Florida
 1143 Statutes, are amended to read:

1144 944.606 Sexual offenders; notification upon release.—

1145 (1) As used in this section:

1146 (b) "Sexual offender" means a person who has been
 1147 convicted of committing, or attempting, soliciting, or

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1148 | conspiring to commit, any of the criminal offenses proscribed in
 1149 | the following statutes in this state or similar offenses in
 1150 | another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1151 | s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 1152 | the defendant is not the victim's parent or guardian; s.
 1153 | 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 1154 | 796.045; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s.
 1155 | 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 1156 | 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
 1157 | similar offense committed in this state which has been
 1158 | redesignated from a former statute number to one of those listed
 1159 | in this subsection, when the department has received verified
 1160 | information regarding such conviction; an offender's
 1161 | computerized criminal history record is not, in and of itself,
 1162 | verified information.

1163 | (d) "Internet identifier ~~Instant message name~~" has the
 1164 | same meaning as provided in s. 775.21 ~~means an identifier that~~
 1165 | ~~allows a person to communicate in real time with another person~~
 1166 | ~~using the Internet.~~

1167 | (3) (a) The department must provide information regarding
 1168 | any sexual offender who is being released after serving a period
 1169 | of incarceration for any offense, as follows:

1170 | 1. The department must provide: the sexual offender's
 1171 | name, any change in the offender's name by reason of marriage or
 1172 | other legal process, and any alias, if known; the correctional
 1173 | facility from which the sexual offender is released; the sexual
 1174 | offender's social security number, race, sex, date of birth,
 1175 | height, weight, and hair and eye color; address of any planned

1176 permanent residence or temporary residence, within the state or
 1177 out of state, including a rural route address and a post office
 1178 box; if no permanent or temporary address, any transient
 1179 residence within the state; address, location or description,
 1180 and dates of any known future temporary residence within the
 1181 state or out of state; date and county of sentence and each
 1182 crime for which the offender was sentenced; a copy of the
 1183 offender's fingerprints, palm prints, and a digitized photograph
 1184 taken within 60 days before release; the date of release of the
 1185 sexual offender; all any electronic mail addresses ~~address~~ and
 1186 all Internet identifiers ~~any instant message name~~ required to be
 1187 provided pursuant to s. 943.0435(4)(d); all ~~and~~ home telephone
 1188 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
 1189 about any professional licenses the offender may have, if known;
 1190 and passport information, if he or she has a passport, and, if
 1191 he or she is an alien, information about documents establishing
 1192 his or her immigration status ~~number~~. The department shall
 1193 notify the Department of Law Enforcement if the sexual offender
 1194 escapes, absconds, or dies. If the sexual offender is in the
 1195 custody of a private correctional facility, the facility shall
 1196 take the digitized photograph of the sexual offender within 60
 1197 days before the sexual offender's release and provide this
 1198 photograph to the Department of Corrections and also place it in
 1199 the sexual offender's file. If the sexual offender is in the
 1200 custody of a local jail, the custodian of the local jail shall
 1201 register the offender within 3 business days after intake of the
 1202 offender for any reason and upon release, and shall notify the
 1203 Department of Law Enforcement of the sexual offender's release

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1204 and provide to the Department of Law Enforcement the information
 1205 specified in this paragraph and any information specified in
 1206 subparagraph 2. that the Department of Law Enforcement requests.

1207 2. The department may provide any other information deemed
 1208 necessary, including criminal and corrections records,
 1209 nonprivileged personnel and treatment records, when available.

1210 Section 9. Paragraphs (a) and (f) of subsection (1),
 1211 subsection (4), and paragraph (c) of subsection (13) of section
 1212 944.607, Florida Statutes, are amended to read:

1213 944.607 Notification to Department of Law Enforcement of
 1214 information on sexual offenders.—

1215 (1) As used in this section, the term:

1216 (a) "Sexual offender" means a person who is in the custody
 1217 or control of, or under the supervision of, the department or is
 1218 in the custody of a private correctional facility:

1219 1. On or after October 1, 1997, as a result of a
 1220 conviction for committing, or attempting, soliciting, or
 1221 conspiring to commit, any of the criminal offenses proscribed in
 1222 the following statutes in this state or similar offenses in
 1223 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1224 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 1225 the defendant is not the victim's parent or guardian; s.
 1226 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 1227 796.035; s. 796.045; s. 800.04; s. 825.1025; s. 827.071; s.
 1228 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 1229 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
 1230 similar offense committed in this state which has been
 1231 redesignated from a former statute number to one of those listed

