

1 A bill to be entitled
2 An act relating to sexual offenders; amending s.
3 775.21, F.S.; revising definitions; revising the
4 criteria for a felony offense for which an offender is
5 designated as a sexual predator; expanding the
6 criteria by removing a requirement that the defendant
7 not be the victim's parent or guardian; revising the
8 information that a sexual predator is required to
9 provide to specified entities under certain
10 circumstances; revising registration and verification
11 requirements imposed upon a sexual predator;
12 conforming provisions to changes made by the act;
13 amending s. 856.022, F.S.; revising the criteria for
14 loitering or prowling by certain offenders; expanding
15 the criteria by removing a requirement that the
16 offender not be the victim's parent or guardian;
17 amending s. 943.0435, F.S.; revising definitions;
18 revising the reporting and registering requirements
19 imposed upon a sexual offender to conform provisions
20 to changes made by the act; deleting provisions of
21 applicability; amending s. 943.04354, F.S.; modifying
22 the list of offenses for which a sexual offender or
23 sexual predator must be considered by the department
24 for removal from registration requirements; deleting
25 from the list a conviction or adjudication of
26 delinquency for sexual battery; specifying the

27 appropriate venue for a defendant to move the circuit
28 court to remove the requirement to register as a
29 sexual offender or sexual predator; amending s.
30 944.606, F.S.; revising definitions; revising the
31 information that the Department of Law Enforcement is
32 required to provide about a sexual offender upon his
33 or her release from incarceration; conforming
34 provisions to changes made by the act; amending s.
35 944.607, F.S.; revising definitions; conforming
36 provisions to changes made by the act; amending s.
37 985.481, F.S.; revising definitions; conforming
38 provisions to changes made by the act; amending s.
39 985.4815, F.S.; revising definitions; revising the
40 reporting and registering requirements imposed upon a
41 sexual offender to conform provisions to changes made
42 by the act; amending ss. 92.55, 775.0862, 943.0515,
43 947.1405, 948.30, 948.31, 1012.315, and 1012.467,
44 F.S.; conforming cross-references; reenacting s.
45 938.085, F.S., relating to additional costs to fund
46 rape crisis centers, to incorporate the amendment made
47 to s. 775.21, F.S., in a reference thereto; reenacting
48 s. 794.056(1), F.S., relating to the Rape Crisis
49 Program Trust Fund, to incorporate the amendments made
50 to ss. 775.21 and 943.0435, F.S., in references
51 thereto; reenacting s. 921.0022(3)(g), F.S., relating
52 to level 7 of the offense severity ranking chart of

53 the Criminal Punishment Code, to incorporate the
54 amendments made to ss. 775.21, 943.0435, 944.607, and
55 985.4815, F.S., in references thereto; reenacting s.
56 985.04(6)(b), F.S., relating to confidential
57 information, to incorporate the amendments made to ss.
58 775.21, 943.0435, 944.606, 944.607, 985.481, and
59 985.4815, F.S., in references thereto; reenacting ss.
60 322.141(3) and (4), 948.06(4), and 948.063, F.S.,
61 relating to color or markings of certain licenses or
62 identification cards, probation or community control,
63 and violations of probation or community control by
64 designated sexual offenders and sexual predators,
65 respectively, to incorporate the amendments made to
66 ss. 775.21, 943.0435, and 944.607, F.S., in references
67 thereto; reenacting s. 944.607(10)(c), F.S., relating
68 to notification to the Department of Law Enforcement
69 of information on sexual offenders, to incorporate the
70 amendment made to s. 943.0435, F.S., in a reference
71 thereto; reenacting ss. 397.4872(2) and 435.07(4)(b),
72 F.S., relating to exemptions from disqualification, to
73 incorporate the amendment made to s. 943.04354, F.S.,
74 in references thereto; reenacting s. 775.25, F.S.,
75 relating to prosecutions for acts or omissions, to
76 incorporate the amendments made to ss. 944.606 and
77 944.607, F.S., in references thereto; reenacting ss.
78 775.24(2) and 944.608(7), F.S., relating to duty of

79 the court to uphold laws governing sexual predators
 80 and sexual offenders and notification to the
 81 Department of Law Enforcement of information on career
 82 offenders, respectively, to incorporate the amendment
 83 made to s. 944.607, F.S., in references thereto;
 84 providing an effective date.

85

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

87

88 Section 1. Subsection (2), paragraph (a) of subsection
 89 (4), paragraphs (a), (e), (f), (g), and (i) of subsection (6),
 90 paragraph (a) of subsection (8), and paragraphs (a) and (b) of
 91 subsection (10) of section 775.21, Florida Statutes, are
 92 amended, and paragraphs (c) and (d) of subsection (4),
 93 paragraphs (a) and (b) of subsection (5), and paragraphs (c) and
 94 (e) of subsection (10) of that section are republished, to read:

95 775.21 The Florida Sexual Predators Act.—

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

97 (a) "Change in ~~enrollment or employment~~ status at an
 98 institution of higher education" means the commencement or
 99 termination of enrollment, including, but not limited to,
 100 traditional classroom setting or online courses, or employment,
 101 whether for compensation or as a volunteer, at an institution of
 102 higher education or a change in location of enrollment or
 103 employment, whether for compensation or as a volunteer, at an
 104 institution of higher education.

105 (b) "Chief of police" means the chief law enforcement
 106 officer of a municipality.

107 (c) "Child care facility" has the same meaning as provided
 108 in s. 402.302.

109 (d) "Community" means any county where the sexual predator
 110 lives or otherwise establishes or maintains a permanent,
 111 temporary, or transient ~~permanent~~ residence.

112 (e) "Conviction" means a determination of guilt which is
 113 the result of a trial or the entry of a plea of guilty or nolo
 114 contendere, regardless of whether adjudication is withheld. A
 115 conviction for a similar offense includes, but is not limited
 116 to, a conviction by a federal or military tribunal, including
 117 courts-martial conducted by the Armed Forces of the United
 118 States, and includes a conviction or entry of a plea of guilty
 119 or nolo contendere resulting in a sanction in any state of the
 120 United States or other jurisdiction. A sanction includes, but is
 121 not limited to, a fine, probation, community control, parole,
 122 conditional release, control release, or incarceration in a
 123 state prison, federal prison, private correctional facility, or
 124 local detention facility.

125 (f) "Department" means the Department of Law Enforcement.

126 (g) "Electronic mail address" has the same meaning as
 127 provided in s. 668.602.

128 (h) "Entering the county" includes being discharged from a
 129 correctional facility or jail or secure treatment facility
 130 within the county or being under supervision within the county

131 for the commission of a violation enumerated in subsection (4).

132 (i) "Institution of higher education" means a career
133 center, a community college, a college, a state university, or
134 an independent postsecondary institution.

135 (j)-(i) "Internet identifier" includes, but is not limited
136 to, all website uniform resource locators (URLs) and application
137 software, whether mobile or nonmobile, used for Internet
138 communication, including anonymous communication, through means
139 all electronic mail, chat, instant messages messenger, social
140 networking, social gaming, or other similar programs and all
141 corresponding usernames, logins, screen names, and screen
142 identifiers associated with each URL or application software.

143 Internet identifier application software, or similar names used
144 for Internet communication, but does not include a date of
145 birth, Social Security number, or personal identification number
146 (PIN), URL, or application software used for utility, banking,
147 retail, or medical purposes. Voluntary disclosure by a sexual
148 predator or sexual offender of his or her date of birth, Social
149 Security number, or PIN as an Internet identifier waives the
150 disclosure exemption in this paragraph for such personal
151 information.

152 ~~(j) "Institution of higher education" means a career~~
153 ~~center, community college, college, state university, or~~
154 ~~independent postsecondary institution.~~

155 (k) "Permanent residence" means a place where the person
156 abides, lodges, or resides for 5 or more consecutive days.

157 (l) "Professional license" means the document of
 158 authorization or certification issued by an agency of this state
 159 for a regulatory purpose, or by any similar agency in another
 160 jurisdiction for a regulatory purpose, to a person to engage in
 161 an occupation or to carry out a trade or business.

162 (m)~~(l)~~ "Temporary residence" means a place where the
 163 person abides, lodges, or resides, including, but not limited
 164 to, vacation, business, or personal travel destinations in or
 165 out of this state, for a period of 5 or more days in the
 166 aggregate during any calendar year and which is not the person's
 167 permanent address or, for a person whose permanent residence is
 168 not in this state, a place where the person is employed,
 169 practices a vocation, or is enrolled as a student for any period
 170 of time in this state.

