

By Senator Altman

16-00688-13

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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

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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

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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.; conforming cross-  
85 references; providing an effective date.

86  
87 Be It Enacted by the Legislature of the State of Florida:

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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:

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

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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. 787.06(3)(b), (d), (f),  
121 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.  
122 796.03; s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025  
123 ~~825.1025(2)(b)~~; s. 827.071; s. 847.0135(5); s. 847.0145; s.  
124 916.1075(2); or s. 985.701(1); or a violation of a similar law  
125 of another jurisdiction, and the offender has previously been  
126 convicted of or found to have committed, or has pled nolo  
127 contendere or guilty to, regardless of adjudication, any  
128 violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s.  
129 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
130 defendant is not the victim's parent or guardian; s.  
131 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.  
132 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.  
133 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.  
134 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a  
135 violation of a similar law of another jurisdiction;

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

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

142 (6) REGISTRATION.—

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

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

169 a. If the sexual predator's place of residence is a motor  
170 vehicle, trailer, mobile home, or manufactured home, as defined  
171 in chapter 320, the sexual predator shall also provide to the  
172 department written notice of the vehicle identification number;  
173 the license tag number; the registration number; and a  
174 description, including color scheme, of the motor vehicle,

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

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

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

201       (b) If the sexual predator is in the custody or control of,  
202 or under the supervision of, the Department of Corrections, or  
203 is in the custody of a private correctional facility, the sexual

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

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

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

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233 for purposes of public notification.

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

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

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

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

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

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262 Vehicles and shall present proof of registration. At the driver  
263 ~~driver's~~ license office the sexual predator shall:

264 1. If otherwise qualified, secure a Florida driver ~~driver's~~  
265 license, renew a Florida driver ~~driver's~~ license, or secure an  
266 identification card. The sexual predator shall identify himself  
267 or herself as a sexual predator who is required to comply with  
268 this section, provide his or her place of permanent, temporary,  
269 or transient residence, including a rural route address and a  
270 post office box, and submit to the taking of a photograph for  
271 use in issuing a driver ~~driver's~~ license, renewed license, or  
272 identification card, and for use by the department in  
273 maintaining current records of sexual predators. A post office  
274 box shall not be provided in lieu of a physical residential  
275 address. If the sexual predator's place of residence is a motor  
276 vehicle, trailer, mobile home, or manufactured home, as defined  
277 in chapter 320, the sexual predator shall also provide to the  
278 Department of Highway Safety and Motor Vehicles the vehicle  
279 identification number; the license tag number; the registration  
280 number; and a description, including color scheme, of the motor  
281 vehicle, trailer, mobile home, or manufactured home. If a sexual  
282 predator's place of residence is a vessel, live-aboard vessel,  
283 or houseboat, as defined in chapter 327, the sexual predator  
284 shall also provide to the Department of Highway Safety and Motor  
285 Vehicles the hull identification number; the manufacturer's  
286 serial number; the name of the vessel, live-aboard vessel, or  
287 houseboat; the registration number; and a description, including  
288 color scheme, of the vessel, live-aboard 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

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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~~ license  
299 or identification card is subject to renewal, and, without  
300 regard to the status of the predator's driver ~~driver's~~ license  
301 or identification card, within 48 hours after any change of the  
302 predator's residence or change in the predator's name by reason  
303 of marriage or other legal process, the predator shall report in  
304 person to a driver ~~driver's~~ license office and shall be subject  
305 to the requirements specified in paragraph (f). The Department  
306 of Highway Safety and Motor Vehicles shall forward to the  
307 department and to the Department of Corrections all photographs  
308 and information provided by sexual predators. Notwithstanding  
309 the restrictions set forth in s. 322.142, the Department of  
310 Highway Safety and Motor Vehicles is authorized to release a  
311 reproduction of a color-photograph or digital-image license to  
312 the Department of Law Enforcement for purposes of public  
313 notification of sexual predators as provided in this section. A  
314 sexual predator who is unable to secure or update a driver  
315 license or identification card with the Department of Highway  
316 Safety and Motor Vehicles as provided in paragraph (f) and this  
317 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

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

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

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349 775.084.

