

By the Committee on Criminal Justice; and Senator Altman

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1 A bill to be entitled
2 An act relating to sex offenses; amending s. 90.803,
3 F.S.; providing that an out-of-court statement by a
4 child victim with a physical, mental, emotional, or
5 developmental age of 16 or less rather than 11 or less
6 describing specified criminal acts is admissible in
7 evidence in certain instances; amending s. 775.21,
8 F.S.; replacing the definition of the term "instant
9 message name" with the definition of the term
10 "Internet identifier"; providing that voluntary
11 disclosure of specified information waives a
12 disclosure exemption for such information; conforming
13 provisions; adding additional offenses to the list of
14 sexual predator qualifying offenses; requiring
15 disclosure of additional information during the sexual
16 predator registration process; requiring that a sexual
17 predator who is unable to secure or update a driver
18 license or identification card within a specified
19 period must report specified information to the local
20 sheriff's office within a specified period after such
21 change with confirmation that he or she also reported
22 such information to the Department of Highway Safety
23 and Motor Vehicles; revising reporting requirements if
24 a sexual predator plans to leave the United States for
25 more than a specified period; providing criminal
26 penalties for knowingly providing false registration
27 information by act or omission; amending s. 800.03,
28 F.S.; providing enhanced penalties for third or
29 subsequent indecent exposure violations; amending s.

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30 903.046, F.S.; requiring a court considering whether
31 to release a defendant on bail to determine whether
32 the defendant is subject to registration as a sexual
33 offender or sexual predator and, if so, to hold the
34 defendant without bail until the first appearance on
35 the case; providing an exception; amending s.
36 943.0435, F.S.; adding additional offenses to the list
37 of sexual offender qualifying offenses; replacing the
38 definition of the term "instant message name" with the
39 definition of the term "Internet identifier";
40 conforming provisions; requiring disclosure of
41 additional sexual offender registration information;
42 requiring that a sexual offender who is unable to
43 secure or update a driver license or identification
44 card within a specified period must report specified
45 information to the local sheriff's office within a
46 specified period of such change with confirmation that
47 he or she also reported such information to the
48 Department of Highway Safety and Motor Vehicles;
49 providing additional requirements for sexual offenders
50 intending to reside outside of the United States;
51 revising criteria applicable to provisions allowing
52 removal from the requirement to register as a sexual
53 offender; providing criminal penalties for knowingly
54 providing false registration information by act or
55 omission; amending s. 943.04351, F.S.; requiring a
56 specified national search of registration information
57 regarding sexual predators and sexual offenders prior
58 to appointment or employment of persons by state

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59 agencies and governmental subdivisions; amending s.
60 943.04354, F.S.; revising the criteria applicable to
61 provisions allowing removal of the requirement to
62 register as a sexual offender or sexual predator;
63 amending s. 943.0437, F.S.; replacing the term
64 "instant message name" with the term "Internet
65 identifier"; amending ss. 944.606 and 944.607, F.S.;
66 adding additional offenses to the list of sexual
67 offender qualifying offenses; replacing the definition
68 of the term "instant message name" with the definition
69 of the term "Internet identifier"; conforming
70 provisions; requiring disclosure of additional
71 registration information; providing criminal penalties
72 for knowingly providing false registration information
73 by act or omission; amending s. 947.005, F.S.;
74 revising the definition of the term "risk assessment";
75 amending s. 948.31, F.S.; authorizing the court to
76 require sexual offenders and sexual predators who are
77 on probation or community control to undergo an
78 evaluation to determine whether the offender or
79 predator needs sexual offender treatment; requiring
80 the probationer or community controllee to pay for the
81 treatment; removing a provision prohibiting contact
82 with minors if sexual offender treatment is
83 recommended; amending ss. 985.481 and 985.4815, F.S.;
84 requiring disclosure of additional registration
85 information by certain sexual offenders adjudicated
86 delinquent and certain juvenile sexual offenders;
87 providing criminal penalties for knowingly providing

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88 false registration information by act or omission;
89 amending s. 921.0022, F.S.; conforming cross-
90 references; providing an effective date.

91

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

93

94 Section 1. Paragraph (a) of subsection (23) of section
95 90.803, Florida Statutes, is amended to read:

96 90.803 Hearsay exceptions; availability of declarant
97 immaterial.—The provision of s. 90.802 to the contrary
98 notwithstanding, the following are not inadmissible as evidence,
99 even though the declarant is available as a witness:

100 (23) HEARSAY EXCEPTION; STATEMENT OF CHILD VICTIM.—

101 (a) Unless the source of information or the method or
102 circumstances by which the statement is reported indicates a
103 lack of trustworthiness, an out-of-court statement made by a
104 child victim with a physical, mental, emotional, or
105 developmental age of 16 ~~14~~ or less describing any act of child
106 abuse or neglect, any act of sexual abuse against a child, the
107 offense of child abuse, the offense of aggravated child abuse,
108 or any offense involving an unlawful sexual act, contact,
109 intrusion, or penetration performed in the presence of, with,
110 by, or on the declarant child, not otherwise admissible, is
111 admissible in evidence in any civil or criminal proceeding if:

112 1. The court finds in a hearing conducted outside the
113 presence of the jury that the time, content, and circumstances
114 of the statement provide sufficient safeguards of reliability.
115 In making its determination, the court may consider the mental
116 and physical age and maturity of the child, the nature and

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117 duration of the abuse or offense, the relationship of the child
118 to the offender, the reliability of the assertion, the
119 reliability of the child victim, and any other factor deemed
120 appropriate; and

121 2. The child either:

122 a. Testifies; or

123 b. Is unavailable as a witness, provided that there is
124 other corroborative evidence of the abuse or offense.

125 Unavailability shall include a finding by the court that the
126 child's participation in the trial or proceeding would result in
127 a substantial likelihood of severe emotional or mental harm, in
128 addition to findings pursuant to s. 90.804(1).

129 Section 2. Paragraph (i) of subsection (2), paragraph (a)
130 of subsection (4), subsections (6) and (8), and paragraph (a) of
131 subsection (10) of section 775.21, Florida Statutes, are amended
132 to read:

133 775.21 The Florida Sexual Predators Act.—

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

135 (i) "Internet identifier ~~Instant message name~~" means all
136 electronic mail, chat, instant messenger, social networking, or
137 similar name used for Internet communication, but does not
138 include a date of birth, social security number, or personal
139 identification number (PIN). Voluntary disclosure by the sexual
140 predator of his or her date of birth, social security number, or
141 personal identification number (PIN) as an Internet identifier
142 waives the disclosure exemption in this paragraph for such
143 personal information ~~an identifier that allows a person to~~
144 ~~communicate in real time with another person using the Internet.~~

145 (4) SEXUAL PREDATOR CRITERIA.—

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146 (a) For a current offense committed on or after October 1,
 147 1993, upon conviction, an offender shall be designated as a
 148 "sexual predator" under subsection (5), and subject to
 149 registration under subsection (6) and community and public
 150 notification under subsection (7) if:

151 1. The felony is:

152 a. A capital, life, or first-degree felony violation, or
 153 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
 154 is a minor and the defendant is not the victim's parent or
 155 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a
 156 violation of a similar law of another jurisdiction; or

157 b. Any felony violation, or any attempt thereof, of s.
 158 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
 159 787.025(2)(c), where the victim is a minor and the defendant is
 160 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
 161 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
 162 796.03; s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025
 163 ~~825.1025(2)(b)~~; s. 827.071; s. 847.0135(5); s. 847.0145; s.
 164 916.1075(2); or s. 985.701(1); or a violation of a similar law
 165 of another jurisdiction, and the offender has previously been
 166 convicted of or found to have committed, or has pled nolo
 167 contendere or guilty to, regardless of adjudication, any
 168 violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s.
 169 787.02, or s. 787.025(2)(c), where the victim is a minor and the
 170 defendant is not the victim's parent or guardian; s.
 171 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
 172 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 173 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
 174 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a

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175 violation of a similar law of another jurisdiction;

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

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

182 (6) REGISTRATION.—

183 (a) A sexual predator must register with the department
184 through the sheriff's office by providing the following
185 information to the department:

186 1. Name; social security number; age; race; sex; date of
187 birth; height; weight; tattoos or other identifying marks; hair
188 and eye color; photograph; address of legal residence and
189 address of any current temporary residence, within the state or
190 out of state, including a rural route address and a post office
191 box; if no permanent or temporary address, any transient
192 residence within the state; address, location or description,
193 and dates of any current or known future temporary residence
194 within the state or out of state; all ~~any~~ electronic mail
195 addresses ~~address~~ and all Internet identifiers ~~any instant~~
196 ~~message name~~ required to be provided pursuant to subparagraph
197 (g)4.; all home telephone numbers ~~number~~ and ~~any~~ cellular
198 telephone numbers ~~number~~; date and place of any employment; the
199 make, model, color, registration number, and license tag number
200 of all vehicles owned; date and place of each conviction;
201 fingerprints; palm prints; and a brief description of the crime
202 or crimes committed by the offender. A post office box shall not
203 be provided in lieu of a physical residential address. The

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204 sexual predator must also produce his or her passport, if he or
205 she has a passport, and, if he or she is an alien, must produce
206 or provide information about documents establishing his or her
207 immigration status. The sexual predator must also provide
208 information about any professional licenses he or she may have.

209 a. If the sexual predator's place of residence is a motor
210 vehicle, trailer, mobile home, or manufactured home, as defined
211 in chapter 320, the sexual predator shall also provide to the
212 department written notice of the vehicle identification number;
213 the license tag number; the registration number; and a
214 description, including color scheme, of the motor vehicle,
215 trailer, mobile home, or manufactured home. If a sexual
216 predator's place of residence is a vessel, live-aboard vessel,
217 or houseboat, as defined in chapter 327, the sexual predator
218 shall also provide to the department written notice of the hull
219 identification number; the manufacturer's serial number; the
220 name of the vessel, live-aboard vessel, or houseboat; the
221 registration number; and a description, including color scheme,
222 of the vessel, live-aboard vessel, or houseboat.