1232 in this paragraph; or

1233 2. Who establishes or maintains a residence in this state
 1234 and who has not been designated as a sexual predator by a court
 1235 of this state but who has been designated as a sexual predator,
 1236 as a sexually violent predator, or by another sexual offender
 1237 designation in another state or jurisdiction and was, as a
 1238 result of such designation, subjected to registration or
 1239 community or public notification, or both, or would be if the
 1240 person were a resident of that state or jurisdiction, without
 1241 regard as to whether the person otherwise meets the criteria for
 1242 registration as a sexual offender.

1243 (f) "Internet identifier ~~Instant message name~~" has the
 1244 same meaning as provided in s. 775.21 ~~means an identifier that~~
 1245 ~~allows a person to communicate in real time with another person~~
 1246 ~~using the Internet.~~

1247 (4) A sexual offender, as described in this section, who
 1248 is under the supervision of the Department of Corrections but is
 1249 not incarcerated must register with the Department of
 1250 Corrections within 3 business days after sentencing for a
 1251 registrable offense and otherwise provide information as
 1252 required by this subsection.

1253 (a) The sexual offender shall provide his or her name;
 1254 date of birth; social security number; race; sex; height;
 1255 weight; hair and eye color; tattoos or other identifying marks;
 1256 all any electronic mail addresses ~~address~~ and all Internet
 1257 identifiers ~~any instant message name~~ required to be provided
 1258 pursuant to s. 943.0435(4)(d); all home telephone numbers and
 1259 cellular telephone numbers; the make, model, color, registration

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1260 number, and license tag number of all vehicles owned; permanent
1261 or legal residence and address of temporary residence within the
1262 state or out of state while the sexual offender is under
1263 supervision in this state, including any rural route address or
1264 post office box; if no permanent or temporary address, any
1265 transient residence within the state; and address, location or
1266 description, and dates of any current or known future temporary
1267 residence within the state or out of state. The sexual offender
1268 must also produce his or her passport, if he or she has a
1269 passport, and, if he or she is an alien, must produce or provide
1270 information about documents establishing his or her immigration
1271 status. The sexual offender must also provide information about
1272 any professional licenses he or she may have. The Department of
1273 Corrections shall verify the address of each sexual offender in
1274 the manner described in ss. 775.21 and 943.0435. The department
1275 shall report to the Department of Law Enforcement any failure by
1276 a sexual predator or sexual offender to comply with registration
1277 requirements.

1278 (b) If the sexual offender is enrolled, employed,
1279 volunteering, or carrying on a vocation at an institution of
1280 higher education in this state, the sexual offender shall
1281 provide the name, address, and county of each institution,
1282 including each campus attended, and the sexual offender's
1283 enrollment, volunteer, or employment status. Each change in
1284 enrollment, volunteer, or employment status shall be reported to
1285 the department within 48 hours after the change in status. The
1286 Department of Corrections shall promptly notify each institution
1287 of the sexual offender's presence and any change in the sexual

1288 offender's enrollment, volunteer, or employment status.

1289 (13)

1290 (c) The sheriff's office may determine the appropriate
 1291 times and days for reporting by the sexual offender, which shall
 1292 be consistent with the reporting requirements of this
 1293 subsection. Reregistration shall include any changes to the
 1294 following information:

1295 1. Name; social security number; age; race; sex; date of
 1296 birth; height; weight; hair and eye color; address of any
 1297 permanent residence and address of any current temporary
 1298 residence, within the state or out of state, including a rural
 1299 route address and a post office box; if no permanent or
 1300 temporary address, any transient residence; address, location or
 1301 description, and dates of any current or known future temporary
 1302 residence within the state or out of state; ~~any~~ electronic mail
 1303 addresses or Internet identifiers ~~address and any instant~~
 1304 ~~message name~~ required to be provided pursuant to s.

1305 943.0435(4)(d); home telephone numbers or cellular telephone
 1306 numbers; date and place of any employment; the ~~vehicle~~ make,
 1307 model, color, registration number, and license tag number of any
 1308 vehicles owned; fingerprints; palm prints; and photograph. A
 1309 post office box shall not be provided in lieu of a physical
 1310 residential address. The sexual offender must also produce his
 1311 or her passport, if he or she has a passport, and, if he or she
 1312 is an alien, must produce or provide information about documents
 1313 establishing his or her immigration status. The sexual offender
 1314 must also provide information about any professional licenses he
 1315 or she may have.