171 (n)~~(m)~~ "Transient residence" means a county where a person
 172 lives, remains, or is located for a period of 5 or more days in
 173 the aggregate during a calendar year and which is not the
 174 person's permanent or temporary address. The term includes, but
 175 is not limited to, a place where the person sleeps or seeks
 176 shelter and a location that has no specific street address.

177 (o)~~(n)~~ "Vehicles owned" means any motor vehicle as defined
 178 in s. 320.01, which is registered, coregistered, leased, titled,
 179 or rented by a sexual predator or sexual offender; a rented
 180 vehicle that a sexual predator or sexual offender is authorized
 181 to drive; or a vehicle for which a sexual predator or sexual
 182 offender is insured as a driver. The term also includes any

183 motor vehicle as defined in s. 320.01, which is registered,
 184 coregistered, leased, titled, or rented by a person or persons
 185 residing at a sexual predator's or sexual offender's permanent
 186 residence for 5 or more consecutive days.

187 (4) SEXUAL PREDATOR CRITERIA.—

188 (a) For a current offense committed on or after October 1,
 189 1993, upon conviction, an offender shall be designated as a
 190 "sexual predator" under subsection (5), and subject to
 191 registration under subsection (6) and community and public
 192 notification under subsection (7) if:

193 1. The felony is:

194 a. A capital, life, or first degree felony violation, or
 195 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
 196 is a minor ~~and the defendant is not the victim's parent or~~
 197 ~~guardian~~, or s. 794.011, s. 800.04, or s. 847.0145, or a
 198 violation of a similar law of another jurisdiction; or

199 b. Any felony violation, or any attempt thereof, of s.
 200 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
 201 787.025(2) (c), where the victim is a minor ~~and the defendant is~~
 202 ~~not the victim's parent or guardian~~; s. 787.06(3) (b), (d), (f),
 203 or (g); former s. 787.06(3) (h); s. 794.011, excluding s.
 204 794.011(10); s. 794.05; former s. 796.03; former s. 796.035; s.
 205 800.04; s. 810.145(8) (b); s. 825.1025; s. 827.071; s. 847.0135,
 206 excluding s. 847.0135(6); s. 847.0145; s. 916.1075(2); or s.
 207 985.701(1); or a violation of a similar law of another
 208 jurisdiction, and the offender has previously been convicted of

209 or found to have committed, or has pled nolo contendere or
 210 guilty to, regardless of adjudication, any violation of s.
 211 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
 212 787.025(2) (c), where the victim is a minor ~~and the defendant is~~
 213 ~~not the victim's parent or guardian~~; s. 787.06(3) (b), (d), (f),
 214 or (g); former s. 787.06(3) (h); s. 794.011, excluding s.
 215 794.011(10); s. 794.05; former s. 796.03; former s. 796.035; s.
 216 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
 217 excluding s. 847.0135(6); s. 847.0145; s. 916.1075(2); or s.
 218 985.701(1); or a violation of a similar law of another
 219 jurisdiction;

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

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

226 (c) If an offender has been registered as a sexual
 227 predator by the Department of Corrections, the department, or
 228 any other law enforcement agency and if:

229 1. The court did not, for whatever reason, make a written
 230 finding at the time of sentencing that the offender was a sexual
 231 predator; or

232 2. The offender was administratively registered as a
 233 sexual predator because the Department of Corrections, the
 234 department, or any other law enforcement agency obtained

235 information that indicated that the offender met the criteria
236 for designation as a sexual predator based on a violation of a
237 similar law in another jurisdiction,
238
239 the department shall remove that offender from the department's
240 list of sexual predators and, for an offender described under
241 subparagraph 1., shall notify the state attorney who prosecuted
242 the offense that met the criteria for administrative designation
243 as a sexual predator, and, for an offender described under this
244 paragraph, shall notify the state attorney of the county where
245 the offender establishes or maintains a permanent, temporary, or
246 transient residence. The state attorney shall bring the matter
247 to the court's attention in order to establish that the offender
248 meets the criteria for designation as a sexual predator. If the
249 court makes a written finding that the offender is a sexual
250 predator, the offender must be designated as a sexual predator,
251 must register or be registered as a sexual predator with the
252 department as provided in subsection (6), and is subject to the
253 community and public notification as provided in subsection (7).
254 If the court does not make a written finding that the offender
255 is a sexual predator, the offender may not be designated as a
256 sexual predator with respect to that offense and is not required
257 to register or be registered as a sexual predator with the
258 department.

259 (d) An offender who has been determined to be a sexually
260 violent predator pursuant to a civil commitment proceeding under

261 chapter 394 shall be designated as a "sexual predator" under
262 subsection (5) and subject to registration under subsection (6)
263 and community and public notification under subsection (7).

264 (5) SEXUAL PREDATOR DESIGNATION.—An offender is designated
265 as a sexual predator as follows:

266 (a)1. An offender who meets the sexual predator criteria
267 described in paragraph (4) (d) is a sexual predator, and the
268 court shall make a written finding at the time such offender is
269 determined to be a sexually violent predator under chapter 394
270 that such person meets the criteria for designation as a sexual
271 predator for purposes of this section. The clerk shall transmit
272 a copy of the order containing the written finding to the
273 department within 48 hours after the entry of the order;

274 2. An offender who meets the sexual predator criteria
275 described in paragraph (4) (a) who is before the court for
276 sentencing for a current offense committed on or after October
277 1, 1993, is a sexual predator, and the sentencing court must
278 make a written finding at the time of sentencing that the
279 offender is a sexual predator, and the clerk of the court shall
280 transmit a copy of the order containing the written finding to
281 the department within 48 hours after the entry of the order; or

282 3. If the Department of Corrections, the department, or
283 any other law enforcement agency obtains information which
284 indicates that an offender who establishes or maintains a
285 permanent, temporary, or transient residence in this state meets
286 the sexual predator criteria described in paragraph (4) (a) or

287 paragraph (4) (d) because the offender was civilly committed or
288 committed a similar violation in another jurisdiction on or
289 after October 1, 1993, the Department of Corrections, the
290 department, or the law enforcement agency shall notify the state
291 attorney of the county where the offender establishes or
292 maintains a permanent, temporary, or transient residence of the
293 offender's presence in the community. The state attorney shall
294 file a petition with the criminal division of the circuit court
295 for the purpose of holding a hearing to determine if the
296 offender's criminal record or record of civil commitment from
297 another jurisdiction meets the sexual predator criteria. If the
298 court finds that the offender meets the sexual predator criteria
299 because the offender has violated a similar law or similar laws
300 in another jurisdiction, the court shall make a written finding
301 that the offender is a sexual predator.

302
303 When the court makes a written finding that an offender is a
304 sexual predator, the court shall inform the sexual predator of
305 the registration and community and public notification
306 requirements described in this section. Within 48 hours after
307 the court designating an offender as a sexual predator, the
308 clerk of the circuit court shall transmit a copy of the court's
309 written sexual predator finding to the department. If the
310 offender is sentenced to a term of imprisonment or supervision,
311 a copy of the court's written sexual predator finding must be
312 submitted to the Department of Corrections.

313 (b) If a sexual predator is not sentenced to a term of
314 imprisonment, the clerk of the court shall ensure that the
315 sexual predator's fingerprints are taken and forwarded to the
316 department within 48 hours after the court renders its written
317 sexual predator finding. The fingerprints shall be clearly
318 marked, "Sexual Predator Registration." The clerk of the court
319 that convicts and sentences the sexual predator for the offense
320 or offenses described in subsection (4) shall forward to the
321 department and to the Department of Corrections a certified copy
322 of any order entered by the court imposing any special condition
323 or restriction on the sexual predator that restricts or
324 prohibits access to the victim, if the victim is a minor, or to
325 other minors.