223 b. If the sexual predator is enrolled, employed,
224 volunteering, or carrying on a vocation at an institution of
225 higher education in this state, the sexual predator shall also
226 provide to the department the name, address, and county of each
227 institution, including each campus attended, and the sexual
228 predator's enrollment, volunteer, or employment status. Each
229 change in enrollment, volunteer, or employment status shall be
230 reported in person at the sheriff's office, or the Department of
231 Corrections if the sexual predator is in the custody or control
232 of or under the supervision of the Department of Corrections,

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233 within 48 hours after any change in status. The sheriff or the
234 Department of Corrections shall promptly notify each institution
235 of the sexual predator's presence and any change in the sexual
236 predator's enrollment, volunteer, or employment status.

237 2. Any other information determined necessary by the
238 department, including criminal and corrections records;
239 nonprivileged personnel and treatment records; and evidentiary
240 genetic markers when available.

241 (b) If the sexual predator is in the custody or control of,
242 or under the supervision of, the Department of Corrections, or
243 is in the custody of a private correctional facility, the sexual
244 predator must register with the Department of Corrections. A
245 sexual predator who is under the supervision of the Department
246 of Corrections but who is not incarcerated must register with
247 the Department of Corrections within 3 business days after the
248 court finds the offender to be a sexual predator. The Department
249 of Corrections shall provide to the department registration
250 information and the location of, and local telephone number for,
251 any Department of Corrections office that is responsible for
252 supervising the sexual predator. In addition, the Department of
253 Corrections shall notify the department if the sexual predator
254 escapes or absconds from custody or supervision or if the sexual
255 predator dies.

256 (c) If the sexual predator is in the custody of a local
257 jail, the custodian of the local jail shall register the sexual
258 predator within 3 business days after intake of the sexual
259 predator for any reason and upon release, and shall forward the
260 registration information to the department. The custodian of the
261 local jail shall also take a digitized photograph of the sexual

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262 predator while the sexual predator remains in custody and shall
263 provide the digitized photograph to the department. The
264 custodian shall notify the department if the sexual predator
265 escapes from custody or dies.

266 (d) If the sexual predator is under federal supervision,
267 the federal agency responsible for supervising the sexual
268 predator may forward to the department any information regarding
269 the sexual predator which is consistent with the information
270 provided by the Department of Corrections under this section,
271 and may indicate whether use of the information is restricted to
272 law enforcement purposes only or may be used by the department
273 for purposes of public notification.

274 (e)1. If the sexual predator is not in the custody or
275 control of, or under the supervision of, the Department of
276 Corrections or is not in the custody of a private correctional
277 facility, the sexual predator shall register in person:

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

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

284 2. Any change in the sexual predator's permanent or
285 temporary residence, name, ~~or any electronic mail addresses, or~~
286 Internet identifiers ~~address and any instant message name~~
287 required to be provided pursuant to subparagraph (g)4., after
288 the sexual predator registers in person at the sheriff's office
289 as provided in subparagraph 1., shall be accomplished in the
290 manner provided in paragraphs (g), (i), and (j). When a sexual

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291 predator registers with the sheriff's office, the sheriff shall
292 take a photograph, ~~and~~ a set of fingerprints, and palm prints of
293 the predator and forward the photographs, palm prints, and
294 fingerprints to the department, along with the information that
295 the predator is required to provide pursuant to this section.

296 (f) Within 48 hours after the registration required under
297 paragraph (a) or paragraph (e), a sexual predator who is not
298 incarcerated and who resides in the community, including a
299 sexual predator under the supervision of the Department of
300 Corrections, shall register in person at a driver ~~driver's~~
301 license office of the Department of Highway Safety and Motor
302 Vehicles and shall present proof of registration. At the driver
303 ~~driver's~~ license office the sexual predator shall:

304 1. If otherwise qualified, secure a Florida driver ~~driver's~~
305 license, renew a Florida driver ~~driver's~~ license, or secure an
306 identification card. The sexual predator shall identify himself
307 or herself as a sexual predator who is required to comply with
308 this section, provide his or her place of permanent, temporary,
309 or transient residence, including a rural route address and a
310 post office box, and submit to the taking of a photograph for
311 use in issuing a driver ~~driver's~~ license, renewed license, or
312 identification card, and for use by the department in
313 maintaining current records of sexual predators. A post office
314 box shall not be provided in lieu of a physical residential
315 address. If the sexual predator's place of residence is a motor
316 vehicle, trailer, mobile home, or manufactured home, as defined
317 in chapter 320, the sexual predator shall also provide to the
318 Department of Highway Safety and Motor Vehicles the vehicle
319 identification number; the license tag number; the registration

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320 number; and a description, including color scheme, of the motor
321 vehicle, trailer, mobile home, or manufactured home. If a sexual
322 predator's place of residence is a vessel, live-aboard vessel,
323 or houseboat, as defined in chapter 327, the sexual predator
324 shall also provide to the Department of Highway Safety and Motor
325 Vehicles the hull identification number; the manufacturer's
326 serial number; the name of the vessel, live-aboard vessel, or
327 houseboat; the registration number; and a description, including
328 color scheme, of the vessel, live-aboard vessel, or houseboat.

329 2. Pay the costs assessed by the Department of Highway
330 Safety and Motor Vehicles for issuing or renewing a driver
331 ~~driver's~~ license or identification card as required by this
332 section. The driver ~~driver's~~ license or identification card
333 issued to the sexual predator must be in compliance with s.
334 322.141(3).

335 3. Provide, upon request, any additional information
336 necessary to confirm the identity of the sexual predator,
337 including a set of fingerprints.

338 (g)1. Each time a sexual predator's driver ~~driver's~~ license
339 or identification card is subject to renewal, and, without
340 regard to the status of the predator's driver ~~driver's~~ license
341 or identification card, within 48 hours after any change of the
342 predator's residence or change in the predator's name by reason
343 of marriage or other legal process, the predator shall report in
344 person to a driver ~~driver's~~ license office and shall be subject
345 to the requirements specified in paragraph (f). The Department
346 of Highway Safety and Motor Vehicles shall forward to the
347 department and to the Department of Corrections all photographs
348 and information provided by sexual predators. Notwithstanding

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349 the restrictions set forth in s. 322.142, the Department of
350 Highway Safety and Motor Vehicles is authorized to release a
351 reproduction of a color-photograph or digital-image license to
352 the Department of Law Enforcement for purposes of public
353 notification of sexual predators as provided in this section. A
354 sexual predator who is unable to secure or update a driver
355 license or identification card with the Department of Highway
356 Safety and Motor Vehicles as provided in paragraph (f) and this
357 paragraph must also report any change of the predator's
358 residence or change in the predator's name by reason of marriage
359 or other legal process within 48 hours after the change to the
360 sheriff's office in the county where the predator resides or is
361 located and provide confirmation that he or she reported such
362 information to the Department of Highway Safety and Motor
363 Vehicles.

364 2. A sexual predator who vacates a permanent, temporary, or
365 transient residence and fails to establish or maintain another
366 permanent, temporary, or transient residence shall, within 48
367 hours after vacating the permanent, temporary, or transient
368 residence, report in person to the sheriff's office of the
369 county in which he or she is located. The sexual predator shall
370 specify the date upon which he or she intends to or did vacate
371 such residence. The sexual predator must provide or update all
372 of the registration information required under paragraph (a).
373 The sexual predator must provide an address for the residence or
374 other place that he or she is or will be located during the time
375 in which he or she fails to establish or maintain a permanent or
376 temporary residence.

377 3. A sexual predator who remains at a permanent, temporary,

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378 or transient residence after reporting his or her intent to
379 vacate such residence shall, within 48 hours after the date upon
380 which the predator indicated he or she would or did vacate such
381 residence, report in person to the sheriff's office to which he
382 or she reported pursuant to subparagraph 2. for the purpose of
383 reporting his or her address at such residence. When the sheriff
384 receives the report, the sheriff shall promptly convey the
385 information to the department. An offender who makes a report as
386 required under subparagraph 2. but fails to make a report as
387 required under this subparagraph commits a felony of the second
388 degree, punishable as provided in s. 775.082, s. 775.083, or s.
389 775.084.

390 4. A sexual predator must register all ~~any~~ electronic mail
391 addresses and Internet identifiers ~~address or instant message~~
392 ~~name~~ with the department prior to using such electronic mail
393 addresses and Internet identifiers ~~address or instant message~~
394 ~~name on or after October 1, 2007~~. The department shall establish
395 an online system through which sexual predators may securely
396 access and update all electronic mail address and Internet
397 identifier ~~instant message name~~ information.

398 (h) The department must notify the sheriff and the state
399 attorney of the county and, if applicable, the police chief of
400 the municipality, where the sexual predator maintains a
401 residence.

402 (i) A sexual predator who intends to establish a permanent,
403 temporary, or transient residence in another state or
404 jurisdiction other than the State of Florida shall report in
405 person to the sheriff of the county of current residence within
406 48 hours before the date he or she intends to leave this state

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407 to establish residence in another state or jurisdiction or
408 within 21 days before his or her planned departure date if the
409 intended residence of 5 days or more is outside of the United
410 States. The sexual predator must provide to the sheriff the
411 address, municipality, county, ~~and~~ state, and country of
412 intended residence. The sheriff shall promptly provide to the
413 department the information received from the sexual predator.
414 The department shall notify the statewide law enforcement
415 agency, or a comparable agency, in the intended state, ~~or~~
416 jurisdiction, or country of residence of the sexual predator's
417 intended residence. The failure of a sexual predator to provide
418 his or her intended place of residence is punishable as provided
419 in subsection (10).

420 (j) A sexual predator who indicates his or her intent to
421 establish a permanent, temporary, or transient residence in
422 another state, a ~~or~~ jurisdiction other than the State of
423 Florida, or another country and later decides to remain in this
424 state shall, within 48 hours after the date upon which the
425 sexual predator indicated he or she would leave this state,
426 report in person to the sheriff to which the sexual predator
427 reported the intended change of residence, and report his or her
428 intent to remain in this state. If the sheriff is notified by
429 the sexual predator that he or she intends to remain in this
430 state, the sheriff shall promptly report this information to the
431 department. A sexual predator who reports his or her intent to
432 establish a permanent, temporary, or transient residence in
433 another state, a ~~or~~ jurisdiction other than the State of
434 Florida, or another country, but who remains in this state
435 without reporting to the sheriff in the manner required by this

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436 paragraph, commits a felony of the second degree, punishable as
437 provided in s. 775.082, s. 775.083, or s. 775.084.