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1316 2. If the sexual offender is enrolled, employed,
1317 volunteering, or carrying on a vocation at an institution of
1318 higher education in this state, the sexual offender shall also
1319 provide to the department the name, address, and county of each
1320 institution, including each campus attended, and the sexual
1321 offender's enrollment, volunteer, or employment status.

1322 3. If the sexual offender's place of residence is a motor
1323 vehicle, trailer, mobile home, or manufactured home, as defined
1324 in chapter 320, the sexual offender shall also provide the
1325 vehicle identification number; the license tag number; the
1326 registration number; and a description, including color scheme,
1327 of the motor vehicle, trailer, mobile home, or manufactured
1328 home. If the sexual offender's place of residence is a vessel,
1329 live-aboard vessel, or houseboat, as defined in chapter 327, the
1330 sexual offender shall also provide the hull identification
1331 number; the manufacturer's serial number; the name of the
1332 vessel, live-aboard vessel, or houseboat; the registration
1333 number; and a description, including color scheme, of the
1334 vessel, live-aboard vessel or houseboat.

1335 4. Any sexual offender who fails to report in person as
1336 required at the sheriff's office, ~~or~~ who fails to respond to any
1337 address verification correspondence from the department within 3
1338 weeks of the date of the correspondence, ~~or~~ who fails to report
1339 all electronic mail addresses or Internet identifiers prior to
1340 use or instant message names, or who knowingly provides false
1341 registration information by act or omission commits a felony of
1342 the third degree, punishable as provided in s. 775.082, s.
1343 775.083, or s. 775.084.

1344 Section 10. Subsection (11) of section 947.005, Florida
 1345 Statutes, is amended to read:

1346 947.005 Definitions.—As used in this chapter, unless the
 1347 context clearly indicates otherwise:

1348 (11) "Risk assessment" means an assessment completed by a
 1349 ~~an independent~~ qualified practitioner to evaluate the level of
 1350 risk associated when a sex offender has contact with a child.

1351 Section 11. Section 948.31, Florida Statutes, is amended
 1352 to read:

1353 948.31 Evaluation and treatment of sexual predators and
 1354 offenders on probation or community control.—The court may ~~shall~~
 1355 ~~require an evaluation by a qualified practitioner to determine~~
 1356 ~~the need of a probationer or community controllee for treatment.~~
 1357 ~~If the court determines that a need therefor is established by~~
 1358 ~~the evaluation process, the court shall require sexual offender~~
 1359 ~~treatment as a term or condition of probation or community~~
 1360 ~~control for any probationer or community controllee person who~~
 1361 ~~is required to register as a sexual predator under s. 775.21 or~~
 1362 ~~sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to~~
 1363 ~~undergo an evaluation, at the probationer or community~~
 1364 ~~controllee's expense, by a qualified practitioner to determine~~
 1365 ~~whether such person needs sexual offender treatment. If the~~
 1366 ~~qualified practitioner determines that sexual offender treatment~~
 1367 ~~is needed and recommends treatment, the probationer or community~~
 1368 ~~controllee must successfully complete and pay for the treatment.~~
 1369 Such treatment must ~~shall be required to~~ be obtained from a
 1370 qualified practitioner as defined in s. 948.001. Treatment may
 1371 not be administered by a qualified practitioner who has been

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1372 convicted or adjudicated delinquent of committing, or
 1373 attempting, soliciting, or conspiring to commit, any offense
 1374 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~
 1375 ~~impose a restriction against contact with minors if sexual~~
 1376 ~~offender treatment is recommended. The evaluation and~~
 1377 ~~recommendations for treatment of the probationer or community~~
 1378 ~~controllee shall be provided to the court for review.~~

1379 Section 12. Paragraph (a) of subsection (3) of section
 1380 985.481, Florida Statutes, is amended to read:

1381 985.481 Sexual offenders adjudicated delinquent;
 1382 notification upon release.-

1383 (3)(a) The department must provide information regarding
 1384 any sexual offender who is being released after serving a period
 1385 of residential commitment under the department for any offense,
 1386 as follows:

1387 1. The department must provide the sexual offender's name,
 1388 any change in the offender's name by reason of marriage or other
 1389 legal process, and any alias, if known; the correctional
 1390 facility from which the sexual offender is released; the sexual
 1391 offender's social security number, race, sex, date of birth,
 1392 height, weight, and hair and eye color; the make, model, color,
 1393 registration number, and license tag number of all vehicles
 1394 owned, if known; address of any planned permanent residence or
 1395 temporary residence, within the state or out of state, including
 1396 a rural route address and a post office box; if no permanent or
 1397 temporary address, any transient residence within the state;
 1398 address, location or description, and dates of any known future
 1399 temporary residence within the state or out of state; date and

1400 county of disposition and each crime for which there was a
 1401 disposition; a copy of the offender's fingerprints and a
 1402 digitized photograph taken within 60 days before release; the
 1403 date of release of the sexual offender; all ~~and~~ home telephone
 1404 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
 1405 about any professional licenses the offender may have, if known;
 1406 and passport information, if he or she has a passport, and, if
 1407 he or she is an alien, information about documents establishing
 1408 his or her immigration status ~~number~~. The department shall
 1409 notify the Department of Law Enforcement if the sexual offender
 1410 escapes, absconds, or dies. If the sexual offender is in the
 1411 custody of a private correctional facility, the facility shall
 1412 take the digitized photograph of the sexual offender within 60
 1413 days before the sexual offender's release and also place it in
 1414 the sexual offender's file. If the sexual offender is in the
 1415 custody of a local jail, the custodian of the local jail shall
 1416 register the offender within 3 business days after intake of the
 1417 offender for any reason and upon release, and shall notify the
 1418 Department of Law Enforcement of the sexual offender's release
 1419 and provide to the Department of Law Enforcement the information
 1420 specified in this subparagraph and any information specified in
 1421 subparagraph 2. which the Department of Law Enforcement
 1422 requests.

1423 2. The department may provide any other information
 1424 considered necessary, including criminal and delinquency
 1425 records, when available.

1426 Section 13. Subsection (4) and paragraph (b) of subsection
 1427 (13) of section 985.4815, Florida Statutes, are amended to read:

1428 985.4815 Notification to Department of Law Enforcement of
 1429 information on juvenile sexual offenders.—

1430 (4) A sexual offender, as described in this section, who
 1431 is under the supervision of the department but who is not
 1432 committed must register with the department within 3 business
 1433 days after adjudication and disposition for a registrable
 1434 offense and otherwise provide information as required by this
 1435 subsection.

1436 (a) The sexual offender shall provide his or her name;
 1437 date of birth; social security number; race; sex; height;
 1438 weight; hair and eye color; tattoos or other identifying marks;
 1439 the make, model, color, registration number, and license tag
 1440 number of all vehicles owned; permanent or legal residence and
 1441 address of temporary residence within the state or out of state
 1442 while the sexual offender is in the care or custody or under the
 1443 jurisdiction or supervision of the department in this state,
 1444 including any rural route address or post office box; if no
 1445 permanent or temporary address, any transient residence;
 1446 address, location or description, and dates of any current or
 1447 known future temporary residence within the state or out of
 1448 state; and the name and address of each school attended. The
 1449 sexual offender must also produce his or her passport, if he or
 1450 she has a passport, and, if he or she is an alien, must produce
 1451 or provide information about documents establishing his or her
 1452 immigration status. The offender must also provide information
 1453 about any professional licenses he or she may have. The
 1454 department shall verify the address of each sexual offender and

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1455 shall report to the Department of Law Enforcement any failure by
 1456 a sexual offender to comply with registration requirements.

1457 (b) If the sexual offender is enrolled, employed,
 1458 volunteering, or carrying on a vocation at an institution of
 1459 higher education in this state, the sexual offender shall
 1460 provide the name, address, and county of each institution,
 1461 including each campus attended, and the sexual offender's
 1462 enrollment, volunteer, or employment status. Each change in
 1463 enrollment, volunteer, or employment status shall be reported to
 1464 the department within 48 hours after the change in status. The
 1465 department shall promptly notify each institution of the sexual
 1466 offender's presence and any change in the sexual offender's
 1467 enrollment, volunteer, or employment status.