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 permanent,  
363 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

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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.

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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  
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

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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

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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  
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

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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,  
 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 organs

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523 in public or on the private premises of another, or so near  
524 thereto as to be seen from such private premises, in a vulgar or  
525 indecent manner, or to be naked in public except in any place  
526 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 any  
534 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 bail  
539 or other conditions, and what that bail or those conditions may  
540 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:

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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. 787.06(3)(b), (d), (f), (g), or (h); s.  
565 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.  
566 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s.  
567 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.  
568 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any  
569 similar offense committed in this state which has been  
570 redesignated from a former statute number to one of those listed  
571 in this sub-sub-subparagraph; and

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

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

591           c. Establishes or maintains a residence in this state who  
592 is in the custody or control of, or under the supervision of,  
593 any other state or jurisdiction as a result of a conviction for  
594 committing, or attempting, soliciting, or conspiring to commit,  
595 any of the criminal offenses proscribed in the following  
596 statutes or similar offense in another jurisdiction: s.  
597 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
598 787.025(2)(c), where the victim is a minor and the defendant is  
599 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),  
600 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.  
601 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.  
602 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.  
603 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.  
604 985.701(1); or any similar offense committed in this state which  
605 has been redesignated from a former statute number to one of  
606 those listed in this sub-subparagraph; or

607           d. On or after July 1, 2007, has been adjudicated  
608 delinquent for committing, or attempting, soliciting, or  
609 conspiring to commit, any of the criminal offenses proscribed in

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610 the following statutes in this state or similar offenses in  
611 another jurisdiction when the juvenile was 14 years of age or  
612 older at the time of the offense:

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

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

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

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

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

624

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

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

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639 ~~the Internet.~~

640 (2) A sexual offender shall:

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

642 1. In the county in which the offender establishes or  
643 maintains a permanent, temporary, or transient residence within  
644 48 hours after:

645 a. Establishing permanent, temporary, or transient  
646 residence in this state; or

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

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

656

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

665 (b) Provide his or her name; date of birth; social security  
666 number; race; sex; height; weight; hair and eye color; tattoos  
667 or other identifying marks; occupation and place of employment;

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

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

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

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

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

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

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726 the sexual offender.

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

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

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

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

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

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

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

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

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

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842 ~~e. For a violation of s. 800.04(4)(b) where the court finds~~  
843 ~~the offense involved a victim under 12 years of age or sexual~~  
844 ~~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 ~~may petition the criminal division of the circuit court of the~~  
852 ~~circuit in which the sexual offender resides for the purpose of~~  
853 ~~removing the requirement for registration as a sexual offender.~~

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

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

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

869 c. The sexual offender has successfully completed all  
870 sanctions imposed for all offenses that required the offender to

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871 register; and

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

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

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

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

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

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

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

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

921 6. For purposes of this paragraph:

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

927 b. A sexual offender's registration period is tolled during  
928 any period in which the offender is incarcerated, civilly

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929 committed, detained pursuant to chapter 985, or committed to a  
930 residential program.

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

944 (14)

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

950 1. Name; social security number; age; race; sex; date of  
951 birth; height; weight; hair and eye color; address of any  
952 permanent residence and address of any current temporary  
953 residence, within the state or out of state, including a rural  
954 route address and a post office box; if no permanent or  
955 temporary address, any transient residence within the state;  
956 address, location or description, and dates of any current or  
957 known future temporary residence within the state or out of

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

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

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

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987 vessel, live-aboard vessel, or houseboat; the registration  
988 number; and a description, including color scheme, of the  
989 vessel, live-aboard vessel or houseboat.