438 (k)1. The department is responsible for the online
439 maintenance of current information regarding each registered
440 sexual predator. The department must maintain hotline access for
441 state, local, and federal law enforcement agencies to obtain
442 instantaneous locator file and offender characteristics
443 information on all released registered sexual predators for
444 purposes of monitoring, tracking, and prosecution. The
445 photograph and fingerprints do not have to be stored in a
446 computerized format.

447 2. The department's sexual predator registration list,
448 containing the information described in subparagraph (a)1., is a
449 public record. The department is authorized to disseminate this
450 public information by any means deemed appropriate, including
451 operating a toll-free telephone number for this purpose. When
452 the department provides information regarding a registered
453 sexual predator to the public, department personnel must advise
454 the person making the inquiry that positive identification of a
455 person believed to be a sexual predator cannot be established
456 unless a fingerprint comparison is made, and that it is illegal
457 to use public information regarding a registered sexual predator
458 to facilitate the commission of a crime.

459 3. The department shall adopt guidelines as necessary
460 regarding the registration of sexual predators and the
461 dissemination of information regarding sexual predators as
462 required by this section.

463 (l) A sexual predator must maintain registration with the
464 department for the duration of his or her life, unless the

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465 sexual predator has received a full pardon or has had a
466 conviction set aside in a postconviction proceeding for any
467 offense that met the criteria for the sexual predator
468 designation.

469 (8) VERIFICATION.—The department and the Department of
470 Corrections shall implement a system for verifying the addresses
471 of sexual predators. The system must be consistent with the
472 provisions of the federal Adam Walsh Child Protection and Safety
473 Act of 2006 and any other federal standards applicable to such
474 verification or required to be met as a condition for the
475 receipt of federal funds by the state. The Department of
476 Corrections shall verify the addresses of sexual predators who
477 are not incarcerated but who reside in the community under the
478 supervision of the Department of Corrections and shall report to
479 the department any failure by a sexual predator to comply with
480 registration requirements. County and local law enforcement
481 agencies, in conjunction with the department, shall verify the
482 addresses of sexual predators who are not under the care,
483 custody, control, or supervision of the Department of
484 Corrections. Local law enforcement agencies shall report to the
485 department any failure by a sexual predator to comply with
486 registration requirements.

487 (a) A sexual predator must report in person each year
488 during the month of the sexual predator's birthday and during
489 every third month thereafter to the sheriff's office in the
490 county in which he or she resides or is otherwise located to
491 reregister. The sheriff's office may determine the appropriate
492 times and days for reporting by the sexual predator, which shall
493 be consistent with the reporting requirements of this paragraph.

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494 Reregistration shall include any changes to the following
495 information:

496 1. Name; social security number; age; race; sex; date of
497 birth; height; weight; tattoos or other identifying marks; hair
498 and eye color; address of any permanent residence and address of
499 any current temporary residence, within the state or out of
500 state, including a rural route address and a post office box; if
501 no permanent or temporary address, any transient residence
502 within the state; address, location or description, and dates of
503 any current or known future temporary residence within the state
504 or out of state; ~~any~~ electronic mail addresses or Internet
505 identifiers ~~address and any instant message name~~ required to be
506 provided pursuant to subparagraph (6)(g)4.; home telephone
507 numbers or number ~~and any~~ cellular telephone numbers ~~number~~;
508 date and place of any employment; the ~~vehicle~~ make, model,
509 color, registration number, and license tag number of any
510 vehicles owned; fingerprints; palm prints; and photograph. A
511 post office box shall not be provided in lieu of a physical
512 residential address. The sexual predator must also produce his
513 or her passport, if he or she has a passport, and, if he or she
514 is an alien, must produce or provide information about documents
515 establishing his or her immigration status. The sexual predator
516 must also provide information about any professional licenses he
517 or she may have.

518 2. If the sexual predator is enrolled, employed,
519 volunteering, or carrying on a vocation at an institution of
520 higher education in this state, the sexual predator shall also
521 provide to the department the name, address, and county of each
522 institution, including each campus attended, and the sexual

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523 predator's enrollment, volunteer, or employment status.

524 3. If the sexual predator's place of residence is a motor
525 vehicle, trailer, mobile home, or manufactured home, as defined
526 in chapter 320, the sexual predator shall also provide the
527 vehicle identification number; the license tag number; the
528 registration number; and a description, including color scheme,
529 of the motor vehicle, trailer, mobile home, or manufactured
530 home. If the sexual predator's place of residence is a vessel,
531 live-aboard vessel, or houseboat, as defined in chapter 327, the
532 sexual predator shall also provide the hull identification
533 number; the manufacturer's serial number; the name of the
534 vessel, live-aboard vessel, or houseboat; the registration
535 number; and a description, including color scheme, of the
536 vessel, live-aboard vessel, or houseboat.

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

541 (10) PENALTIES.—

542 (a) Except as otherwise specifically provided, a sexual
543 predator who fails to register; who fails, after registration,
544 to maintain, acquire, or renew a driver ~~driver's~~ license or
545 identification card; who fails to provide required location
546 information, electronic mail address information prior to use,
547 Internet identifier ~~instant message name~~ information prior to
548 use, all home telephone numbers ~~number~~ and ~~any~~ cellular
549 telephone numbers ~~number~~, or change-of-name information; who
550 fails to make a required report in connection with vacating a
551 permanent residence; who fails to reregister as required; who

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552 fails to respond to any address verification correspondence from
553 the department within 3 weeks of the date of the correspondence;
554 who knowingly provides false registration information by act or
555 omission; or who otherwise fails, by act or omission, to comply
556 with the requirements of this section, ~~commits a felony of the~~
557 third degree, punishable as provided in s. 775.082, s. 775.083,
558 or s. 775.084.

559 Section 3. Section 800.03, Florida Statutes, is amended to
560 read:

561 800.03 Exposure of sexual organs.—

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

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

570 (b) A third or subsequent violation of this section is a
571 felony of the third degree, punishable as provided in s.
572 775.082, s. 775.083, or s. 775.084.

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

575 Section 4. Paragraph (m) is added to subsection (2) of
576 section 903.046, Florida Statutes, to read:

577 903.046 Purpose of and criteria for bail determination.—

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

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

588 Section 5. Paragraphs (a) and (g) of subsection (1),
589 subsection (2), paragraphs (a) and (d) of subsection (4),
590 subsections (7), (8), and (11), and paragraph (c) of subsection
591 (14) of section 943.0435, Florida Statutes, are amended to read:

592 943.0435 Sexual offenders required to register with the
593 department; penalty.—

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

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

598 a.(I) Has been convicted of committing, or attempting,
599 soliciting, or conspiring to commit, any of the criminal
600 offenses proscribed in the following statutes in this state or
601 similar offenses in another jurisdiction: s. 393.135(2); s.
602 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
603 the victim is a minor and the defendant is not the victim's
604 parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s.
605 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
606 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s.
607 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
608 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
609 similar offense committed in this state which has been

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610 redesignated from a former statute number to one of those listed
611 in this sub-sub-subparagraph; and

612 (II) Has been released on or after October 1, 1997, from
613 the sanction imposed for any conviction of an offense described
614 in sub-sub-subparagraph (I). For purposes of sub-sub-
615 subparagraph (I), a sanction imposed in this state or in any
616 other jurisdiction includes, but is not limited to, a fine,
617 probation, community control, parole, conditional release,
618 control release, or incarceration in a state prison, federal
619 prison, private correctional facility, or local detention
620 facility;

621 b. Establishes or maintains a residence in this state and
622 who has not been designated as a sexual predator by a court of
623 this state but who has been designated as a sexual predator, as
624 a sexually violent predator, or by another sexual offender
625 designation in another state or jurisdiction and was, as a
626 result of such designation, subjected to registration or
627 community or public notification, or both, or would be if the
628 person were a resident of that state or jurisdiction, without
629 regard to whether the person otherwise meets the criteria for
630 registration as a sexual offender;

631 c. Establishes or maintains a residence in this state who
632 is in the custody or control of, or under the supervision of,
633 any other state or jurisdiction as a result of a conviction for
634 committing, or attempting, soliciting, or conspiring to commit,
635 any of the criminal offenses proscribed in the following
636 statutes or similar offense in another jurisdiction: s.
637 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
638 787.025(2)(c), where the victim is a minor and the defendant is

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639 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
640 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
641 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.
642 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
643 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.
644 985.701(1); or any similar offense committed in this state which
645 has been redesignated from a former statute number to one of
646 those listed in this sub-subparagraph; or

647 d. On or after July 1, 2007, has been adjudicated
648 delinquent for committing, or attempting, soliciting, or
649 conspiring to commit, any of the criminal offenses proscribed in
650 the following statutes in this state or similar offenses in
651 another jurisdiction when the juvenile was 14 years of age or
652 older at the time of the offense:

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

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

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

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

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

664
665 For each violation of a qualifying offense listed in this
666 subsection, except for a violation of s. 794.011, the court
667 shall make a written finding of the age of the victim at the

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668 time of the offense. For a violation of s. 800.04(4), the court
669 shall additionally make a written finding indicating that the
670 offense did or did not involve sexual activity and indicating
671 that the offense did or did not involve force or coercion. For a
672 violation of s. 800.04(5), the court shall additionally make a
673 written finding that the offense did or did not involve
674 unclothed genitals or genital area and that the offense did or
675 did not involve the use of force or coercion.

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

680 (2) A sexual offender shall:

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

682 1. In the county in which the offender establishes or
683 maintains a permanent, temporary, or transient residence within
684 48 hours after:

685 a. Establishing permanent, temporary, or transient
686 residence in this state; or

687 b. Being released from the custody, control, or supervision
688 of the Department of Corrections or from the custody of a
689 private correctional facility; or

690 2. In the county where he or she was convicted within 48
691 hours after being convicted for a qualifying offense for
692 registration under this section if the offender is not in the
693 custody or control of, or under the supervision of, the
694 Department of Corrections, or is not in the custody of a private
695 correctional facility.