1468 (13)

1469 (b) The sheriff's office may determine the appropriate
 1470 times and days for reporting by the sexual offender, which shall
 1471 be consistent with the reporting requirements of this
 1472 subsection. Reregistration shall include any changes to the
 1473 following information:

- 1474 1. Name; social security number; age; race; sex; date of
 1475 birth; height; weight; hair and eye color; fingerprints; palm
 1476 prints; address of any permanent residence and address of any
 1477 current temporary residence, within the state or out of state,
 1478 including a rural route address and a post office box; if no
 1479 permanent or temporary address, any transient residence;
 1480 address, location or description, and dates of any current or
 1481 known future temporary residence within the state or out of
 1482 state; passport information, if he or she has a passport, and,

1483 if he or she is an alien, information about documents
 1484 establishing his or her immigration status; name and address of
 1485 each school attended; date and place of any employment; the
 1486 ~~vehicle~~ make, model, color, registration number, and license tag
 1487 number of all vehicles owned; ~~fingerprints;~~ and photograph. A
 1488 post office box shall not be provided in lieu of a physical
 1489 residential address. The offender must also provide information
 1490 about any professional licenses he or she may have.

1491 2. If the sexual offender is enrolled, employed,
 1492 volunteering, or carrying on a vocation at an institution of
 1493 higher education in this state, the sexual offender shall also
 1494 provide to the department the name, address, and county of each
 1495 institution, including each campus attended, and the sexual
 1496 offender's enrollment, volunteer, or employment status.

1497 3. If the sexual offender's place of residence is a motor
 1498 vehicle, trailer, mobile home, or manufactured home, as defined
 1499 in chapter 320, the sexual offender shall also provide the
 1500 vehicle identification number; the license tag number; the
 1501 registration number; and a description, including color scheme,
 1502 of the motor vehicle, trailer, mobile home, or manufactured
 1503 home. If the sexual offender's place of residence is a vessel,
 1504 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1505 sexual offender shall also provide the hull identification
 1506 number; the manufacturer's serial number; the name of the
 1507 vessel, live-aboard vessel, or houseboat; the registration
 1508 number; and a description, including color scheme, of the
 1509 vessel, live-aboard vessel, or houseboat.

1510 4. Any sexual offender who fails to report in person as

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1511 required at the sheriff's office, ~~or~~ who fails to respond to any
 1512 address verification correspondence from the department within 3
 1513 weeks after the date of the correspondence, or who knowingly
 1514 provides false registration information by act or omission
 1515 commits a felony of the third degree, punishable as provided in
 1516 ss. 775.082, 775.083, and 775.084.

1517 Section 14. Paragraphs (g) and (i) of subsection (3) of
 1518 section 921.0022, Florida Statutes, are amended to read:

1519 921.0022 Criminal Punishment Code; offense severity
 1520 ranking chart.—

1521 (3) OFFENSE SEVERITY RANKING CHART

1522 (g) LEVEL 7

1523

Florida Statute	Felony Degree	Description
316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to

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1527	327.35 (3) (c) 2.	3rd	elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1528	402.319 (2)	2nd	Vessel BUI resulting in serious bodily injury.
1529	409.920 (2) (b) 1.a.	3rd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1530	409.920 (2) (b) 1.b.	3rd	Medicaid provider fraud; \$10,000 or less.
1531	456.065 (2)	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1532	456.065 (2)	3rd	Practicing a health care profession without a license.
1533	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.

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1534	458.327 (1)	3rd	Practicing medicine without a license.
1535	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1536	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1537	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1538	462.17	3rd	Practicing naturopathy without a license.
1539	463.015 (1)	3rd	Practicing optometry without a license.
1540	464.016 (1)	3rd	Practicing nursing without a license.
1541	465.015 (2)	3rd	Practicing pharmacy without a license.
1542	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.

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1543	467.201	3rd	Practicing midwifery without a license.
1544	468.366	3rd	Delivering respiratory care services without a license.
1545	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1546	483.901 (9)	3rd	Practicing medical physics without a license.
1547	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1548	484.053	3rd	Dispensing hearing aids without a license.
1549	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
	560.123 (8) (b) 1.	3rd	Failure to report currency or

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1550	560.125 (5) (a)	3rd	<p>payment instruments exceeding \$300 but less than \$20,000 by a money services business.</p> <p>Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.</p>
1551	655.50 (10) (b) 1.	3rd	<p>Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.</p>
1552	775.21 (10) (a)	3rd	<p>Sexual predator; failure to register; failure to renew <u>driver</u> driver's license or identification card; other registration violations.</p>
1553	775.21 (10) (b)	3rd	<p>Sexual predator working where children regularly congregate.</p>
1554	775.21 (10) (g)	3rd	<p>Failure to report or providing false information about a sexual predator; harbor or</p>