326 (6) REGISTRATION.—

327 (a) A sexual predator shall register with the department
328 through the sheriff's office by providing the following
329 information to the department:

330 1. Name; social security number; age; race; sex; date of
331 birth; height; weight; tattoos or other identifying marks; hair
332 and eye color; photograph; address of legal residence and
333 address of any current temporary residence, within the state or
334 out of state, including a rural route address and a post office
335 box; if no permanent or temporary address, any transient
336 residence within the state; address, location or description,
337 and dates of any current or known future temporary residence
338 within the state or out of state; all electronic mail addresses

339 and all Internet identifiers required to be provided pursuant to
340 subparagraph (g)5.; all home telephone numbers and cellular
341 telephone numbers required to be provided pursuant to
342 subparagraph (g)5.; ~~date and place of any employment information~~
343 required to be provided pursuant to subparagraph (g)5.; the
344 make, model, color, vehicle identification number (VIN), and
345 license tag number of all vehicles owned; date and place of each
346 conviction; fingerprints; palm prints; and a brief description
347 of the crime or crimes committed by the offender. A post office
348 box may not be provided in lieu of a physical residential
349 address. The sexual predator shall produce his or her passport,
350 if he or she has a passport, and, if he or she is an alien,
351 shall produce or provide information about documents
352 establishing his or her immigration status. The sexual predator
353 shall also provide information about any professional licenses
354 he or she has.

355 a. If the sexual predator's place of residence is a motor
356 vehicle, trailer, mobile home, or manufactured home, as defined
357 in chapter 320, the sexual predator shall also provide to the
358 department written notice of the vehicle identification number;
359 the license tag number; the registration number; and a
360 description, including color scheme, of the motor vehicle,
361 trailer, mobile home, or manufactured home. If a sexual
362 predator's place of residence is a vessel, live-aboard vessel,
363 or houseboat, as defined in chapter 327, the sexual predator
364 shall also provide to the department written notice of the hull

365 identification number; the manufacturer's serial number; the
366 name of the vessel, live-aboard vessel, or houseboat; the
367 registration number; and a description, including color scheme,
368 of the vessel, live-aboard vessel, or houseboat.

369 b. If the sexual predator is enrolled or~~7~~ employed,
370 whether for compensation or as a volunteer ~~volunteering, or~~
371 ~~carrying on a vocation~~ at an institution of higher education in
372 this state, the sexual predator shall also provide to the
373 department pursuant to subparagraph (g)5. the name, address, and
374 county of each institution, including each campus attended, and
375 the sexual predator's enrollment, volunteer, or employment
376 status. ~~Each change in enrollment, volunteer, or employment~~
377 ~~status must be reported in person at the sheriff's office, or~~
378 ~~the Department of Corrections if the sexual predator is in the~~
379 ~~custody or control of or under the supervision of the Department~~
380 ~~of Corrections, within 48 hours after any change in status. The~~
381 ~~sheriff, or the Department of Corrections, or the Department of~~
382 Juvenile Justice shall promptly notify each institution of
383 higher education of the sexual predator's presence and any
384 change in the sexual predator's enrollment, volunteer, or
385 employment status.

386 c. A sexual predator shall report in person to the
387 sheriff's office within 48 hours after any change in vehicles
388 owned to report those vehicle information changes.

389 2. Any other information determined necessary by the
390 department, including criminal and corrections records;

391 nonprivileged personnel and treatment records; and evidentiary
 392 genetic markers when available.

393 (e)1. If the sexual predator is not in the custody or
 394 control of, or under the supervision of, the Department of
 395 Corrections or is not in the custody of a private correctional
 396 facility, the sexual predator shall register in person:

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

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

403 2. Any change in the sexual predator's permanent, ~~or~~
 404 temporary, or transient residence; name; vehicles owned;
 405 electronic mail addresses; ~~or~~ Internet identifiers; home
 406 telephone numbers and cellular telephone numbers; and employment
 407 information and any change in status at an institution of higher
 408 education, required to be provided pursuant to subparagraph
 409 (g)5., after the sexual predator registers in person at the
 410 sheriff's office as provided in subparagraph 1. must be
 411 accomplished in the manner provided in paragraphs (g), (i), and
 412 (j). When a sexual predator registers with the sheriff's office,
 413 the sheriff shall take a photograph, a set of fingerprints, and
 414 palm prints of the predator and forward the photographs, palm
 415 prints, and fingerprints to the department, along with the
 416 information that the predator is required to provide pursuant to

417 | this section.

418 | (f) Within 48 hours after the registration required under
419 | paragraph (a) or paragraph (e), a sexual predator who is not
420 | incarcerated and who resides in the community, including a
421 | sexual predator under the supervision of the Department of
422 | Corrections, shall register in person at a driver license office
423 | of the Department of Highway Safety and Motor Vehicles and shall
424 | present proof of registration unless a driver license or an
425 | identification card that complies with the requirements of s.
426 | 322.141(3) was previously secured or updated under s. 944.607.

427 | At the driver license office the sexual predator shall:

428 | 1. If otherwise qualified, secure a Florida driver
429 | license, renew a Florida driver license, or secure an
430 | identification card. The sexual predator shall identify himself
431 | or herself as a sexual predator who is required to comply with
432 | this section, provide his or her place of permanent, temporary,
433 | or transient residence, including a rural route address and a
434 | post office box, and submit to the taking of a photograph for
435 | use in issuing a driver license, a renewed license, or an
436 | identification card, and for use by the department in
437 | maintaining current records of sexual predators. A post office
438 | box may not be provided in lieu of a physical residential
439 | address. If the sexual predator's place of residence is a motor
440 | vehicle, trailer, mobile home, or manufactured home, as defined
441 | in chapter 320, the sexual predator shall also provide to the
442 | Department of Highway Safety and Motor Vehicles the vehicle

443 identification number; the license tag number; the registration
444 number; and a description, including color scheme, of the motor
445 vehicle, trailer, mobile home, or manufactured home. If a sexual
446 predator's place of residence is a vessel, live-aboard vessel,
447 or houseboat, as defined in chapter 327, the sexual predator
448 shall also provide to the Department of Highway Safety and Motor
449 Vehicles the hull identification number; the manufacturer's
450 serial number; the name of the vessel, live-aboard vessel, or
451 houseboat; the registration number; and a description, including
452 color scheme, of the vessel, live-aboard vessel, or houseboat.

453 2. Pay the costs assessed by the Department of Highway
454 Safety and Motor Vehicles for issuing or renewing a driver
455 license or an identification card as required by this section.
456 The driver license or identification card issued to the sexual
457 predator must comply with s. 322.141(3).

458 3. Provide, upon request, any additional information
459 necessary to confirm the identity of the sexual predator,
460 including a set of fingerprints.

461 (g)1. Each time a sexual predator's driver license or
462 identification card is subject to renewal, and, without regard
463 to the status of the predator's driver license or identification
464 card, within 48 hours after any change of the predator's
465 residence or change in the predator's name by reason of marriage
466 or other legal process, the predator shall report in person to a
467 driver license office and is subject to the requirements
468 specified in paragraph (f). The Department of Highway Safety and

469 Motor Vehicles shall forward to the department and to the
470 Department of Corrections all photographs and information
471 provided by sexual predators. Notwithstanding the restrictions
472 set forth in s. 322.142, the Department of Highway Safety and
473 Motor Vehicles may release a reproduction of a color-photograph
474 or digital-image license to the Department of Law Enforcement
475 for purposes of public notification of sexual predators as
476 provided in this section. A sexual predator who is unable to
477 secure or update a driver license or an identification card with
478 the Department of Highway Safety and Motor Vehicles as provided
479 in paragraph (f) and this paragraph shall also report any change
480 of the predator's residence or change in the predator's name by
481 reason of marriage or other legal process within 48 hours after
482 the change to the sheriff's office in the county where the
483 predator resides or is located and provide confirmation that he
484 or she reported such information to the Department of Highway
485 Safety and Motor Vehicles. The reporting requirements under this
486 subparagraph do not negate the requirement for a sexual predator
487 to obtain a Florida driver license or identification card as
488 required by this section.

489 2.a. A sexual predator who vacates a permanent, temporary,
490 or transient residence and fails to establish or maintain
491 another permanent, temporary, or transient residence shall,
492 within 48 hours after vacating the permanent, temporary, or
493 transient residence, report in person to the sheriff's office of
494 the county in which he or she is located. The sexual predator

495 shall specify the date upon which he or she intends to or did
496 vacate such residence. The sexual predator shall provide or
497 update all of the registration information required under
498 paragraph (a). The sexual predator shall provide an address for
499 the residence or other place that he or she is or will be
500 located during the time in which he or she fails to establish or
501 maintain a permanent or temporary residence.