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697 Any change in the information required to be provided pursuant
698 to paragraph (b), including, but not limited to, any change in
699 the sexual offender's permanent, temporary, or transient
700 residence, name, ~~any~~ electronic mail addresses, or Internet
701 identifiers ~~address and any instant message name~~ required to be
702 provided pursuant to paragraph (4) (d), after the sexual offender
703 reports in person at the sheriff's office, shall be accomplished
704 in the manner provided in subsections (4), (7), and (8).

705 (b) Provide his or her name; date of birth; social security
706 number; race; sex; height; weight; hair and eye color; tattoos
707 or other identifying marks; occupation and place of employment;
708 address of permanent or legal residence or address of any
709 current temporary residence, within the state or out of state,
710 including a rural route address and a post office box; if no
711 permanent or temporary address, any transient residence within
712 the state, address, location or description, and dates of any
713 current or known future temporary residence within the state or
714 out of state; the make, model, color, registration number, and
715 license tag number of all vehicles owned; all home telephone
716 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; all
717 any ~~any~~ electronic mail addresses ~~address~~ and all Internet
718 identifiers ~~any instant message name~~ required to be provided
719 pursuant to paragraph (4) (d); fingerprints; palm prints;
720 photograph; date and place of each conviction; and a brief
721 description of the crime or crimes committed by the offender. A
722 post office box shall not be provided in lieu of a physical
723 residential address. The sexual offender must also produce his
724 or her passport, if he or she has a passport, and, if he or she
725 is an alien, must produce or provide information about documents

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726 establishing his or her immigration status. The sexual offender
727 must also provide information about any professional licenses he
728 or she may have.

729 1. If the sexual offender's place of residence is a motor
730 vehicle, trailer, mobile home, or manufactured home, as defined
731 in chapter 320, the sexual offender shall also provide to the
732 department through the sheriff's office written notice of the
733 vehicle identification number; the license tag number; the
734 registration number; and a description, including color scheme,
735 of the motor vehicle, trailer, mobile home, or manufactured
736 home. If the sexual offender's place of residence is a vessel,
737 live-aboard vessel, or houseboat, as defined in chapter 327, the
738 sexual offender shall also provide to the department written
739 notice of the hull identification number; the manufacturer's
740 serial number; the name of the vessel, live-aboard vessel, or
741 houseboat; the registration number; and a description, including
742 color scheme, of the vessel, live-aboard vessel, or houseboat.

743 2. If the sexual offender is enrolled, employed,
744 volunteering, or carrying on a vocation at an institution of
745 higher education in this state, the sexual offender shall also
746 provide to the department through the sheriff's office the name,
747 address, and county of each institution, including each campus
748 attended, and the sexual offender's enrollment, volunteer, or
749 employment status. Each change in enrollment, volunteer, or
750 employment status shall be reported in person at the sheriff's
751 office, within 48 hours after any change in status. The sheriff
752 shall promptly notify each institution of the sexual offender's
753 presence and any change in the sexual offender's enrollment,
754 volunteer, or employment status.

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755 (c) Provide any other information determined necessary by
756 the department, including criminal and corrections records;
757 nonprivileged personnel and treatment records; and evidentiary
758 genetic markers, when available.

759

760 When a sexual offender reports at the sheriff's office, the
761 sheriff shall take a photograph, ~~and~~ a set of fingerprints, ~~and~~
762 palm prints of the offender and forward the photographs, palm
763 prints, and fingerprints to the department, along with the
764 information provided by the sexual offender. The sheriff shall
765 promptly provide to the department the information received from
766 the sexual offender.

767 (4) (a) Each time a sexual offender's driver ~~driver's~~
768 license or identification card is subject to renewal, and,
769 without regard to the status of the offender's driver ~~driver's~~
770 license or identification card, within 48 hours after any change
771 in the offender's permanent, temporary, or transient residence
772 or change in the offender's name by reason of marriage or other
773 legal process, the offender shall report in person to a driver
774 ~~driver's~~ license office, and shall be subject to the
775 requirements specified in subsection (3). The Department of
776 Highway Safety and Motor Vehicles shall forward to the
777 department all photographs and information provided by sexual
778 offenders. Notwithstanding the restrictions set forth in s.
779 322.142, the Department of Highway Safety and Motor Vehicles is
780 authorized to release a reproduction of a color-photograph or
781 digital-image license to the Department of Law Enforcement for
782 purposes of public notification of sexual offenders as provided
783 in this section and ss. 943.043 and 944.606. A sexual offender

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784 who is unable to secure or update a driver license or
785 identification card with the Department of Highway Safety and
786 Motor Vehicles as provided in subsection (3) and this subsection
787 must also report any change in the sexual offender's permanent,
788 temporary, or transient residence or change in the offender's
789 name by reason of marriage or other legal process within 48
790 hours after the change to the sheriff's office in the county
791 where the offender resides or is located and provide
792 confirmation that he or she reported such information to the
793 Department of Highway Safety and Motor Vehicles.

794 (d) A sexual offender must register all any electronic mail
795 addresses and Internet identifiers ~~address or instant message~~
796 ~~name~~ with the department prior to using such electronic mail
797 addresses and Internet identifiers ~~address or instant message~~
798 ~~name on or after October 1, 2007~~. The department shall establish
799 an online system through which sexual offenders may securely
800 access and update all electronic mail address and Internet
801 identifier ~~instant message name~~ information.

802 (7) A sexual offender who intends to establish a permanent,
803 temporary, or transient residence in another state or
804 jurisdiction other than the State of Florida shall report in
805 person to the sheriff of the county of current residence within
806 48 hours before the date he or she intends to leave this state
807 to establish residence in another state or jurisdiction or
808 within 21 days before his or her planned departure date if the
809 intended residence of 5 days or more is outside of the United
810 States. The notification must include the address, municipality,
811 county, ~~and~~ state, and country of intended residence. The
812 sheriff shall promptly provide to the department the information

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813 received from the sexual offender. The department shall notify
814 the statewide law enforcement agency, or a comparable agency, in
815 the intended state, ~~or~~ jurisdiction, or country of residence of
816 the sexual offender's intended residence. The failure of a
817 sexual offender to provide his or her intended place of
818 residence is punishable as provided in subsection (9).

819 (8) A sexual offender who indicates his or her intent to
820 establish a permanent, temporary, or transient residence in
821 another state, a ~~or~~ jurisdiction other than the State of
822 Florida, or another country and later decides to remain in this
823 state shall, within 48 hours after the date upon which the
824 sexual offender indicated he or she would leave this state,
825 report in person to the sheriff to which the sexual offender
826 reported the intended change of permanent, temporary, or
827 transient residence, and report his or her intent to remain in
828 this state. The sheriff shall promptly report this information
829 to the department. A sexual offender who reports his or her
830 intent to establish a permanent, temporary, or transient
831 residence in another state, a ~~or~~ jurisdiction other than the
832 State of Florida, or another country but who remains in this
833 state without reporting to the sheriff in the manner required by
834 this subsection commits a felony of the second degree,
835 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

836 (11) Except as provided in this subsection and s.
837 943.04354, a sexual offender must maintain registration with the
838 department for the duration of his or her life, unless the
839 sexual offender has received a full pardon or has had a
840 conviction set aside in a postconviction proceeding for any
841 offense that meets the criteria for classifying the person as a

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842 sexual offender for purposes of registration. However, ~~a sexual~~
843 ~~offender:~~

844 (a)1. A sexual offender may petition the criminal division
845 of the circuit court of the circuit in which the sexual offender
846 resides for the purpose of removing the requirement for
847 registration as a sexual offender if ~~Who has been lawfully~~
848 ~~released from confinement, supervision, or sanction, whichever~~
849 ~~is later, for at least 25 years and has not been arrested for~~
850 ~~any felony or misdemeanor offense since release, provided that~~
851 ~~the sexual offender's requirement to register was not based upon~~
852 ~~an adult conviction:~~

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

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

860 c. The sexual offender has successfully completed all
861 sanctions imposed for all offenses that required the offender to
862 register;

863 d. The sexual offender's requirement to register was not
864 based upon an adult conviction for a violation of s. 787.01, s.
865 794.011, excluding s. 794.011(10), s. 800.04(4)(b) where the
866 court finds the offense involved a victim under 12 years of age
867 or sexual activity by the use of force or coercion, s.
868 800.04(5)(b), or s. 800.04(5)(c)2. where the court finds the
869 offense involved unclothed genitals or genital area; for any
870 attempt or conspiracy to commit any offense listed in this sub-

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871 subparagraph; or for a violation of similar law of another
872 jurisdiction; and

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

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

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

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

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

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

888 ~~f. For any attempt or conspiracy to commit any such~~
889 ~~offense; or~~

890 ~~g. For a violation of similar law of another jurisdiction,~~
891 ~~may petition the criminal division of the circuit court of the~~
892 ~~circuit in which the sexual offender resides for the purpose of~~
893 ~~removing the requirement for registration as a sexual offender.~~

894 2. A sexual offender whose requirement to register was
895 based upon an adult conviction for a violation of s. 787.02 or
896 s. 827.071(5), for any attempt or conspiracy to commit any
897 offense listed in this subparagraph, or for a violation of
898 similar law of another jurisdiction, may petition the criminal
899 division of the circuit court of the circuit in which the sexual

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900 offender resides for the purpose of removing the requirement for
901 registration as a sexual offender if:

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

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

909 c. The sexual offender has successfully completed all
910 sanctions imposed for all offenses that required the offender to
911 register; and

912 d. For sexual offenders whose requirement to register is
913 based upon a conviction in another state, the sexual offender is
914 not required to register as a sexual offender pursuant to the
915 laws of the state where the conviction occurred. Such an
916 offender must provide the court written confirmation that he or
917 she is not required to register in the state where the
918 conviction occurred.

919 3. A sexual offender required to register under sub-
920 subparagraph (1)(a)1.d. may petition the criminal division of
921 the circuit court of the circuit in which the sexual offender
922 resides for the purpose of removing the requirement for
923 registration as a sexual offender if:

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

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

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929 punishable by more than 1 year of imprisonment during the 25
930 years preceding the petition to the court; and

931 c. The sexual offender has successfully completed all
932 sanctions imposed for any offense that required the offender to
933 register.