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

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

1001 943.04351 Search of registration information regarding  
1002 sexual predators and sexual offenders required prior to  
1003 appointment or employment.—A state agency or governmental  
1004 subdivision, prior to making any decision to appoint or employ a  
1005 person to work, whether for compensation or as a volunteer, at  
1006 any park, playground, day care center, or other place where  
1007 children regularly congregate, must conduct a search of that  
1008 person's name or other identifying information against the  
1009 registration information regarding sexual predators and sexual  
1010 offenders maintained by the Department of Law Enforcement under  
1011 s. 943.043. The agency or governmental subdivision may conduct  
1012 the search using the Internet site maintained by the Department  
1013 of Law Enforcement. Also, a national search must be conducted  
1014 through the Dru Sjodin National Sex Offender Public Website  
1015 maintained by the United States Department of Justice. This

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1016 section does not apply to those positions or appointments within  
1017 a state agency or governmental subdivision for which a state and  
1018 national criminal history background check is conducted.

1019 Section 6. Section 943.04354, Florida Statutes, is amended  
1020 to read:

1021 943.04354 Removal of the requirement to register as a  
1022 sexual offender or sexual predator in special circumstances.—

1023 (1) For purposes of this section, a person shall be  
1024 considered for removal of the requirement to register as a  
1025 sexual offender or sexual predator only if the person:

1026 (a) Was ~~or will be~~ convicted, regardless of adjudication,  
1027 or adjudicated delinquent of a violation of s. 794.011, s.  
1028 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in  
1029 another jurisdiction, ~~or the person committed a violation of s.~~  
1030 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~  
1031 ~~adjudication of guilt was or will be withheld,~~ and the person  
1032 does not have any other conviction, regardless of adjudication,  
1033 or adjudication of delinquency, ~~or withhold of adjudication of~~  
1034 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or  
1035 s. 847.0135(5), or a similar offense in another jurisdiction;

1036 (b) 1. Was convicted, regardless of adjudication, or  
1037 adjudicated delinquent of an offense listed in paragraph (a) and  
1038 is required to register as a sexual offender or sexual predator  
1039 solely on the basis of this conviction or adjudication  
1040 violation; or and

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

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1045 or sexual predator under the laws of the jurisdiction where the  
1046 similar offense occurred; and

1047 (c) Is not more than 4 years older than the victim of this  
1048 violation who was 13 ~~14~~ years of age or older but less ~~not more~~  
1049 than 18 ~~17~~ years of age at the time the person committed this  
1050 violation.

1051 (2) If a person meets the criteria in subsection (1) ~~and~~  
1052 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~  
1053 ~~847.0135(5) was committed on or after July 1, 2007,~~ the person  
1054 may move the criminal court of the circuit in which the offense  
1055 occurred or the sentencing court or, for persons convicted or  
1056 adjudicated delinquent of a qualifying offense in another  
1057 jurisdiction, the criminal circuit court of the circuit in which  
1058 the person resides ~~that will sentence or dispose of this~~  
1059 ~~violation~~ to remove the requirement that the person register as  
1060 a sexual offender or sexual predator. The person must allege in  
1061 the motion that he or she meets the criteria in subsection (1)  
1062 and that removal of the registration requirement will not  
1063 conflict with federal law. Persons convicted or adjudicated  
1064 delinquent of an offense in another jurisdiction that is similar  
1065 to an offense listed in paragraph (1)(a) must provide the court  
1066 written confirmation that he or she is not required to register  
1067 in the state where the conviction or adjudication occurred. The  
1068 state attorney and the department must be given notice of the  
1069 motion at least 21 days before the date of sentencing, ~~or~~  
1070 disposition of the this violation, or hearing on the motion and  
1071 may present evidence in opposition to the requested relief or  
1072 may otherwise demonstrate why the motion should be denied. At  
1073 sentencing, ~~or~~ disposition of the this violation, or hearing on

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1074 the motion, the court shall rule on this motion and, if the  
1075 court determines the person meets the criteria in subsection (1)  
1076 and the removal of the registration requirement will not  
1077 conflict with federal law, it may grant the motion and order the  
1078 removal of the registration requirement. The court shall  
1079 instruct the person to provide the department a certified copy  
1080 of the order granting relief. If the court denies the motion,  
1081 the person is not authorized under this section to file another  
1082 motion ~~petition~~ for removal of the registration requirement.