502 b. A sexual predator shall report in person at the
503 sheriff's office in the county in which he or she is located
504 within 48 hours after establishing a transient residence and
505 thereafter must report in person every 30 days to the sheriff's
506 office in the county in which he or she is located while
507 maintaining a transient residence. The sexual predator must
508 provide the addresses and locations where he or she maintains a
509 transient residence. Each sheriff's office shall establish
510 procedures for reporting transient residence information and
511 provide notice to transient registrants to report transient
512 residence information as required in this sub-subparagraph.
513 Reporting to the sheriff's office as required by this sub-
514 subparagraph does not exempt registrants from any reregistration
515 requirement. The sheriff may coordinate and enter into
516 agreements with police departments and other governmental
517 entities to facilitate additional reporting sites for transient
518 residence registration required in this sub-subparagraph. The
519 sheriff's office shall, within 2 business days, electronically
520 submit and update all information provided by the sexual

521 predator to the department.

522 3. A sexual predator who remains at a permanent,
523 temporary, or transient residence after reporting his or her
524 intent to vacate such residence shall, within 48 hours after the
525 date upon which the predator indicated he or she would or did
526 vacate such residence, report in person to the sheriff's office
527 to which he or she reported pursuant to subparagraph 2. for the
528 purpose of reporting his or her address at such residence. When
529 the sheriff receives the report, the sheriff shall promptly
530 convey the information to the department. An offender who makes
531 a report as required under subparagraph 2. but fails to make a
532 report as required under this subparagraph commits a felony of
533 the second degree, punishable as provided in s. 775.082, s.
534 775.083, or s. 775.084.

535 4. The failure of a sexual predator who maintains a
536 transient residence to report in person to the sheriff's office
537 every 30 days as required by sub-subparagraph 2.b. is punishable
538 as provided in subsection (10).

539 5.a. A sexual predator shall register all electronic mail
540 addresses and Internet identifiers with the department through
541 the department's online system or in person at the sheriff's
542 office before using such electronic mail addresses and Internet
543 identifiers. If the sexual predator is in the custody or
544 control, or under the supervision, of the Department of
545 Corrections, he or she must report all electronic mail addresses
546 and Internet identifiers to the Department of Corrections before

547 using such electronic mail addresses or Internet identifiers. If
548 the sexual predator is in the custody or control, or under the
549 supervision, of the Department of Juvenile Justice, he or she
550 must report all electronic mail addresses and Internet
551 identifiers to the Department of Juvenile Justice before using
552 such electronic mail addresses or Internet identifiers.

553 b. A sexual predator shall register all changes to home
554 telephone numbers and cellular telephone numbers, including
555 added and deleted numbers, all changes to employment
556 information, and all changes in status related to enrollment,
557 volunteering, or employment at institutions of higher education,
558 through the department's online system; in person at the
559 sheriff's office; in person at the Department of Corrections if
560 the sexual predator is in the custody or control, or under the
561 supervision, of the Department of Corrections; or in person at
562 the Department of Juvenile Justice if the sexual predator is in
563 the custody or control, or under the supervision, of the
564 Department of Juvenile Justice. All changes required to be
565 reported in this sub-subparagraph shall be reported within 48
566 hours after the change.

567 c. The department shall establish an online system through
568 which sexual predators may securely access, submit, and update
569 all electronic mail address and Internet identifier information,
570 home telephone numbers and cellular telephone numbers,
571 employment information, and institution of higher education
572 information.

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573 (i) A sexual predator who intends to establish a
574 permanent, temporary, or transient residence in another state or
575 jurisdiction other than the State of Florida shall report in
576 person to the sheriff of the county of current residence within
577 48 hours before the date he or she intends to leave this state
578 to establish residence in another state or jurisdiction or at
579 least within 21 days before the date he or she intends to travel
580 before his or her planned departure date if the intended
581 residence of 5 days or more is outside of the United States. Any
582 travel that is not known by the sexual predator 21 days before
583 the departure date must be reported to the sheriff's office as
584 soon as possible before departure. The sexual predator shall
585 provide to the sheriff the address, municipality, county, state,
586 and country of intended residence. For international travel, the
587 sexual predator shall also provide travel information,
588 including, but not limited to, expected departure and return
589 dates, flight number, airport of departure, cruise port of
590 departure, or any other means of intended travel. The sheriff
591 shall promptly provide to the department the information
592 received from the sexual predator. The department shall notify
593 the statewide law enforcement agency, or a comparable agency, in
594 the intended state, jurisdiction, or country of residence of the
595 sexual predator's intended residence. The failure of a sexual
596 predator to provide his or her intended place of residence is
597 punishable as provided in subsection (10).

598 (8) VERIFICATION.—The department and the Department of

599 Corrections shall implement a system for verifying the addresses
600 of sexual predators. The system must be consistent with ~~the~~
601 ~~provisions of~~ the federal Adam Walsh Child Protection and Safety
602 Act of 2006 and any other federal standards applicable to such
603 verification or required to be met as a condition for the
604 receipt of federal funds by the state. The Department of
605 Corrections shall verify the addresses of sexual predators who
606 are not incarcerated but who reside in the community under the
607 supervision of the Department of Corrections and shall report to
608 the department any failure by a sexual predator to comply with
609 registration requirements. County and local law enforcement
610 agencies, in conjunction with the department, shall verify the
611 addresses of sexual predators who are not under the care,
612 custody, control, or supervision of the Department of
613 Corrections, and may verify the addresses of sexual predators
614 who are under the care, custody, control, or supervision of the
615 Department of Corrections. Local law enforcement agencies shall
616 report to the department any failure by a sexual predator to
617 comply with registration requirements.

618 (a) A sexual predator shall report in person each year
619 during the month of the sexual predator's birthday and during
620 every third month thereafter to the sheriff's office in the
621 county in which he or she resides or is otherwise located to
622 reregister. The sheriff's office may determine the appropriate
623 times and days for reporting by the sexual predator, which must
624 be consistent with the reporting requirements of this paragraph.

625 Reregistration must include any changes to the following
626 information:

627 1. Name; social security number; age; race; sex; date of
628 birth; height; weight; tattoos or other identifying marks; hair
629 and eye color; address of any permanent residence and address of
630 any current temporary residence, within the state or out of
631 state, including a rural route address and a post office box; if
632 no permanent or temporary address, any transient residence
633 within the state; address, location or description, and dates of
634 any current or known future temporary residence within the state
635 or out of state; all electronic mail addresses or Internet
636 identifiers required to be provided pursuant to subparagraph
637 (6)(g)5.; all home telephone numbers and cellular telephone
638 numbers required to be provided pursuant to subparagraph
639 (6)(g)5.; date and place of any employment required to be
640 provided pursuant to subparagraph (6)(g)5.; the make, model,
641 color, vehicle identification number (VIN), and license tag
642 number of all vehicles owned; fingerprints; palm prints; and
643 photograph. A post office box may not be provided in lieu of a
644 physical residential address. The sexual predator shall also
645 produce his or her passport, if he or she has a passport, and,
646 if he or she is an alien, shall produce or provide information
647 about documents establishing his or her immigration status. The
648 sexual predator shall also provide information about any
649 professional licenses he or she has.

650 2. If the sexual predator is enrolled or~~r~~ employed,

651 whether for compensation or as a volunteer ~~volunteering, or~~
652 ~~carrying on a vocation~~ at an institution of higher education in
653 this state, the sexual predator shall also provide to the
654 department the name, address, and county of each institution,
655 including each campus attended, and the sexual predator's
656 enrollment, volunteer, or employment status.

657 3. If the sexual predator's place of residence is a motor
658 vehicle, trailer, mobile home, or manufactured home, as defined
659 in chapter 320, the sexual predator shall also provide the
660 vehicle identification number; the license tag number; the
661 registration number; and a description, including color scheme,
662 of the motor vehicle, trailer, mobile home, or manufactured
663 home. If the sexual predator's place of residence is a vessel,
664 live-aboard vessel, or houseboat, as defined in chapter 327, the
665 sexual predator shall also provide the hull identification
666 number; the manufacturer's serial number; the name of the
667 vessel, live-aboard vessel, or houseboat; the registration
668 number; and a description, including color scheme, of the
669 vessel, live-aboard vessel, or houseboat.