934 ~~4.2.~~ The court may grant or deny relief if the offender
935 demonstrates to the court that ~~he or she has not been arrested~~
936 ~~for any crime since release;~~ the requested relief complies with
937 this paragraph, the provisions of the federal Adam Walsh Child
938 Protection and Safety Act of 2006, and any other federal
939 standards applicable to the removal of registration requirements
940 for a sexual offender or required to be met as a condition for
941 the receipt of federal funds by the state; and the court is
942 otherwise satisfied that the offender is not a current or
943 potential threat to public safety. The state attorney in the
944 circuit in which the petition is filed and the department must
945 be given notice of the petition at least 3 weeks before the
946 hearing on the matter. The state attorney may present evidence
947 in opposition to the requested relief or may otherwise
948 demonstrate the reasons why the petition should be denied. If
949 the court grants the petition, the court shall instruct the
950 petitioner to provide the department with a certified copy of
951 the order granting relief. If the court denies the petition, the
952 court may set a future date at which the sexual offender may
953 again petition the court for relief, subject to the standards
954 for relief provided in this subsection.

955 ~~5.3.~~ The department shall remove an offender from
956 classification as a sexual offender for purposes of registration
957 if the offender provides to the department a certified copy of

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958 the court's written findings or order that indicates that the
959 offender is no longer required to comply with the requirements
960 for registration as a sexual offender.

961 6. For purposes of this paragraph:

962 a. The registration period of a sexual offender sentenced
963 to a term of incarceration or committed to a residential program
964 begins upon the offender's release from incarceration or
965 commitment for the most recent conviction that required the
966 offender to register.

967 b. A sexual offender's registration period is tolled during
968 any period in which the offender is incarcerated, civilly
969 committed, detained pursuant to chapter 985, or committed to a
970 residential program.

971 (b) A sexual offender as defined in sub-subparagraph
972 (1)(a)1.b. must maintain registration with the department for
973 the duration of his or her life until the person provides the
974 department with an order issued by the court that designated the
975 person as a sexual predator, as a sexually violent predator, or
976 by another sexual offender designation in the state or
977 jurisdiction in which the order was issued which states that
978 such designation has been removed or demonstrates to the
979 department that such designation, if not imposed by a court, has
980 been removed by operation of law or court order in the state or
981 jurisdiction in which the designation was made, and provided
982 such person no longer meets the criteria for registration as a
983 sexual offender under the laws of this state.

984 (14)

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

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987 be consistent with the reporting requirements of this
988 subsection. Reregistration shall include any changes to the
989 following information:

990 1. Name; social security number; age; race; sex; date of
991 birth; height; weight; hair and eye color; address of any
992 permanent residence and address of any current temporary
993 residence, within the state or out of state, including a rural
994 route address and a post office box; if no permanent or
995 temporary address, any transient residence within the state;
996 address, location or description, and dates of any current or
997 known future temporary residence within the state or out of
998 state; ~~any~~ electronic mail addresses or Internet identifiers
999 ~~address and any instant message name~~ required to be provided
1000 pursuant to paragraph (4) (d); home telephone numbers or number
1001 ~~and any~~ cellular telephone numbers number; date and place of any
1002 employment; the vehicle make, model, color, registration number,
1003 and license tag number of any vehicles owned; fingerprints; palm
1004 prints; and photograph. A post office box may shall not be
1005 provided in lieu of a physical residential address. The sexual
1006 offender must also produce his or her passport, if he or she has
1007 a passport, and, if he or she is an alien, must produce or
1008 provide information about documents establishing his or her
1009 immigration status. The sexual offender must also provide
1010 information about any professional licenses he or she may have.

1011 2. If the sexual offender is enrolled, volunteering,
1012 employed, or carrying on a vocation at an institution of higher
1013 education in this state, the sexual offender shall also provide
1014 to the department the name, address, and county of each
1015 institution, including each campus attended, and the sexual

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1016 offender's enrollment, volunteer, or employment status.

1017 3. If the sexual offender's place of residence is a motor
1018 vehicle, trailer, mobile home, or manufactured home, as defined
1019 in chapter 320, the sexual offender shall also provide the
1020 vehicle identification number; the license tag number; the
1021 registration number; and a description, including color scheme,
1022 of the motor vehicle, trailer, mobile home, or manufactured
1023 home. If the sexual offender's place of residence is a vessel,
1024 live-aboard vessel, or houseboat, as defined in chapter 327, the
1025 sexual offender shall also provide the hull identification
1026 number; the manufacturer's serial number; the name of the
1027 vessel, live-aboard vessel, or houseboat; the registration
1028 number; and a description, including color scheme, of the
1029 vessel, live-aboard vessel or houseboat.

1030 4. Any sexual offender who fails to report in person as
1031 required at the sheriff's office, ~~or~~ who fails to respond to any
1032 address verification correspondence from the department within 3
1033 weeks of the date of the correspondence, ~~or~~ who fails to report
1034 all electronic mail addresses and all Internet identifiers prior
1035 to use ~~or instant message names~~, or who knowingly provides false
1036 registration information by act or omission commits a felony of
1037 the third degree, punishable as provided in s. 775.082, s.
1038 775.083, or s. 775.084.

1039 Section 6. Section 943.04351, Florida Statutes, is amended
1040 to read:

1041 943.04351 Search of registration information regarding
1042 sexual predators and sexual offenders required prior to
1043 appointment or employment.—A state agency or governmental
1044 subdivision, prior to making any decision to appoint or employ a

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1045 person to work, whether for compensation or as a volunteer, at
1046 any park, playground, day care center, or other place where
1047 children regularly congregate, must conduct a search of that
1048 person's name or other identifying information against the
1049 registration information regarding sexual predators and sexual
1050 offenders maintained by the Department of Law Enforcement under
1051 s. 943.043. The agency or governmental subdivision may conduct
1052 the search using the Internet site maintained by the Department
1053 of Law Enforcement. Also, a national search must be conducted
1054 through the Dru Sjodin National Sex Offender Public Website
1055 maintained by the United States Department of Justice. This
1056 section does not apply to those positions or appointments within
1057 a state agency or governmental subdivision for which a state and
1058 national criminal history background check is conducted.

1059 Section 7. Section 943.04354, Florida Statutes, is amended
1060 to read:

1061 943.04354 Removal of the requirement to register as a
1062 sexual offender or sexual predator in special circumstances.—

1063 (1) For purposes of this section, a person shall be
1064 considered for removal of the requirement to register as a
1065 sexual offender or sexual predator only if the person:

1066 (a) Was ~~or will be~~ convicted, regardless of adjudication,
1067 or adjudicated delinquent of a violation of s. 794.011, s.
1068 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in
1069 another jurisdiction, ~~or the person committed a violation of s.~~
1070 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~
1071 ~~adjudication of guilt was or will be withheld,~~ and the person
1072 does not have any other conviction, regardless of adjudication,
1073 or adjudication of delinquency, ~~or withhold of adjudication of~~

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1074 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or
1075 s. 847.0135(5), or a similar offense in another jurisdiction;

1076 (b) 1. Was convicted, regardless of adjudication, or
1077 adjudicated delinquent of an offense listed in paragraph (a) and
1078 is required to register as a sexual offender or sexual predator
1079 solely on the basis of this conviction or adjudication
1080 violation; or and

1081 2. Was convicted, regardless of adjudication, or
1082 adjudicated delinquent of an offense in another jurisdiction
1083 that is similar to an offense listed in paragraph (a) and no
1084 longer meets the criteria for registration as a sexual offender
1085 or sexual predator under the laws of the jurisdiction where the
1086 similar offense occurred; and

1087 (c) Is not more than 4 years older than the victim of this
1088 violation who was 13 ~~14~~ years of age or older but less ~~not more~~
1089 than 18 ~~17~~ years of age at the time the person committed this
1090 violation.

1091 (2) If a person meets the criteria in subsection (1) ~~and~~
1092 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
1093 ~~847.0135(5) was committed on or after July 1, 2007,~~ the person
1094 may move the criminal court of the circuit in which the offense
1095 occurred or the sentencing court or, for persons convicted or
1096 adjudicated delinquent of a qualifying offense in another
1097 jurisdiction, the criminal circuit court of the circuit in which
1098 the person resides ~~that will sentence or dispose of this~~
1099 ~~violation~~ to remove the requirement that the person register as
1100 a sexual offender or sexual predator. The person must allege in
1101 the motion that he or she meets the criteria in subsection (1)
1102 and that removal of the registration requirement will not

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1103 conflict with federal law. Persons convicted or adjudicated
 1104 delinquent of an offense in another jurisdiction that is similar
 1105 to an offense listed in paragraph (1) (a) must provide the court
 1106 written confirmation that he or she is not required to register
 1107 in the state where the conviction or adjudication occurred. The
 1108 state attorney and the department must be given notice of the
 1109 motion at least 21 days before the date of sentencing, ~~or~~
 1110 disposition of the this violation, or hearing on the motion and
 1111 may present evidence in opposition to the requested relief or
 1112 may otherwise demonstrate why the motion should be denied. At
 1113 sentencing, ~~or~~ disposition of the this violation, or hearing on
 1114 the motion, the court shall rule on this motion and, if the
 1115 court determines the person meets the criteria in subsection (1)
 1116 and the removal of the registration requirement will not
 1117 conflict with federal law, it may grant the motion and order the
 1118 removal of the registration requirement. The court shall
 1119 instruct the person to provide the department a certified copy
 1120 of the order granting relief. If the court denies the motion,
 1121 the person is not authorized under this section to file another
 1122 motion ~~petition~~ for removal of the registration requirement.