1083 ~~(3) (a) This subsection applies to a person who:~~

1084 ~~1. Is not a person described in subsection (2) because the~~  
1085 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~  
1086 ~~committed on or after July 1, 2007;~~

1087 ~~2. Is subject to registration as a sexual offender or~~  
1088 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~  
1089 ~~827.071; and~~

1090 ~~3. Meets the criteria in subsection (1).~~

1091 ~~(b) A person may petition the court in which the sentence~~  
1092 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~  
1093 ~~827.071 occurred for removal of the requirement to register as a~~  
1094 ~~sexual offender or sexual predator. The person must allege in~~  
1095 ~~the petition that he or she meets the criteria in subsection (1)~~  
1096 ~~and removal of the registration requirement will not conflict~~  
1097 ~~with federal law. The state attorney must be given notice of the~~  
1098 ~~petition at least 21 days before the hearing on the petition and~~  
1099 ~~may present evidence in opposition to the requested relief or~~  
1100 ~~may otherwise demonstrate why the petition should be denied. The~~  
1101 ~~court shall rule on the petition and, if the court determines~~  
1102 ~~the person meets the criteria in subsection (1) and removal of~~

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1103 ~~the registration requirement will not conflict with federal law,~~  
1104 ~~it may grant the petition and order the removal of the~~  
1105 ~~registration requirement. If the court denies the petition, the~~  
1106 ~~person is not authorized under this section to file any further~~  
1107 ~~petition for removal of the registration requirement.~~

1108 (3)~~(4)~~ If a person provides to the Department of Law  
1109 Enforcement a certified copy of the court's order removing the  
1110 requirement that the person register as a sexual offender or  
1111 sexual predator for the violation of s. 794.011, s. 800.04, s.  
1112 827.071, or s. 847.0135(5), or a similar offense in another  
1113 jurisdiction, the registration requirement will not apply to the  
1114 person and the department shall remove all information about the  
1115 person from the public registry of sexual offenders and sexual  
1116 predators maintained by the department. However, the removal of  
1117 this information from the public registry does not mean that the  
1118 public is denied access to information about the person's  
1119 criminal history or record that is otherwise available as a  
1120 public record.

1121 Section 7. Subsection (2) and paragraph (a) of subsection  
1122 (3) of section 943.0437, Florida Statutes, are amended to read:

1123 943.0437 Commercial social networking websites.-

1124 (2) The department may provide information relating to  
1125 electronic mail addresses and Internet identifiers ~~instant~~  
1126 ~~message names~~ maintained as part of the sexual offender registry  
1127 to commercial social networking websites or third parties  
1128 designated by commercial social networking websites. The  
1129 commercial social networking website may use this information  
1130 for the purpose of comparing registered users and screening  
1131 potential users of the commercial social networking website

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1132 against the list of electronic mail addresses and Internet  
1133 identifiers ~~instant message names~~ provided by the department.

1134 (3) This section shall not be construed to impose any civil  
1135 liability on a commercial social networking website for:

1136 (a) Any action voluntarily taken in good faith to remove or  
1137 disable any profile of a registered user associated with an  
1138 electronic mail address or Internet identifier ~~instant message~~  
1139 ~~name~~ contained in the sexual offender registry.