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1555	782.051(3)	2nd	conceal a sexual predator. Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1556	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1557	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1558	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1559	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1560			

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1561	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1562	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1563	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1564	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1565	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1566	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1567	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1568	784.081 (1)	1st	Aggravated battery on specified official or employee.
	784.082 (1)	1st	Aggravated battery by detained person on visitor or other

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1569			detainee.
	784.083 (1)	1st	Aggravated battery on code inspector.
1570			
	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1571			
	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
1572			
	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1573			
	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1574			
	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1575			
	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax

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1576			weapon of mass destruction while committing or attempting to commit a felony.
	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1577			
	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.
1578			
	796.03	2nd	Procuring any person under <u>18</u> 16 years for prostitution.
1579			
	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
1580			
	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.
1581			

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1582	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1583	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1584	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1585	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1586	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1587	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand

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1588			theft in 2nd degree.
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1589			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1590			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1591			
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1592			
	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1593			
	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1594			
	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1595			

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1596	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1597	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1598	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.
1599	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1600	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability,

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1601			or disfigurement.
1602	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1603	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1604	838.015	2nd	Bribery.
1605	838.016	2nd	Unlawful compensation or reward for official behavior.
1606	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1607	838.22	2nd	Bid tampering.
1608	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1609	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.

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1610	872.06	2nd	Abuse of a dead human body.
1611	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1612	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.
1613	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.

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1614	893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
1615	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1616	893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1617	893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1618	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1619	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than

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1620			28 grams.
	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1621			
	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1622			
	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1623			
	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1624			
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1625			
	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1626			

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1627	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1628	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1629	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1630	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1631	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure

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			to respond to address verification.
1632	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
1633	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1634	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1635	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1636	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1637	985.4815(12)	3rd	Failure to report or providing false information about a

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1638			sexual offender; harbor or conceal a sexual offender.
	985.4815 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1639			
1640	(i) LEVEL 9		
1641			
	Florida	Felony	
	Statute	Degree	Description
1642			
	316.193	1st	DUI manslaughter; failing to render aid or give information.
	(3) (c) 3.b.		
1643			
	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
1644			
	409.920	1st	Medicaid provider fraud;
	(2) (b) 1.c.		\$50,000 or more.
1645			
	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
1646			
	560.123 (8) (b) 3.	1st	Failure to report currency or

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			payment instruments totaling or exceeding \$100,000 by money transmitter.
1647	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
1648	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1649	775.0844	1st	Aggravated white collar crime.
1650	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
1651	782.04 (3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
1652	782.051 (1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated

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1653			in s. 782.04(3).
	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
1654			
	787.01(1)(a)1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
1655			
	787.01(1)(a)2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
1656			
	787.01(1)(a)4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
1657			
	787.02(3)(a)	1st, <u>PBL</u>	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
1658			

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1659	790.161	1st	Attempted capital destructive device offense.
1660	790.166 (2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1661	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
1662	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
1663	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1664	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of

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1665			age.
1666	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1667	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
1668	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.
1669	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1670	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.
1671	827.03 (2)	1st	Aggravated child abuse.
1672	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.

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1673	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
1674	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.
1675	893.135	1st	Attempted capital trafficking offense.
1676	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1677	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1678	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
	893.135	1st	Trafficking in phencyclidine,

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1679	(1) (d) 1.c.		more than 400 grams.
	893.135	1st	Trafficking in methaqualone,
1680	(1) (e) 1.c.		more than 25 kilograms.
	893.135	1st	Trafficking in amphetamine,
1681	(1) (f) 1.c.		more than 200 grams.
	893.135	1st	Trafficking in gamma-
1682	(1) (h) 1.c.		hydroxybutyric acid (GHB), 10 kilograms or more.
	893.135	1st	Trafficking in 1,4-Butanediol,
1683	(1) (j) 1.c.		10 kilograms or more.
	893.135	1st	Trafficking in Phenethylamines,
1684	(1) (k) 2.c.		400 grams or more.
	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
1685			
	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
1686			

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Section 15. This act shall take effect October 1, 2012.