670 (10) PENALTIES.—

671 (a) Except as otherwise specifically provided, a sexual
672 predator who fails to register; who fails, after registration,
673 to maintain, acquire, or renew a driver license or an
674 identification card; who fails to provide required location
675 information, electronic mail address information before use,
676 Internet identifier information before use, all home telephone

677 numbers and cellular telephone numbers, employment information,
678 change in status at an institution of higher education, or
679 change-of-name information; who fails to make a required report
680 in connection with vacating a permanent residence; who fails to
681 reregister as required; who fails to respond to any address
682 verification correspondence from the department within 3 weeks
683 of the date of the correspondence; who knowingly provides false
684 registration information by act or omission; or who otherwise
685 fails, by act or omission, to comply with the requirements of
686 this section commits a felony of the third degree, punishable as
687 provided in s. 775.082, s. 775.083, or s. 775.084.

688 (b) A sexual predator who has been convicted of or found
689 to have committed, or has pled nolo contendere or guilty to,
690 regardless of adjudication, any violation, or attempted
691 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
692 the victim is a minor ~~and the defendant is not the victim's~~
693 ~~parent or guardian~~; s. 794.011, excluding s. 794.011(10); s.
694 794.05; former s. 796.03; former s. 796.035; s. 800.04; s.
695 827.071; s. 847.0133; s. 847.0135(5); s. 847.0145; or s.
696 985.701(1); or a violation of a similar law of another
697 jurisdiction when the victim of the offense was a minor, and who
698 works, whether for compensation or as a volunteer, at any
699 business, school, child care facility, park, playground, or
700 other place where children regularly congregate, commits a
701 felony of the third degree, punishable as provided in s.
702 775.082, s. 775.083, or s. 775.084.

703 (c) Any person who misuses public records information
704 relating to a sexual predator, as defined in this section, or a
705 sexual offender, as defined in s. 943.0435 or s. 944.607, to
706 secure a payment from such a predator or offender; who knowingly
707 distributes or publishes false information relating to such a
708 predator or offender which the person misrepresents as being
709 public records information; or who materially alters public
710 records information with the intent to misrepresent the
711 information, including documents, summaries of public records
712 information provided by law enforcement agencies, or public
713 records information displayed by law enforcement agencies on
714 websites or provided through other means of communication,
715 commits a misdemeanor of the first degree, punishable as
716 provided in s. 775.082 or s. 775.083.

717 (e) An arrest on charges of failure to register, the
718 service of an information or a complaint for a violation of this
719 section, or an arraignment on charges for a violation of this
720 section constitutes actual notice of the duty to register when
721 the predator has been provided and advised of his or her
722 statutory obligation to register under subsection (6). A sexual
723 predator's failure to immediately register as required by this
724 section following such arrest, service, or arraignment
725 constitutes grounds for a subsequent charge of failure to
726 register. A sexual predator charged with the crime of failure to
727 register who asserts, or intends to assert, a lack of notice of
728 the duty to register as a defense to a charge of failure to

729 register shall immediately register as required by this section.
 730 A sexual predator who is charged with a subsequent failure to
 731 register may not assert the defense of a lack of notice of the
 732 duty to register.

733 Section 2. Subsection (1) of section 856.022, Florida
 734 Statutes, is amended, and subsections (2), (3), and (4) of that
 735 section are republished, to read:

736 856.022 Loitering or prowling by certain offenders in
 737 close proximity to children; penalty.—

738 (1) Except as provided in subsection (2), this section
 739 applies to a person convicted of committing, or attempting,
 740 soliciting, or conspiring to commit, any of the criminal
 741 offenses proscribed in the following statutes in this state or
 742 similar offenses in another jurisdiction against a victim who
 743 was under 18 years of age at the time of the offense: s. 787.01,
 744 s. 787.02, or s. 787.025(2)(c), where the victim is a minor ~~and~~
 745 ~~the offender was not the victim's parent or guardian~~; s.
 746 787.06(3)(g); s. 794.011, excluding s. 794.011(10); s. 794.05;
 747 former s. 796.03; former s. 796.035; s. 800.04; s. 825.1025; s.
 748 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
 749 847.0137; s. 847.0138; s. 847.0145; s. 985.701(1); or any
 750 similar offense committed in this state which has been
 751 redesignated from a former statute number to one of those listed
 752 in this subsection, if the person has not received a pardon for
 753 any felony or similar law of another jurisdiction necessary for
 754 the operation of this subsection and a conviction of a felony or

755 similar law of another jurisdiction necessary for the operation
756 of this subsection has not been set aside in any postconviction
757 proceeding.

758 (2) This section does not apply to a person who has been
759 removed from the requirement to register as a sexual offender or
760 sexual predator pursuant to s. 943.04354.

761 (3) A person described in subsection (1) commits loitering
762 and prowling by a person convicted of a sexual offense against a
763 minor if, in committing loitering and prowling, he or she was
764 within 300 feet of a place where children were congregating.

765 (4) It is unlawful for a person described in subsection
766 (1) to:

767 (a) Knowingly approach, contact, or communicate with a
768 child under 18 years of age in any public park building or on
769 real property comprising any public park or playground with the
770 intent to engage in conduct of a sexual nature or to make a
771 communication of any type with any content of a sexual nature.
772 This paragraph applies only to a person described in subsection
773 (1) whose offense was committed on or after May 26, 2010.

774 (b)1. Knowingly be present in any child care facility or
775 school containing any students in prekindergarten through grade
776 12 or on real property comprising any child care facility or
777 school containing any students in prekindergarten through grade
778 12 when the child care facility or school is in operation unless
779 the person had previously provided written notification of his
780 or her intent to be present to the school board, superintendent,

781 principal, or child care facility owner;

782 2. Fail to notify the child care facility owner or the
 783 school principal's office when he or she arrives and departs the
 784 child care facility or school; or

785 3. Fail to remain under direct supervision of a school
 786 official or designated chaperone when present in the vicinity of
 787 children. As used in this paragraph, the term "school official"
 788 means a principal, a school resource officer, a teacher or any
 789 other employee of the school, the superintendent of schools, a
 790 member of the school board, a child care facility owner, or a
 791 child care provider.

792 (c) A person is not in violation of paragraph (b) if:

793 1. The child care facility or school is a voting location
 794 and the person is present for the purpose of voting during the
 795 hours designated for voting; or

796 2. The person is only dropping off or picking up his or
 797 her own children or grandchildren at the child care facility or
 798 school.

799 Section 3. Subsection (1) of section 943.0435, Florida
 800 Statutes, is reordered and amended, and subsection (2),
 801 paragraphs (a) and (e) of subsection (4), subsection (7),
 802 subsection (11), and paragraphs (b) and (c) of subsection (14)
 803 of that section are amended, to read:

804 943.0435 Sexual offenders required to register with the
 805 department; penalty.—

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

807 (a)(e) "Change in ~~enrollment or employment~~ status at an
808 institution of higher education" has the same meaning as
809 provided in s. 775.21 ~~means the commencement or termination of~~
810 ~~enrollment or employment or a change in location of enrollment~~
811 ~~or employment.~~

812 (b) "Convicted" means that there has been a determination
813 of guilt as a result of a trial or the entry of a plea of guilty
814 or nolo contendere, regardless of whether adjudication is
815 withheld, and includes an adjudication of delinquency of a
816 juvenile as specified in this section. Conviction of a similar
817 offense includes, but is not limited to, a conviction by a
818 federal or military tribunal, including courts-martial conducted
819 by the Armed Forces of the United States, and includes a
820 conviction or entry of a plea of guilty or nolo contendere
821 resulting in a sanction in any state of the United States or
822 other jurisdiction. A sanction includes, but is not limited to,
823 a fine, probation, community control, parole, conditional
824 release, control release, or incarceration in a state prison,
825 federal prison, private correctional facility, or local
826 detention facility.

827 (c)(f) "Electronic mail address" has the same meaning as
828 provided in s. 668.602.

829 (d) "Institution of higher education" has the same meaning
830 as provided in s. 775.21 ~~means a career center, community~~
831 ~~college, college, state university, or independent postsecondary~~
832 ~~institution.~~

833 (e)~~(g)~~ "Internet identifier" has the same meaning as
834 provided in s. 775.21.