1123 ~~(3) (a) This subsection applies to a person who:~~

1124 ~~1. Is not a person described in subsection (2) because the~~
 1125 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
 1126 ~~committed on or after July 1, 2007;~~

1127 ~~2. Is subject to registration as a sexual offender or~~
 1128 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
 1129 ~~827.071; and~~

1130 ~~3. Meets the criteria in subsection (1).~~

1131 ~~(b) A person may petition the court in which the sentence~~

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1132 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~
1133 ~~827.071 occurred for removal of the requirement to register as a~~
1134 ~~sexual offender or sexual predator. The person must allege in~~
1135 ~~the petition that he or she meets the criteria in subsection (1)~~
1136 ~~and removal of the registration requirement will not conflict~~
1137 ~~with federal law. The state attorney must be given notice of the~~
1138 ~~petition at least 21 days before the hearing on the petition and~~
1139 ~~may present evidence in opposition to the requested relief or~~
1140 ~~may otherwise demonstrate why the petition should be denied. The~~
1141 ~~court shall rule on the petition and, if the court determines~~
1142 ~~the person meets the criteria in subsection (1) and removal of~~
1143 ~~the registration requirement will not conflict with federal law,~~
1144 ~~it may grant the petition and order the removal of the~~
1145 ~~registration requirement. If the court denies the petition, the~~
1146 ~~person is not authorized under this section to file any further~~
1147 ~~petition for removal of the registration requirement.~~

1148 (3) ~~(4)~~ If a person provides to the Department of Law
1149 Enforcement a certified copy of the court's order removing the
1150 requirement that the person register as a sexual offender or
1151 sexual predator for the violation of s. 794.011, s. 800.04, s.
1152 827.071, or s. 847.0135(5), or a similar offense in another
1153 jurisdiction, the registration requirement will not apply to the
1154 person and the department shall remove all information about the
1155 person from the public registry of sexual offenders and sexual
1156 predators maintained by the department. However, the removal of
1157 this information from the public registry does not mean that the
1158 public is denied access to information about the person's
1159 criminal history or record that is otherwise available as a
1160 public record.

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1161 Section 8. Subsection (2) and paragraph (a) of subsection
1162 (3) of section 943.0437, Florida Statutes, are amended to read:
1163 943.0437 Commercial social networking websites.—

1164 (2) The department may provide information relating to
1165 electronic mail addresses and Internet identifiers ~~instant~~
1166 ~~message names~~ maintained as part of the sexual offender registry
1167 to commercial social networking websites or third parties
1168 designated by commercial social networking websites. The
1169 commercial social networking website may use this information
1170 for the purpose of comparing registered users and screening
1171 potential users of the commercial social networking website
1172 against the list of electronic mail addresses and Internet
1173 identifiers ~~instant message names~~ provided by the department.

1174 (3) This section shall not be construed to impose any civil
1175 liability on a commercial social networking website for:

1176 (a) Any action voluntarily taken in good faith to remove or
1177 disable any profile of a registered user associated with an
1178 electronic mail address or Internet identifier ~~instant message~~
1179 ~~name~~ contained in the sexual offender registry.

1180 Section 9. Paragraphs (b) and (d) of subsection (1) and
1181 paragraph (a) of subsection (3) of section 944.606, Florida
1182 Statutes, are amended to read:

1183 944.606 Sexual offenders; notification upon release.—

1184 (1) As used in this section:

1185 (b) "Sexual offender" means a person who has been convicted
1186 of committing, or attempting, soliciting, or conspiring to
1187 commit, any of the criminal offenses proscribed in the following
1188 statutes in this state or similar offenses in another
1189 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.

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1190 787.02, or s. 787.025(2)(c), where the victim is a minor and the
1191 defendant is not the victim's parent or guardian; s.
1192 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
1193 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
1194 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
1195 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
1196 s. 916.1075(2); or s. 985.701(1); or any similar offense
1197 committed in this state which has been redesignated from a
1198 former statute number to one of those listed in this subsection,
1199 when the department has received verified information regarding
1200 such conviction; an offender's computerized criminal history
1201 record is not, in and of itself, verified information.

1202 (d) "Internet identifier Instant message name" has the same
1203 meaning as provided in s. 775.21 ~~means an identifier that allows~~
1204 ~~a person to communicate in real time with another person using~~
1205 ~~the Internet.~~

1206 (3)(a) The department must provide information regarding
1207 any sexual offender who is being released after serving a period
1208 of incarceration for any offense, as follows:

1209 1. The department must provide: the sexual offender's name,
1210 any change in the offender's name by reason of marriage or other
1211 legal process, and any alias, if known; the correctional
1212 facility from which the sexual offender is released; the sexual
1213 offender's social security number, race, sex, date of birth,
1214 height, weight, and hair and eye color; address of any planned
1215 permanent residence or temporary residence, within the state or
1216 out of state, including a rural route address and a post office
1217 box; if no permanent or temporary address, any transient
1218 residence within the state; address, location or description,

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1219 and dates of any known future temporary residence within the
1220 state or out of state; date and county of sentence and each
1221 crime for which the offender was sentenced; a copy of the
1222 offender's fingerprints, palm prints, and a digitized photograph
1223 taken within 60 days before release; the date of release of the
1224 sexual offender; all any electronic mail addresses ~~address~~ and
1225 all Internet identifiers ~~any instant message name~~ required to be
1226 provided pursuant to s. 943.0435(4)(d); all ~~and~~ home telephone
1227 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
1228 about any professional licenses the offender may have, if known;
1229 and passport information, if he or she has a passport, and, if
1230 he or she is an alien, information about documents establishing
1231 his or her immigration status ~~number~~. The department shall
1232 notify the Department of Law Enforcement if the sexual offender
1233 escapes, absconds, or dies. If the sexual offender is in the
1234 custody of a private correctional facility, the facility shall
1235 take the digitized photograph of the sexual offender within 60
1236 days before the sexual offender's release and provide this
1237 photograph to the Department of Corrections and also place it in
1238 the sexual offender's file. If the sexual offender is in the
1239 custody of a local jail, the custodian of the local jail shall
1240 register the offender within 3 business days after intake of the
1241 offender for any reason and upon release, and shall notify the
1242 Department of Law Enforcement of the sexual offender's release
1243 and provide to the Department of Law Enforcement the information
1244 specified in this paragraph and any information specified in
1245 subparagraph 2. that the Department of Law Enforcement requests.
1246 2. The department may provide any other information deemed
1247 necessary, including criminal and corrections records,

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1248 nonprivileged personnel and treatment records, when available.

1249 Section 10. Paragraphs (a) and (f) of subsection (1),
1250 subsection (4), and paragraph (c) of subsection (13) of section
1251 944.607, Florida Statutes, are amended to read:

1252 944.607 Notification to Department of Law Enforcement of
1253 information on sexual offenders.—

1254 (1) As used in this section, the term:

1255 (a) "Sexual offender" means a person who is in the custody
1256 or control of, or under the supervision of, the department or is
1257 in the custody of a private correctional facility:

1258 1. On or after October 1, 1997, as a result of a conviction
1259 for committing, or attempting, soliciting, or conspiring to
1260 commit, any of the criminal offenses proscribed in the following
1261 statutes in this state or similar offenses in another
1262 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.

1263 787.02, or s. 787.025(2)(c), where the victim is a minor and the
1264 defendant is not the victim's parent or guardian; s.

1265 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.

1266 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.

1267 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,

1268 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;

1269 s. 916.1075(2); or s. 985.701(1); or any similar offense

1270 committed in this state which has been redesignated from a

1271 former statute number to one of those listed in this paragraph;

1272 or

1273 2. Who establishes or maintains a residence in this state
1274 and who has not been designated as a sexual predator by a court
1275 of this state but who has been designated as a sexual predator,
1276 as a sexually violent predator, or by another sexual offender

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1277 designation in another state or jurisdiction and was, as a
1278 result of such designation, subjected to registration or
1279 community or public notification, or both, or would be if the
1280 person were a resident of that state or jurisdiction, without
1281 regard as to whether the person otherwise meets the criteria for
1282 registration as a sexual offender.

1283 (f) "Internet identifier ~~Instant message name~~" has the same
1284 meaning as provided in s. 775.21 ~~means an identifier that allows~~
1285 ~~a person to communicate in real time with another person using~~
1286 ~~the Internet.~~

1287 (4) A sexual offender, as described in this section, who is
1288 under the supervision of the Department of Corrections but is
1289 not incarcerated must register with the Department of
1290 Corrections within 3 business days after sentencing for a
1291 registrable offense and otherwise provide information as
1292 required by this subsection.

1293 (a) The sexual offender shall provide his or her name; date
1294 of birth; social security number; race; sex; height; weight;
1295 hair and eye color; tattoos or other identifying marks; all any
1296 electronic mail addresses ~~address~~ and all Internet identifiers
1297 ~~any instant message name~~ required to be provided pursuant to s.
1298 943.0435(4)(d); all home telephone numbers and cellular
1299 telephone numbers; the make, model, color, registration number,
1300 and license tag number of all vehicles owned; permanent or legal
1301 residence and address of temporary residence within the state or
1302 out of state while the sexual offender is under supervision in
1303 this state, including any rural route address or post office
1304 box; if no permanent or temporary address, any transient
1305 residence within the state; and address, location or

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1306 description, and dates of any current or known future temporary
1307 residence within the state or out of state. The sexual offender
1308 must also produce his or her passport, if he or she has a
1309 passport, and, if he or she is an alien, must produce or provide
1310 information about documents establishing his or her immigration
1311 status. The sexual offender must also provide information about
1312 any professional licenses he or she may have. The Department of
1313 Corrections shall verify the address of each sexual offender in
1314 the manner described in ss. 775.21 and 943.0435. The department
1315 shall report to the Department of Law Enforcement any failure by
1316 a sexual predator or sexual offender to comply with registration
1317 requirements.

1318 (b) If the sexual offender is enrolled, employed,
1319 volunteering, or carrying on a vocation at an institution of
1320 higher education in this state, the sexual offender shall
1321 provide the name, address, and county of each institution,
1322 including each campus attended, and the sexual offender's
1323 enrollment, volunteer, or employment status. Each change in
1324 enrollment, volunteer, or employment status shall be reported to
1325 the department within 48 hours after the change in status. The
1326 Department of Corrections shall promptly notify each institution
1327 of the sexual offender's presence and any change in the sexual
1328 offender's enrollment, volunteer, or employment status.