1140 Section 8. Paragraphs (b) and (d) of subsection (1) and  
1141 paragraph (a) of subsection (3) of section 944.606, Florida  
1142 Statutes, are amended to read:

1143 944.606 Sexual offenders; notification upon release.—

1144 (1) As used in this section:

1145 (b) "Sexual offender" means a person who has been convicted  
1146 of committing, or attempting, soliciting, or conspiring to  
1147 commit, any of the criminal offenses proscribed in the following  
1148 statutes in this state or similar offenses in another  
1149 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.  
1150 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
1151 defendant is not the victim's parent or guardian; s.

1152 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.  
1153 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.  
1154 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
1155 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;  
1156 s. 916.1075(2); or s. 985.701(1); or any similar offense  
1157 committed in this state which has been redesignated from a  
1158 former statute number to one of those listed in this subsection,  
1159 when the department has received verified information regarding  
1160 such conviction; an offender's computerized criminal history

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1161 record is not, in and of itself, verified information.

1162 (d) "Internet identifier ~~Instant message name~~" has the same  
1163 meaning as provided in s. 775.21 ~~means an identifier that allows~~  
1164 ~~a person to communicate in real time with another person using~~  
1165 ~~the Internet.~~

1166 (3) (a) The department must provide information regarding  
1167 any sexual offender who is being released after serving a period  
1168 of incarceration for any offense, as follows:

1169 1. The department must provide: the sexual offender's name,  
1170 any change in the offender's name by reason of marriage or other  
1171 legal process, and any alias, if known; the correctional  
1172 facility from which the sexual offender is released; the sexual  
1173 offender's social security number, race, sex, date of birth,  
1174 height, weight, and hair and eye color; address of any planned  
1175 permanent residence or temporary residence, within the state or  
1176 out of state, including a rural route address and a post office  
1177 box; if no permanent or temporary address, any transient  
1178 residence within the state; address, location or description,  
1179 and dates of any known future temporary residence within the  
1180 state or out of state; date and county of sentence and each  
1181 crime for which the offender was sentenced; a copy of the  
1182 offender's fingerprints, palm prints, and a digitized photograph  
1183 taken within 60 days before release; the date of release of the  
1184 sexual offender; all any electronic mail addresses ~~address~~ and  
1185 all Internet identifiers ~~any instant message name~~ required to be  
1186 provided pursuant to s. 943.0435(4)(d); all ~~and~~ home telephone  
1187 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information  
1188 about any professional licenses the offender may have, if known;  
1189 and passport information, if he or she has a passport, and, if

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1190 he or she is an alien, information about documents establishing  
1191 his or her immigration status number. The department shall  
1192 notify the Department of Law Enforcement if the sexual offender  
1193 escapes, absconds, or dies. If the sexual offender is in the  
1194 custody of a private correctional facility, the facility shall  
1195 take the digitized photograph of the sexual offender within 60  
1196 days before the sexual offender's release and provide this  
1197 photograph to the Department of Corrections and also place it in  
1198 the sexual offender's file. If the sexual offender is in the  
1199 custody of a local jail, the custodian of the local jail shall  
1200 register the offender within 3 business days after intake of the  
1201 offender for any reason and upon release, and shall notify the  
1202 Department of Law Enforcement of the sexual offender's release  
1203 and provide to the Department of Law Enforcement the information  
1204 specified in this paragraph and any information specified in  
1205 subparagraph 2. that the Department of Law Enforcement requests.

1206 2. The department may provide any other information deemed  
1207 necessary, including criminal and corrections records,  
1208 nonprivileged personnel and treatment records, when available.