835 (f)~~(e)~~ "Permanent residence," "temporary residence," and
836 "transient residence" have the same meaning as provided ~~ascribed~~
837 in s. 775.21.

838 (g) "Professional license" has the same meaning as
839 provided in s. 775.21.

840 (h)~~(a)~~1. "Sexual offender" means a person who meets the
841 criteria in sub-subparagraph a., sub-subparagraph b., sub-
842 subparagraph c., or sub-subparagraph d., as follows:

843 a.(I) Has been convicted of committing, or attempting,
844 soliciting, or conspiring to commit, any of the criminal
845 offenses proscribed in the following statutes in this state or
846 similar offenses in another jurisdiction: s. 393.135(2); s.
847 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
848 the victim is a minor ~~and the defendant is not the victim's~~
849 ~~parent or guardian~~; s. 787.06(3)(b), (d), (f), or (g); former s.
850 787.06(3)(h); s. 794.011, excluding s. 794.011(10); s. 794.05;
851 former s. 796.03; former s. 796.035; s. 800.04; s. 810.145(8);
852 s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
853 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s.
854 916.1075(2); or s. 985.701(1); or any similar offense committed
855 in this state which has been redesignated from a former statute
856 number to one of those listed in this sub-sub-subparagraph; and
857 (II) Has been released on or after October 1, 1997, from
858 the sanction imposed for any conviction of an offense described

859 | in sub-sub-subparagraph (I). For purposes of sub-sub-
860 | subparagraph (I), a sanction imposed in this state or in any
861 | other jurisdiction includes, but is not limited to, a fine,
862 | probation, community control, parole, conditional release,
863 | control release, or incarceration in a state prison, federal
864 | prison, private correctional facility, or local detention
865 | facility;

866 | b. Establishes or maintains a residence in this state and
867 | who has not been designated as a sexual predator by a court of
868 | this state but who has been designated as a sexual predator, as
869 | a sexually violent predator, or by another sexual offender
870 | designation in another state or jurisdiction and was, as a
871 | result of such designation, subjected to registration or
872 | community or public notification, or both, or would be if the
873 | person were a resident of that state or jurisdiction, without
874 | regard to whether the person otherwise meets the criteria for
875 | registration as a sexual offender;

876 | c. Establishes or maintains a residence in this state who
877 | is in the custody or control of, or under the supervision of,
878 | any other state or jurisdiction as a result of a conviction for
879 | committing, or attempting, soliciting, or conspiring to commit,
880 | any of the criminal offenses proscribed in the following
881 | statutes or similar offense in another jurisdiction: s.
882 | 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
883 | 787.025(2)(c), where the victim is a minor ~~and the defendant is~~
884 | ~~not the victim's parent or guardian~~; s. 787.06(3)(b), (d), (f),

885 or (g); former s. 787.06(3)(h); s. 794.011, excluding s.
 886 794.011(10); s. 794.05; former s. 796.03; former s. 796.035; s.
 887 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s.
 888 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s.
 889 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar
 890 offense committed in this state which has been redesignated from
 891 a former statute number to one of those listed in this sub-
 892 subparagraph; or

893 d. On or after July 1, 2007, has been adjudicated
 894 delinquent for committing, or attempting, soliciting, or
 895 conspiring to commit, any of the criminal offenses proscribed in
 896 the following statutes in this state or similar offenses in
 897 another jurisdiction when the juvenile was 14 years of age or
 898 older at the time of the offense:

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

900 (II) Section 800.04(4)(a)2. where the victim is under 12
 901 years of age or where the court finds sexual activity by the use
 902 of force or coercion;

903 (III) Section 800.04(5)(c)1. where the court finds
 904 molestation involving unclothed genitals; ~~or~~

905 (IV) Section 800.04(5)(d) where the court finds the use of
 906 force or coercion and unclothed genitals; or

907 (V) Any similar offense committed in this state which has
 908 been redesignated from a former statute number to one of those
 909 listed in this sub-subparagraph.

910 2. For all qualifying offenses listed in sub-subparagraph

911 1.d. ~~(1)(a)1.d.~~, the court shall make a written finding of the
 912 age of the offender at the time of the offense.

913
 914 For each violation of a qualifying offense listed in this
 915 subsection, except for a violation of s. 794.011, the court
 916 shall make a written finding of the age of the victim at the
 917 time of the offense. For a violation of s. 800.04(4), the court
 918 shall also make a written finding indicating whether the offense
 919 involved sexual activity and indicating whether the offense
 920 involved force or coercion. For a violation of s. 800.04(5), the
 921 court shall also make a written finding that the offense did or
 922 did not involve unclothed genitals or genital area and that the
 923 offense did or did not involve the use of force or coercion.

924 (i) ~~(h)~~ "Vehicles owned" has the same meaning as provided
 925 in s. 775.21.

926 (2) A sexual offender shall:

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

928 1. In the county in which the offender establishes or
 929 maintains a permanent, temporary, or transient residence within
 930 48 hours after:

931 a. Establishing permanent, temporary, or transient
 932 residence in this state; or

933 b. Being released from the custody, control, or
 934 supervision of the Department of Corrections or from the custody
 935 of a private correctional facility; or

936 2. In the county where he or she was convicted within 48

937 hours after being convicted for a qualifying offense for
 938 registration under this section if the offender is not in the
 939 custody or control of, or under the supervision of, the
 940 Department of Corrections, or is not in the custody of a private
 941 correctional facility.

942
 943 Any change in the information required to be provided pursuant
 944 to paragraph (b), including, but not limited to, any change in
 945 the sexual offender's permanent, temporary, or transient
 946 residence; name; electronic mail addresses; or Internet
 947 identifiers; home telephone numbers and cellular telephone
 948 numbers; and employment information and any change in status at
 949 an institution of higher education, required to be provided
 950 pursuant to paragraph (4) (e), after the sexual offender reports
 951 in person at the sheriff's office, must be accomplished in the
 952 manner provided in subsections (4), (7), and (8).

953 (b) Provide his or her name; date of birth; social
 954 security number; race; sex; height; weight; hair and eye color;
 955 tattoos or other identifying marks; fingerprints; palm prints;
 956 photograph; ~~occupation and place of employment~~ information
 957 required to be provided pursuant to paragraph (4) (e); address of
 958 permanent or legal residence or address of any current temporary
 959 residence, within the state or out of state, including a rural
 960 route address and a post office box; if no permanent or
 961 temporary address, any transient residence within the state,
 962 address, location or description, and dates of any current or

963 known future temporary residence within the state or out of
964 state; the make, model, color, vehicle identification number
965 (VIN), and license tag number of all vehicles owned; all home
966 telephone numbers and cellular telephone numbers required to be
967 provided pursuant to paragraph (4) (e); all electronic mail
968 addresses and all Internet identifiers required to be provided
969 pursuant to paragraph (4) (e); date and place of each conviction;
970 and a brief description of the crime or crimes committed by the
971 offender. A post office box may not be provided in lieu of a
972 physical residential address. The sexual offender shall also
973 produce his or her passport, if he or she has a passport, and,
974 if he or she is an alien, shall produce or provide information
975 about documents establishing his or her immigration status. The
976 sexual offender shall also provide information about any
977 professional licenses he or she has.

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

989 serial number; the name of the vessel, live-aboard vessel, or
 990 houseboat; the registration number; and a description, including
 991 color scheme, of the vessel, live-aboard vessel, or houseboat.

992 2. If the sexual offender is enrolled or, employed,
 993 whether for compensation or as a volunteer ~~volunteering, or~~
 994 ~~carrying on a vocation~~ at an institution of higher education in
 995 this state, the sexual offender shall also provide to the
 996 department pursuant to paragraph (4) (e) ~~through the sheriff's~~
 997 ~~office~~ the name, address, and county of each institution,
 998 including each campus attended, and the sexual offender's
 999 enrollment, volunteer, or employment status. ~~Each change in~~
 1000 ~~enrollment, volunteer, or employment status must be reported in~~
 1001 ~~person at the sheriff's office, within 48 hours after any change~~
 1002 ~~in status.~~ The sheriff, the Department of Corrections, or the
 1003 Department of Juvenile Justice shall promptly notify each
 1004 institution of higher education of the sexual offender's
 1005 presence and any change in the sexual offender's enrollment,
 1006 volunteer, or employment status.

1007 3. A sexual offender shall report in person to the
 1008 sheriff's office within 48 hours after any change in vehicles
 1009 owned to report those vehicle information changes.

