

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Criminal Justice  
 2 Subcommittee

3 Representative Edwards offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (13) is added to section 947.1405,  
 8 Florida Statutes, to read:

9 947.1405 Conditional release program.—

10 (13) Effective for a releasee whose crime was committed on  
 11 or after October 1, 2014, in violation of chapter 794, s.  
 12 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, in addition  
 13 to any other provision of this section, the commission must  
 14 impose a condition prohibiting the releasee from viewing,  
 15 accessing, owning, or possessing any obscene, pornographic, or  
 16 sexually stimulating visual or auditory material, unless  
 17 otherwise indicated in the treatment plan provided by a

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18 qualified practitioner in the sexual offender treatment program.  
19 Visual or auditory material includes, but is not limited to,  
20 telephone, electronic media, computer programs, and computer  
21 services.

22 Section 2. Subsection (5) is added to section 948.30,  
23 Florida Statutes, to read:

24 948.30 Additional terms and conditions of probation or  
25 community control for certain sex offenses.—Conditions imposed  
26 pursuant to this section do not require oral pronouncement at  
27 the time of sentencing and shall be considered standard  
28 conditions of probation or community control for offenders  
29 specified in this section.

30 (5) Effective for a probationer or community controllee  
31 whose crime was committed on or after October 1, 2014, and who  
32 is placed on probation or community control for a violation of  
33 chapter 794, s. 800.04, s. 827.071, s. 847.0135(5), or s.  
34 847.0145, in addition to all other conditions imposed, the court  
35 must impose a condition prohibiting the probationer or community  
36 controllee from viewing, accessing, owning, or possessing any  
37 obscene, pornographic, or sexually stimulating visual or  
38 auditory material, unless otherwise indicated in the treatment  
39 plan provided by a qualified practitioner in the sexual offender  
40 treatment program. Visual or auditory material includes, but is  
41 not limited to, telephone, electronic media, computer programs,  
42 and computer services.

43 Section 3. This act shall take effect October 1, 2014.

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**T I T L E   A M E N D M E N T**

Between lines 2 and 3, insert:

947.1405, F.S.; prohibiting certain conditional releasees from viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating material, regardless of such material's relevance to the offender's deviant behavior pattern; amending s.