1209 Section 9. Paragraphs (a) and (f) of subsection (1),  
1210 subsection (4), and paragraph (c) of subsection (13) of section  
1211 944.607, Florida Statutes, are amended to read:

1212 944.607 Notification to Department of Law Enforcement of  
1213 information on sexual offenders.—

1214 (1) As used in this section, the term:

1215 (a) "Sexual offender" means a person who is in the custody  
1216 or control of, or under the supervision of, the department or is  
1217 in the custody of a private correctional facility:

1218 1. On or after October 1, 1997, as a result of a conviction

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1219 for committing, or attempting, soliciting, or conspiring to  
1220 commit, any of the criminal offenses proscribed in the following  
1221 statutes in this state or similar offenses in another  
1222 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.  
1223 787.02, or s. 787.025(2)(c), where the victim is a minor and the  
1224 defendant is not the victim's parent or guardian; s.  
1225 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.  
1226 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.  
1227 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
1228 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;  
1229 s. 916.1075(2); or s. 985.701(1); or any similar offense  
1230 committed in this state which has been redesignated from a  
1231 former statute number to one of those listed in this paragraph;  
1232 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 same  
1244 meaning as provided in s. 775.21 ~~means an identifier that allows~~  
1245 ~~a person to communicate in real time with another person using~~  
1246 ~~the Internet.~~

1247 (4) A sexual offender, as described in this section, who is

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1248 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; date  
1254 of birth; social security number; race; sex; height; weight;  
1255 hair and eye color; tattoos or other identifying marks; all any  
1256 electronic mail addresses ~~address~~ and all Internet identifiers  
1257 ~~any instant message name~~ required to be provided pursuant to s.  
1258 943.0435(4)(d); all home telephone numbers and cellular  
1259 telephone numbers; the make, model, color, registration number,  
1260 and license tag number of all vehicles owned; permanent or legal  
1261 residence and address of temporary residence within the state or  
1262 out of state while the sexual offender is under supervision in  
1263 this state, including any rural route address or post office  
1264 box; if no permanent or temporary address, any transient  
1265 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

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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

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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.

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.

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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 to  
1352 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

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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  
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,

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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

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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 is  
1431 under the supervision of the department but who is not committed  
1432 must register with the department within 3 business days after  
1433 adjudication and disposition for a registrable offense and  
1434 otherwise provide information as required by this subsection.

1435         (a) The sexual offender shall provide his or her name; date  
1436 of birth; social security number; race; sex; height; weight;  
1437 hair and eye color; tattoos or other identifying marks; the  
1438 make, model, color, registration number, and license tag number  
1439 of all vehicles owned; permanent or legal residence and address  
1440 of temporary residence within the state or out of state while  
1441 the sexual offender is in the care or custody or under the  
1442 jurisdiction or supervision of the department in this state,  
1443 including any rural route address or post office box; if no  
1444 permanent or temporary address, any transient residence;  
1445 address, location or description, and dates of any current or  
1446 known future temporary residence within the state or out of  
1447 state; and the name and address of each school attended. The  
1448 sexual offender must also produce his or her passport, if he or  
1449 she has a passport, and, if he or she is an alien, must produce  
1450 or provide information about documents establishing his or her

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1451 immigration status. The offender must also provide information  
1452 about any professional licenses he or she may have. The  
1453 department shall verify the address of each sexual offender and  
1454 shall report to the Department of Law Enforcement any failure by  
1455 a sexual offender to comply with registration requirements.

1456 (b) If the sexual offender is enrolled, employed,  
1457 volunteering, or carrying on a vocation at an institution of  
1458 higher education in this state, the sexual offender shall  
1459 provide the name, address, and county of each institution,  
1460 including each campus attended, and the sexual offender's  
1461 enrollment, volunteer, or employment status. Each change in  
1462 enrollment, volunteer, or employment status shall be reported to  
1463 the department within 48 hours after the change in status. The  
1464 department shall promptly notify each institution of the sexual  
1465 offender's presence and any change in the sexual offender's  
1466 enrollment, volunteer, or employment status.