1010 (c) Provide any other information determined necessary by
 1011 the department, including criminal and corrections records;
 1012 nonprivileged personnel and treatment records; and evidentiary
 1013 genetic markers, when available.

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1015 When a sexual offender reports at the sheriff's office, the
1016 sheriff shall take a photograph, a set of fingerprints, and palm
1017 prints of the offender and forward the photographs, palm prints,
1018 and fingerprints to the department, along with the information
1019 provided by the sexual offender. The sheriff shall promptly
1020 provide to the department the information received from the
1021 sexual offender.

1022 (4) (a) Each time a sexual offender's driver license or
1023 identification card is subject to renewal, and, without regard
1024 to the status of the offender's driver license or identification
1025 card, within 48 hours after any change in the offender's
1026 permanent, temporary, or transient residence or change in the
1027 offender's name by reason of marriage or other legal process,
1028 the offender shall report in person to a driver license office,
1029 and is subject to the requirements specified in subsection (3).
1030 The Department of Highway Safety and Motor Vehicles shall
1031 forward to the department all photographs and information
1032 provided by sexual offenders. Notwithstanding the restrictions
1033 set forth in s. 322.142, the Department of Highway Safety and
1034 Motor Vehicles may release a reproduction of a color-photograph
1035 or digital-image license to the Department of Law Enforcement
1036 for purposes of public notification of sexual offenders as
1037 provided in this section and ss. 943.043 and 944.606. A sexual
1038 offender who is unable to secure or update a driver license or
1039 an identification card with the Department of Highway Safety and
1040 Motor Vehicles as provided in subsection (3) and this subsection

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1041 shall also report any change in the sexual offender's permanent,
1042 temporary, or transient residence or change in the offender's
1043 name by reason of marriage or other legal process within 48
1044 hours after the change to the sheriff's office in the county
1045 where the offender resides or is located and provide
1046 confirmation that he or she reported such information to the
1047 Department of Highway Safety and Motor Vehicles. The reporting
1048 requirements under this paragraph do not negate the requirement
1049 for a sexual offender to obtain a Florida driver license or an
1050 identification card as required in this section.

1051 (e)1. A sexual offender shall register all electronic mail
1052 addresses and Internet identifiers with the department through
1053 the department's online system or in person at the sheriff's
1054 office before using such electronic mail addresses and Internet
1055 identifiers. If the sexual offender is in the custody or
1056 control, or under the supervision, of the Department of
1057 Corrections, he or she must report all electronic mail addresses
1058 and Internet identifiers to the Department of Corrections before
1059 using such electronic mail addresses or Internet identifiers. If
1060 the sexual offender is in the custody or control, or under the
1061 supervision, of the Department of Juvenile Justice, he or she
1062 must report all electronic mail addresses and Internet
1063 identifiers to the Department of Juvenile Justice before using
1064 such electronic mail addresses or Internet identifiers.

1065 2. A sexual offender shall register all changes to home
1066 telephone numbers and cellular telephone numbers, including

1067 added and deleted numbers, all changes to employment
 1068 information, and all changes in status related to enrollment,
 1069 volunteering, or employment at institutions of higher education,
 1070 through the department's online system; in person at the
 1071 sheriff's office; in person at the Department of Corrections if
 1072 the sexual offender is in the custody or control, or under the
 1073 supervision, of the Department of Corrections; or in person at
 1074 the Department of Juvenile Justice if the sexual offender is in
 1075 the custody or control, or under the supervision, of the
 1076 Department of Juvenile Justice. All changes required to be
 1077 reported under this subparagraph must be reported within 48
 1078 hours after the change.

1079 3. The department shall establish an online system through
 1080 which sexual offenders may securely access, submit, and update
 1081 all changes in status to electronic mail address and Internet
 1082 identifier information, home telephone numbers and cellular
 1083 telephone numbers, employment information, and institution of
 1084 higher education information.

1085 (7) A sexual offender who intends to establish a
 1086 permanent, temporary, or transient residence in another state or
 1087 jurisdiction other than the State of Florida shall report in
 1088 person to the sheriff of the county of current residence within
 1089 48 hours before the date he or she intends to leave this state
 1090 to establish residence in another state or jurisdiction or at
 1091 least ~~within~~ 21 days before the date he or she intends to travel
 1092 before his or her planned departure date if the intended

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1093 residence of 5 days or more is outside of the United States. Any
1094 travel that is not known by the sexual offender 21 days before
1095 the departure date must be reported in person to the sheriff's
1096 office as soon as possible before departure. The sexual offender
1097 shall provide to the sheriff ~~The notification must include the~~
1098 address, municipality, county, state, and country of intended
1099 residence. For international travel, the sexual offender shall
1100 also provide travel information, including, but not limited to,
1101 expected departure and return dates, flight number, airport of
1102 departure, cruise port of departure, or any other means of
1103 intended travel. The sheriff shall promptly provide to the
1104 department the information received from the sexual offender.
1105 The department shall notify the statewide law enforcement
1106 agency, or a comparable agency, in the intended state,
1107 jurisdiction, or country of residence of the sexual offender's
1108 intended residence. The failure of a sexual offender to provide
1109 his or her intended place of residence is punishable as provided
1110 in subsection (9).

1111 (11) Except as provided in s. 943.04354, a sexual offender
1112 shall maintain registration with the department for the duration
1113 of his or her life unless the sexual offender has received a
1114 full pardon or has had a conviction set aside in a
1115 postconviction proceeding for any offense that meets the
1116 criteria for classifying the person as a sexual offender for
1117 purposes of registration. However, a sexual offender shall be
1118 considered for removal of the requirement to register as a

1119 sexual offender only if the person:

1120 (a)1. ~~Who~~ Has been lawfully released from confinement,
 1121 supervision, or sanction, whichever is later, for at least 25
 1122 years and has not been arrested for any felony or misdemeanor
 1123 offense since release, provided that the sexual offender's
 1124 requirement to register was not based upon an adult conviction:

1125 a. For a violation of s. 787.01 or s. 787.02;

1126 b. For a violation of s. 794.011, excluding s.
 1127 794.011(10);

1128 c. For a violation of s. 800.04(4)(a)2. where the court
 1129 finds the offense involved a victim under 12 years of age or
 1130 sexual activity by the use of force or coercion;

1131 d. For a violation of s. 800.04(5)(b);

1132 e. For a violation of s. 800.04(5)(c)2. where the court
 1133 finds the offense involved the use of force or coercion and
 1134 unclothed genitals or genital area;

1135 f. For a violation of s. 825.1025(2)(a);

1136 ~~g.f.~~ For any attempt or conspiracy to commit any such
 1137 offense;

1138 ~~h.g.~~ For a violation of similar law of another
 1139 jurisdiction; or

1140 ~~i.h.~~ For a violation of a similar offense committed in
 1141 this state which has been redesignated from a former statute
 1142 number to one of those listed in this subparagraph.r

1143 2. If the sexual offender meets the criteria in
 1144 subparagraph 1., the sexual offender may, for the purpose of

1145 removing the requirement for registration as a sexual offender,
 1146 petition the criminal division of the circuit court of the
 1147 circuit;

1148 a. Where the conviction or adjudication occurred, for a
 1149 conviction in this state;

1150 b. Where the sexual offender resides, for a conviction of
 1151 a violation of similar law of another jurisdiction; or

1152 c. Where the sexual offender last resided, for a sexual
 1153 offender with a conviction of a violation of similar law of
 1154 another jurisdiction who no longer resides in this state ~~for the~~
 1155 ~~purpose of removing the requirement for registration as a sexual~~
 1156 ~~offender.~~

1157 3.2. The court may grant or deny relief if the offender
 1158 demonstrates to the court that he or she has not been arrested
 1159 for any crime since release; the requested relief complies with
 1160 ~~the provisions of~~ the federal Adam Walsh Child Protection and
 1161 Safety Act of 2006 and any other federal standards applicable to
 1162 the removal of registration requirements for a sexual offender
 1163 or required to be met as a condition for the receipt of federal
 1164 funds by the state; and the court is otherwise satisfied that
 1165 the offender is not a current or potential threat to public
 1166 safety. The state attorney in the circuit in which the petition
 1167 is filed must be given notice of the petition at least 3 weeks
 1168 before the hearing on the matter. The state attorney may present
 1169 evidence in opposition to the requested relief or may otherwise
 1170 demonstrate the reasons why the petition should be denied. If

1171 the court denies the petition, the court may set a future date
1172 at which the sexual offender may again petition the court for
1173 relief, subject to the standards for relief provided in this
1174 subsection.