1329 (13)

1330 (c) The sheriff's office may determine the appropriate
1331 times and days for reporting by the sexual offender, which shall
1332 be consistent with the reporting requirements of this
1333 subsection. Reregistration shall include any changes to the
1334 following information:

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1335 1. Name; social security number; age; race; sex; date of
1336 birth; height; weight; hair and eye color; address of any
1337 permanent residence and address of any current temporary
1338 residence, within the state or out of state, including a rural
1339 route address and a post office box; if no permanent or
1340 temporary address, any transient residence; address, location or
1341 description, and dates of any current or known future temporary
1342 residence within the state or out of state; ~~any~~ electronic mail
1343 addresses or Internet identifiers ~~address and any instant~~
1344 ~~message name~~ required to be provided pursuant to s.
1345 943.0435(4) (d); home telephone numbers or cellular telephone
1346 numbers; date and place of any employment; the ~~vehicle~~ make,
1347 model, color, registration number, and license tag number of any
1348 vehicles owned; fingerprints; palm prints; and photograph. A
1349 post office box shall not be provided in lieu of a physical
1350 residential address. The sexual offender must also produce his
1351 or her passport, if he or she has a passport, and, if he or she
1352 is an alien, must produce or provide information about documents
1353 establishing his or her immigration status. The sexual offender
1354 must also provide information about any professional licenses he
1355 or she may have.

1356 2. If the sexual offender is enrolled, employed,
1357 volunteering, or carrying on a vocation at an institution of
1358 higher education in this state, the sexual offender shall also
1359 provide to the department the name, address, and county of each
1360 institution, including each campus attended, and the sexual
1361 offender's enrollment, volunteer, or employment status.

1362 3. If the sexual offender's place of residence is a motor
1363 vehicle, trailer, mobile home, or manufactured home, as defined

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1364 in chapter 320, the sexual offender shall also provide the
1365 vehicle identification number; the license tag number; the
1366 registration number; and a description, including color scheme,
1367 of the motor vehicle, trailer, mobile home, or manufactured
1368 home. If the sexual offender's place of residence is a vessel,
1369 live-aboard vessel, or houseboat, as defined in chapter 327, the
1370 sexual offender shall also provide the hull identification
1371 number; the manufacturer's serial number; the name of the
1372 vessel, live-aboard vessel, or houseboat; the registration
1373 number; and a description, including color scheme, of the
1374 vessel, live-aboard vessel or houseboat.

1375 4. Any sexual offender who fails to report in person as
1376 required at the sheriff's office, ~~or~~ who fails to respond to any
1377 address verification correspondence from the department within 3
1378 weeks of the date of the correspondence, ~~or~~ who fails to report
1379 all electronic mail addresses or Internet identifiers prior to
1380 use or instant message names, or who knowingly provides false
1381 registration information by act or omission commits a felony of
1382 the third degree, punishable as provided in s. 775.082, s.
1383 775.083, or s. 775.084.

1384 Section 11. Subsection (11) of section 947.005, Florida
1385 Statutes, is amended to read:

1386 947.005 Definitions.—As used in this chapter, unless the
1387 context clearly indicates otherwise:

1388 (11) "Risk assessment" means an assessment completed by a
1389 ~~an independent~~ qualified practitioner to evaluate the level of
1390 risk associated when a sex offender has contact with a child.

1391 Section 12. Section 948.31, Florida Statutes, is amended to
1392 read:

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1393 948.31 Evaluation and treatment of sexual predators and
1394 offenders on probation or community control.—The court may ~~shall~~
1395 ~~require an evaluation by a qualified practitioner to determine~~
1396 ~~the need of a probationer or community controllee for treatment.~~
1397 ~~If the court determines that a need therefor is established by~~
1398 ~~the evaluation process, the court shall require sexual offender~~
1399 ~~treatment as a term or condition of probation or community~~
1400 ~~control for any probationer or community controllee person who~~
1401 ~~is required to register as a sexual predator under s. 775.21 or~~
1402 ~~sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to~~
1403 ~~undergo an evaluation, at the probationer or community~~
1404 ~~controllee's expense, by a qualified practitioner to determine~~
1405 ~~whether such person needs sexual offender treatment. If the~~
1406 ~~qualified practitioner determines that sexual offender treatment~~
1407 ~~is needed and recommends treatment, the probationer or community~~
1408 ~~controllee must successfully complete and pay for the treatment.~~
1409 Such treatment must ~~shall be required to~~ be obtained from a
1410 qualified practitioner as defined in s. 948.001. Treatment may
1411 not be administered by a qualified practitioner who has been
1412 convicted or adjudicated delinquent of committing, or
1413 attempting, soliciting, or conspiring to commit, any offense
1414 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~
1415 ~~impose a restriction against contact with minors if sexual~~
1416 ~~offender treatment is recommended. The evaluation and~~
1417 ~~recommendations for treatment of the probationer or community~~
1418 ~~controllee shall be provided to the court for review.~~

1419 Section 13. Paragraph (a) of subsection (3) of section
1420 985.481, Florida Statutes, is amended to read:

1421 985.481 Sexual offenders adjudicated delinquent;

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1422 notification upon release.—

1423 (3) (a) The department must provide information regarding
1424 any sexual offender who is being released after serving a period
1425 of residential commitment under the department for any offense,
1426 as follows:

1427 1. The department must provide the sexual offender's name,
1428 any change in the offender's name by reason of marriage or other
1429 legal process, and any alias, if known; the correctional
1430 facility from which the sexual offender is released; the sexual
1431 offender's social security number, race, sex, date of birth,
1432 height, weight, and hair and eye color; the make, model, color,
1433 registration number, and license tag number of all vehicles
1434 owned, if known; address of any planned permanent residence or
1435 temporary residence, within the state or out of state, including
1436 a rural route address and a post office box; if no permanent or
1437 temporary address, any transient residence within the state;
1438 address, location or description, and dates of any known future
1439 temporary residence within the state or out of state; date and
1440 county of disposition and each crime for which there was a
1441 disposition; a copy of the offender's fingerprints and a
1442 digitized photograph taken within 60 days before release; the
1443 date of release of the sexual offender; all ~~and~~ home telephone
1444 numbers ~~number~~ and any cellular telephone numbers; information
1445 about any professional licenses the offender may have, if known;
1446 and passport information, if he or she has a passport, and, if
1447 he or she is an alien, information about documents establishing
1448 his or her immigration status ~~number~~. The department shall
1449 notify the Department of Law Enforcement if the sexual offender
1450 escapes, absconds, or dies. If the sexual offender is in the

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1451 custody of a private correctional facility, the facility shall
1452 take the digitized photograph of the sexual offender within 60
1453 days before the sexual offender's release and also place it in
1454 the sexual offender's file. If the sexual offender is in the
1455 custody of a local jail, the custodian of the local jail shall
1456 register the offender within 3 business days after intake of the
1457 offender for any reason and upon release, and shall notify the
1458 Department of Law Enforcement of the sexual offender's release
1459 and provide to the Department of Law Enforcement the information
1460 specified in this subparagraph and any information specified in
1461 subparagraph 2. which the Department of Law Enforcement
1462 requests.

1463 2. The department may provide any other information
1464 considered necessary, including criminal and delinquency
1465 records, when available.

1466 Section 14. Subsection (4) and paragraph (b) of subsection
1467 (13) of section 985.4815, Florida Statutes, are amended to read:
1468 985.4815 Notification to Department of Law Enforcement of
1469 information on juvenile sexual offenders.—

1470 (4) A sexual offender, as described in this section, who is
1471 under the supervision of the department but who is not committed
1472 must register with the department within 3 business days after
1473 adjudication and disposition for a registrable offense and
1474 otherwise provide information as required by this subsection.

1475 (a) The sexual offender shall provide his or her name; date
1476 of birth; social security number; race; sex; height; weight;
1477 hair and eye color; tattoos or other identifying marks; the
1478 make, model, color, registration number, and license tag number
1479 of all vehicles owned; permanent or legal residence and address

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1480 of temporary residence within the state or out of state while
1481 the sexual offender is in the care or custody or under the
1482 jurisdiction or supervision of the department in this state,
1483 including any rural route address or post office box; if no
1484 permanent or temporary address, any transient residence;
1485 address, location or description, and dates of any current or
1486 known future temporary residence within the state or out of
1487 state; and the name and address of each school attended. The
1488 sexual offender must also produce his or her passport, if he or
1489 she has a passport, and, if he or she is an alien, must produce
1490 or provide information about documents establishing his or her
1491 immigration status. The offender must also provide information
1492 about any professional licenses he or she may have. The
1493 department shall verify the address of each sexual offender and
1494 shall report to the Department of Law Enforcement any failure by
1495 a sexual offender to comply with registration requirements.

1496 (b) If the sexual offender is enrolled, employed,
1497 volunteering, or carrying on a vocation at an institution of
1498 higher education in this state, the sexual offender shall
1499 provide the name, address, and county of each institution,
1500 including each campus attended, and the sexual offender's
1501 enrollment, volunteer, or employment status. Each change in
1502 enrollment, volunteer, or employment status shall be reported to
1503 the department within 48 hours after the change in status. The
1504 department shall promptly notify each institution of the sexual
1505 offender's presence and any change in the sexual offender's
1506 enrollment, volunteer, or employment status.

1507 (13)

1508 (b) The sheriff's office may determine the appropriate

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1509 times and days for reporting by the sexual offender, which shall
1510 be consistent with the reporting requirements of this
1511 subsection. Reregistration shall include any changes to the
1512 following information:

1513 1. Name; social security number; age; race; sex; date of
1514 birth; height; weight; hair and eye color; fingerprints; palm
1515 prints; address of any permanent residence and address of any
1516 current temporary residence, within the state or out of state,
1517 including a rural route address and a post office box; if no
1518 permanent or temporary address, any transient residence;
1519 address, location or description, and dates of any current or
1520 known future temporary residence within the state or out of
1521 state; passport information, if he or she has a passport, and,
1522 if he or she is an alien, information about documents
1523 establishing his or her immigration status; name and address of
1524 each school attended; date and place of any employment; the
1525 ~~vehicle~~ make, model, color, registration number, and license tag
1526 number of all vehicles owned; fingerprints; and photograph. A
1527 post office box shall not be provided in lieu of a physical
1528 residential address. The offender must also provide information
1529 about any professional licenses he or she may have.