1467 (13)

1468 (b) The sheriff's office may determine the appropriate  
1469 times and days for reporting by the sexual offender, which shall  
1470 be consistent with the reporting requirements of this  
1471 subsection. Reregistration shall include any changes to the  
1472 following information:

1473 1. Name; social security number; age; race; sex; date of  
1474 birth; height; weight; hair and eye color; fingerprints; palm  
1475 prints; address of any permanent residence and address of any  
1476 current temporary residence, within the state or out of state,  
1477 including a rural route address and a post office box; if no  
1478 permanent or temporary address, any transient residence;  
1479 address, location or description, and dates of any current or

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1480 known future temporary residence within the state or out of  
1481 state; passport information, if he or she has a passport, and,  
1482 if he or she is an alien, information about documents  
1483 establishing his or her immigration status; name and address of  
1484 each school attended; date and place of any employment; the  
1485 ~~vehicle~~ make, model, color, registration number, and license tag  
1486 number of all vehicles owned; ~~fingerprints;~~ and photograph. A  
1487 post office box shall not be provided in lieu of a physical  
1488 residential address. The offender must also provide information  
1489 about any professional licenses he or she may have.

1490 2. If the sexual offender is enrolled, employed,  
1491 volunteering, or carrying on a vocation at an institution of  
1492 higher education in this state, the sexual offender shall also  
1493 provide to the department the name, address, and county of each  
1494 institution, including each campus attended, and the sexual  
1495 offender's enrollment, volunteer, or employment status.

1496 3. If the sexual offender's place of residence is a motor  
1497 vehicle, trailer, mobile home, or manufactured home, as defined  
1498 in chapter 320, the sexual offender shall also provide the  
1499 vehicle identification number; the license tag number; the  
1500 registration number; and a description, including color scheme,  
1501 of the motor vehicle, trailer, mobile home, or manufactured  
1502 home. If the sexual offender's place of residence is a vessel,  
1503 live-aboard vessel, or houseboat, as defined in chapter 327, the  
1504 sexual offender shall also provide the hull identification  
1505 number; the manufacturer's serial number; the name of the  
1506 vessel, live-aboard vessel, or houseboat; the registration  
1507 number; and a description, including color scheme, of the  
1508 vessel, live-aboard vessel, or houseboat.

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1509           4. Any sexual offender who fails to report in person as  
 1510 required at the sheriff's office, ~~or~~ who fails to respond to any  
 1511 address verification correspondence from the department within 3  
 1512 weeks after the date of the correspondence, or who knowingly  
 1513 provides false registration information by act or omission  
 1514 commits a felony of the third degree, punishable as provided in  
 1515 ss. 775.082, 775.083, and 775.084.

1516           Section 14. Paragraphs (g) and (i) of subsection (3) of  
 1517 section 921.0022, Florida Statutes, are amended to read:

1518           921.0022 Criminal Punishment Code; offense severity ranking  
 1519 chart.—

1520           (3) OFFENSE SEVERITY RANKING CHART

1521           (g) LEVEL 7

1522

Florida Statute	Felony Degree	Description
316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

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327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
456.065 (2)	3rd	Practicing a health care profession without a license.
456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
458.327 (1)	3rd	Practicing medicine without a license.
459.013 (1)	3rd	Practicing osteopathic medicine without a license.
460.411 (1)	3rd	Practicing chiropractic medicine without a license.

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461.012 (1) 3rd Practicing podiatric medicine without a license.

1536

462.17 3rd Practicing naturopathy without a license.

1537

463.015 (1) 3rd Practicing optometry without a license.

1538

464.016 (1) 3rd Practicing nursing without a license.

1539

465.015 (2) 3rd Practicing pharmacy without a license.

1540

466.026 (1) 3rd Practicing dentistry or dental hygiene without a license.

1541

467.201 3rd Practicing midwifery without a license.

1542

468.366 3rd Delivering respiratory care services without a license.

1543

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

1544

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

1545

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

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1546

484.053 3rd Dispensing hearing aids without a license.

1547

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.

1548

560.123(8)(b)1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

1549

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

1550

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

1551

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

1552

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

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1553

regularly congregate.

775.21(10)(g)

3rd

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

1554

782.051(3)

2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

1555

782.07(1)

2nd

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

1556

782.071

2nd

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

1557

782.072

2nd

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

1558

784.045(1)(a)1.

2nd

Aggravated battery; intentionally causing great bodily harm or disfigurement.

1559

784.045(1)(a)2.

2nd

Aggravated battery; using deadly weapon.

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1560

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

1561

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

1562

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

1563

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

1564

784.074 (1) (a) 1st Aggravated battery on sexually violent  
predators facility staff.

1565

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

1566

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

1567

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

1568

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

1569

787.06 (3) (a) 1st Human trafficking using coercion for  
labor and services.

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1570

787.06(3)(e) 1st Human trafficking using coercion for labor and services by the transfer or transport of any individual from outside Florida to within the state.

1571

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

1572

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

1573

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

1574

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

1575

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

1576

790.166(4) 2nd Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

1577

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1578	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1579	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.
1580	796.03	2nd	Procuring any person under <u>18</u> <del>16</del> years for prostitution.
1581	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
1582	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.
1583	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1584	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1585	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.

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1586	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1587	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1588	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.
1589	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1590	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1591	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1592	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

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1593

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

1594

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

1595

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

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

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

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\$100,000.

827.03 (2) (b) 2nd Neglect of a child causing great bodily harm, disability, or disfigurement.

827.04 (3) 3rd Impregnation of a child under 16 years of age by person 21 years of age or older.

837.05 (2) 3rd Giving false information about alleged capital felony to a law enforcement officer.

838.015 2nd Bribery.

838.016 2nd Unlawful compensation or reward for official behavior.

838.021 (3) (a) 2nd Unlawful harm to a public servant.

838.22 2nd Bid tampering.

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

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

872.06 2nd Abuse of a dead human body.

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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.

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

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1617	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.	
1618	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.	
1619	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.	
1620	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.	
1621	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.	
1622	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.	
1623	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.	
1624	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.	
1625	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.	

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1626	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1627	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1628	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1629	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1630	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1631	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
1632	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

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reregister; failure to respond to address verification.

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

985.4815(12) 3rd Failure to report or providing false information about a 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.

(i) LEVEL 9

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1642

Florida	Felony	
Statute	Degree	Description

1643

316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
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1644

327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
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1645

409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
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1646

499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
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1647

560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
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1648

560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
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1649

655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
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775.0844 1st Aggravated white collar crime.

1651

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

1652

782.04(3) 1st,PBL Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.

1653

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

1654

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

1655

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

1656

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

1657

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

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1658

787.02(3)(a)      1st,PBL False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.

1659

787.06(3)(d)      1st Human trafficking using coercion for commercial sexual activity of an unauthorized alien.

1660

787.06(3)(g)      1st,PBL Human trafficking for commercial sexual activity of a child under the age of 18.

1661

787.06(4)          1st Selling or buying of minors into human trafficking.

1662

790.161            1st Attempted capital destructive device offense.

1663

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

1664

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

1665

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1666	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
1667	794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1668	794.011(8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1669	794.08(2)	1st	Female genital mutilation; victim younger than 18 years of age.
1670	796.035	1st	Selling or buying of minors into prostitution.
1671	800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1672	812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
1673	812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
	812.135(2)(b)	1st	Home-invasion robbery with weapon.

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817.568 (7)                    2nd,    Fraudulent use of personal  
    PBL    identification information of an  
           individual under the age of 18 by his  
           or her parent, legal guardian, or  
           person exercising custodial authority.

1675

827.03 (2) (a)                1st    Aggravated child abuse.

1676

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

1677

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

1678

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.

1679

893.135                       1st    Attempted capital trafficking offense.

1680

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

1681

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

1682

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1683	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
1684	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
1685	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
1686	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
1687	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
1688	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
1689	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
1690	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

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Section 15. This act shall take effect October 1, 2013.