1530 2. If the sexual offender is enrolled, employed,
1531 volunteering, or carrying on a vocation at an institution of
1532 higher education in this state, the sexual offender shall also
1533 provide to the department the name, address, and county of each
1534 institution, including each campus attended, and the sexual
1535 offender's enrollment, volunteer, or employment status.

1536 3. If the sexual offender's place of residence is a motor
1537 vehicle, trailer, mobile home, or manufactured home, as defined

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1538 in chapter 320, the sexual offender shall also provide the
 1539 vehicle identification number; the license tag number; the
 1540 registration number; and a description, including color scheme,
 1541 of the motor vehicle, trailer, mobile home, or manufactured
 1542 home. If the sexual offender's place of residence is a vessel,
 1543 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1544 sexual offender shall also provide the hull identification
 1545 number; the manufacturer's serial number; the name of the
 1546 vessel, live-aboard vessel, or houseboat; the registration
 1547 number; and a description, including color scheme, of the
 1548 vessel, live-aboard vessel, or houseboat.

1549 4. Any sexual offender who fails to report in person as
 1550 required at the sheriff's office, ~~or~~ who fails to respond to any
 1551 address verification correspondence from the department within 3
 1552 weeks after the date of the correspondence, or who knowingly
 1553 provides false registration information by act or omission
 1554 commits a felony of the third degree, punishable as provided in
 1555 ss. 775.082, 775.083, and 775.084.

1556 Section 15. Paragraphs (g) and (i) of subsection (3) of
 1557 section 921.0022, Florida Statutes, are amended to read:

1558 921.0022 Criminal Punishment Code; offense severity ranking
 1559 chart.-

1560 (3) OFFENSE SEVERITY RANKING CHART

1561 (g) LEVEL 7

1562

Florida	Felony	
Statute	Degree	Description
316.027(1)(b)	1st	Accident involving death, failure to

1563

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1564
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1571

stop; leaving scene.

316.193 (3) (c) 2. 3rd DUI resulting in serious bodily injury.

316.1935 (3) (b) 1st Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

327.35 (3) (c) 2. 3rd Vessel BUI resulting in serious bodily injury.

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.

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1582

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.
461.012 (1)	3rd	Practicing podiatric medicine without a license.
462.17	3rd	Practicing naturopathy without a license.
463.015 (1)	3rd	Practicing optometry without a license.
464.016 (1)	3rd	Practicing nursing without a license.
465.015 (2)	3rd	Practicing pharmacy without a license.
466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.

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1583

468.366 3rd Delivering respiratory care services without a license.

1584

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

1585

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

1586

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

1587

484.053 3rd Dispensing hearing aids without a license.

1588

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.

1589

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

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

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1590

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

1591

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

1592

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

1593

775.21 (10) (g) 3rd Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

1594

782.051 (3) 2nd Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

1595

782.07 (1) 2nd Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

1596

782.071 2nd Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

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1597

782.072 2nd Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

1598

784.045 (1) (a) 1. 2nd Aggravated battery; intentionally causing great bodily harm or disfigurement.

1599

784.045 (1) (a) 2. 2nd Aggravated battery; using deadly weapon.

1600

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

1601

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

1602

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

1603

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

1604

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

1605

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

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1606

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

1607

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

1608

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

1609

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

1610

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.

1611

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

1612

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

1613

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

1614

790.165 (3) 2nd Possessing, displaying, or threatening to use any hoax bomb while committing

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1615

or attempting to commit a felony.

790.166 (3)

2nd

Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

1616

790.166 (4)

2nd

Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

1617

790.23

1st, PBL

Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

1618

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.

1619

796.03

2nd

Procuring any person under 18 ~~16~~ years for prostitution.

1620

800.04 (5) (c) 1.

2nd

Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.

1621

800.04 (5) (c) 2.

2nd

Lewd or lascivious molestation; victim 12 years of age or older but less than

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1622

16 years; offender 18 years or older.

806.01(2)

2nd

Maliciously damage structure by fire or explosive.

1623

810.02(3)(a)

2nd

Burglary of occupied dwelling; unarmed; no assault or battery.

1624

810.02(3)(b)

2nd

Burglary of unoccupied dwelling; unarmed; no assault or battery.

1625

810.02(3)(d)

2nd

Burglary of occupied conveyance; unarmed; no assault or battery.

1626

810.02(3)(e)

2nd

Burglary of authorized emergency vehicle.

1627

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.

1628

812.014(2)(b)2.

2nd

Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

1629

812.014(2)(b)3.

2nd

Property stolen, emergency medical equipment; 2nd degree grand theft.

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1630

812.014 (2) (b) 4. 2nd Property stolen, law enforcement
equipment from authorized emergency
vehicle.

1631

812.0145 (2) (a) 1st Theft from person 65 years of age or
older; \$50,000 or more.

1632

812.019 (2) 1st Stolen property; initiates, organizes,
plans, etc., the theft of property and
traffics in stolen property.

1633

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

1634

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

1635

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

1636

817.234 (9) 2nd Organizing, planning, or participating
in an intentional motor vehicle
collision.

1637

817.234 (11) (c) 1st Insurance fraud; property value
\$100,000 or more.

1638

817.2341 1st Making false entries of material fact
(2) (b) & or false statements regarding property

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(3) (b) values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

1639

825.102 (3) (b) 2nd Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

1640

825.103 (2) (b) 2nd Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.

1641

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

1642

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

1643

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

1644

838.015 2nd Bribery.

1645

838.016 2nd Unlawful compensation or reward for official behavior.

1646

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1647

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

1648

838.22 2nd Bid tampering.

1649

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

1650

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

1651

872.06 2nd Abuse of a dead human body.

1652

874.10 1st,PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

1653

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.

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),

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(2) (b), or (2) (c) 4., within 1,000 feet of property used for religious services or a specified business site.

1654

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).

1655

893.135 (1) (a) 1. 1st Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

1656

893.135 (1) (b) 1.a. 1st Trafficking in cocaine, more than 28 grams, less than 200 grams.

1657

893.135 (1) (c) 1.a. 1st Trafficking in illegal drugs, more than 4 grams, less than 14 grams.

1658

893.135 (1) (d) 1. 1st Trafficking in phencyclidine, more than 28 grams, less than 200 grams.

1659

893.135 (1) (e) 1. 1st Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.

1660

893.135 (1) (f) 1. 1st Trafficking in amphetamine, more than 14 grams, less than 28 grams.

1661

893.135 (1) (g) 1.a. 1st Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.

1662

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1663	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1664	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1665	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1666	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1667	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1668	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1669	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
	943.0435 (8)	2nd	Sexual offender; remains in state after

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indicating intent to leave; failure to
comply with reporting requirements.

1670

943.0435(9)(a)

3rd

Sexual offender; failure to comply with
reporting requirements.

1671

943.0435(13)

3rd

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

1672

943.0435(14)

3rd

Sexual offender; failure to report and
reregister; failure to respond to
address verification.

1673

944.607(9)

3rd

Sexual offender; failure to comply with
reporting requirements.

1674

944.607(10)(a)

3rd

Sexual offender; failure to submit to
the taking of a digitized photograph.

1675

944.607(12)

3rd

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

1676

944.607(13)

3rd

Sexual offender; failure to report and
reregister; failure to respond to
address verification.

1677

985.4815(10)

3rd

Sexual offender; failure to submit to

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the taking of a digitized photograph.

1678

985.4815 (12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1679

985.4815 (13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

1680

1681 (i) LEVEL 9

1682

Florida	Felony	
Statute	Degree	Description

1683

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

1684

327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
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1685

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

1686

499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
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1687

560.123 (8) (b) 3.	1st	Failure to report currency or payment
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1688

instruments totaling or exceeding
\$100,000 by money transmitter.

560.125 (5) (c)

1st

Money transmitter business by
unauthorized person, currency, or
payment instruments totaling or
exceeding \$100,000.

1689

655.50 (10) (b) 3.

1st

Failure to report financial
transactions totaling or exceeding
\$100,000 by financial institution.

1690

775.0844

1st

Aggravated white collar crime.

1691

782.04 (1)

1st

Attempt, conspire, or solicit to
commit premeditated murder.

1692

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.

1693

782.051 (1)

1st

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

1694

782.07 (2)

1st

Aggravated manslaughter of an elderly

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person or disabled adult.

1695

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

1696

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

1697

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

1698

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.

1699

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

1700

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

1701

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

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1702

790.161 1st Attempted capital destructive device offense.

1703

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

1704

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

1705

794.011(2) Life Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.

1706

794.011(4) 1st Sexual battery; victim 12 years or older, certain circumstances.

1707

794.011(8)(b) 1st Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

1708

794.08(2) 1st Female genital mutilation; victim younger than 18 years of age.

1709

796.035 1st Selling or buying of minors into prostitution.

1710

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1711	800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1712	812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
1713	812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
1714	812.135(2)(b)	1st	Home-invasion robbery with weapon.
1715	817.568(7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
1716	827.03(2)(a)	1st	Aggravated child abuse.
1717	847.0145(1)	1st	Selling, or otherwise transferring custody or control, of a minor.
1718	847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
	859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink,

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medicine, or water with intent to kill or injure another person.

1719

893.135 1st Attempted capital trafficking offense.

1720

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

1721

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

1722

893.135 (1) (c) 1.c. 1st Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.

1723

893.135 (1) (d) 1.c. 1st Trafficking in phencyclidine, more than 400 grams.

1724

893.135 (1) (e) 1.c. 1st Trafficking in methaqualone, more than 25 kilograms.

1725

893.135 (1) (f) 1.c. 1st Trafficking in amphetamine, more than 200 grams.

1726

893.135 (1) (h) 1.c. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.

1727

893.135 (1) (j) 1.c. 1st Trafficking in 1,4-Butanediol, 10 kilograms or more.

1728

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893.135 1st Trafficking in Phenethylamines, 400
 (1) (k) 2.c. grams or more.

1729

896.101 (5) (c) 1st Money laundering, financial
 instruments totaling or exceeding
 \$100,000.

1730

896.104 (4) (a) 3. 1st Structuring transactions to evade
 reporting or registration
 requirements, financial transactions
 totaling or exceeding \$100,000.

1731

1732 Section 16. This act shall take effect October 1, 2013.