1175 4.3. The department shall remove an offender from
1176 classification as a sexual offender for purposes of registration
1177 if the offender provides to the department a certified copy of
1178 the court's written findings or order that indicates that the
1179 offender is no longer required to comply with the requirements
1180 for registration as a sexual offender.

1181 ~~4. For purposes of this paragraph:~~

1182 ~~a. The registration period of a sexual offender sentenced~~
1183 ~~to a term of incarceration or committed to a residential program~~
1184 ~~begins upon the offender's release from incarceration or~~
1185 ~~commitment for the most recent conviction that required the~~
1186 ~~offender to register.~~

1187 ~~b. A sexual offender's registration period is tolled~~
1188 ~~during any period in which the offender is incarcerated, civilly~~
1189 ~~committed, detained pursuant to chapter 985, or committed to a~~
1190 ~~residential program.~~

1191 ~~e. Except as provided in sub-subparagraph e., if the~~
1192 ~~sexual offender is only sentenced to a term of supervision for~~
1193 ~~the most recent conviction that required the offender to~~
1194 ~~register as a sexual offender or is only subject to a period of~~
1195 ~~supervision for that conviction, the registration period begins~~
1196 ~~when the term or period of supervision for that conviction~~

1197 begins.

1198 ~~d. Except as provided in sub-subparagraph e., if the~~
1199 ~~sexual offender is sentenced to a term of supervision that~~
1200 ~~follows a term of incarceration for the most recent conviction~~
1201 ~~that required the offender to register as a sexual offender or~~
1202 ~~is subject to a period of supervision that follows commitment to~~
1203 ~~a residential program for that conviction, the registration~~
1204 ~~period begins when the term or period of supervision for that~~
1205 ~~conviction begins.~~

1206 ~~e. If a sexual offender is sentenced to a term of more~~
1207 ~~than 25 years' supervision for the most recent conviction that~~
1208 ~~required the offender to register as a sexual offender, the~~
1209 ~~sexual offender may not petition for removal of the requirement~~
1210 ~~for registration as a sexual offender until the term of~~
1211 ~~supervision for that conviction is completed.~~

1212 (b) As defined in sub-subparagraph (1)(h)1.b. ~~(1)(a)1.b.~~
1213 must maintain registration with the department for the duration
1214 of his or her life until the person provides the department with
1215 an order issued by the court that designated the person as a
1216 sexual predator, as a sexually violent predator, or by another
1217 sexual offender designation in the state or jurisdiction in
1218 which the order was issued which states that such designation
1219 has been removed or demonstrates to the department that such
1220 designation, if not imposed by a court, has been removed by
1221 operation of law or court order in the state or jurisdiction in
1222 which the designation was made, and provided such person no

1223 longer meets the criteria for registration as a sexual offender
 1224 under the laws of this state.

1225 (14)

1226 (b) However, a sexual offender who is required to register
 1227 as a result of a conviction for:

1228 1. Section 787.01 or s. 787.02 where the victim is a minor
 1229 ~~and the offender is not the victim's parent or guardian;~~

1230 2. Section 794.011, excluding s. 794.011(10);

1231 3. Section 800.04(4)(a)2. where the court finds the
 1232 offense involved a victim under 12 years of age or sexual
 1233 activity by the use of force or coercion;

1234 4. Section 800.04(5)(b);

1235 5. Section 800.04(5)(c)1. where the court finds
 1236 molestation involving unclothed genitals or genital area;

1237 6. Section 800.04(5)(c)2. where the court finds
 1238 molestation involving the use of force or coercion and unclothed
 1239 genitals or genital area;

1240 7. Section 800.04(5)(d) where the court finds the use of
 1241 force or coercion and unclothed genitals or genital area;

1242 8. Section 825.1025(2)(a);

1243 ~~9.8.~~ Any attempt or conspiracy to commit such offense;

1244 ~~10.9.~~ A violation of a similar law of another
 1245 jurisdiction; or

1246 ~~11.10.~~ A violation of a similar offense committed in this
 1247 state which has been redesignated from a former statute number
 1248 to one of those listed in this paragraph,

1249
1250 must reregister each year during the month of the sexual
1251 offender's birthday and every third month thereafter.

1252 (c) The sheriff's office may determine the appropriate
1253 times and days for reporting by the sexual offender, which must
1254 be consistent with the reporting requirements of this
1255 subsection. Reregistration must include any changes to the
1256 following information:

1257 1. Name; social security number; age; race; sex; date of
1258 birth; height; weight; tattoos or other identifying marks; hair
1259 and eye color; address of any permanent residence and address of
1260 any current temporary residence, within the state or out of
1261 state, including a rural route address and a post office box; if
1262 no permanent or temporary address, any transient residence
1263 within the state; address, location or description, and dates of
1264 any current or known future temporary residence within the state
1265 or out of state; all electronic mail addresses or Internet
1266 identifiers required to be provided pursuant to paragraph
1267 (4) (e); all home telephone numbers and cellular telephone
1268 numbers required to be provided pursuant to paragraph (4) (e);
1269 ~~date and place of any employment~~ information required to be
1270 provided pursuant to paragraph (4) (e); the make, model, color,
1271 vehicle identification number (VIN), and license tag number of
1272 all vehicles owned; fingerprints; palm prints; and photograph. A
1273 post office box may not be provided in lieu of a physical
1274 residential address. The sexual offender shall also produce his

1275 or her passport, if he or she has a passport, and, if he or she
1276 is an alien, shall produce or provide information about
1277 documents establishing his or her immigration status. The sexual
1278 offender shall also provide information about any professional
1279 licenses he or she has.

1280 2. If the sexual offender is enrolled or, ~~volunteering,~~
1281 ~~employed, whether for compensation or as a volunteer, or~~
1282 ~~carrying on a vocation~~ at an institution of higher education in
1283 this state, the sexual offender shall also provide to the
1284 department the name, address, and county of each institution,
1285 including each campus attended, and the sexual offender's
1286 enrollment, volunteer, or employment status.

1287 3. If the sexual offender's place of residence is a motor
1288 vehicle, trailer, mobile home, or manufactured home, as defined
1289 in chapter 320, the sexual offender shall also provide the
1290 vehicle identification number; the license tag number; the
1291 registration number; and a description, including color scheme,
1292 of the motor vehicle, trailer, mobile home, or manufactured
1293 home. If the sexual offender's place of residence is a vessel,
1294 live-aboard vessel, or houseboat, as defined in chapter 327, the
1295 sexual offender shall also provide the hull identification
1296 number; the manufacturer's serial number; the name of the
1297 vessel, live-aboard vessel, or houseboat; the registration
1298 number; and a description, including color scheme, of the
1299 vessel, live-aboard vessel or houseboat.

1300 4. Any sexual offender who fails to report in person as

1301 required at the sheriff's office, who fails to respond to any
 1302 address verification correspondence from the department within 3
 1303 weeks of the date of the correspondence, who fails to report all
 1304 electronic mail addresses and all Internet identifiers before
 1305 ~~prior to~~ use, or who knowingly provides false registration
 1306 information by act or omission commits a felony of the third
 1307 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 1308 775.084.

1309 Section 4. Subsections (1) and (2) of section 943.04354,
 1310 Florida Statutes, are amended to read:

1311 943.04354 Removal of the requirement to register as a
 1312 sexual offender or sexual predator in special circumstances.—

1313 (1) For purposes of this section, a person shall be
 1314 considered for removal of the requirement to register as a
 1315 sexual offender or sexual predator only if the person:

1316 (a) Was convicted, regardless of adjudication, or
 1317 adjudicated delinquent of a violation of ~~s. 794.011~~, s. 800.04,
 1318 s. 827.071, or s. 847.0135(5) or of a similar offense in another
 1319 jurisdiction and if the person does not have any other
 1320 conviction, regardless of adjudication, or adjudication of
 1321 delinquency for a violation of s. 794.011, s. 800.04, s.
 1322 827.071, or s. 847.0135(5) or for a similar offense in another
 1323 jurisdiction;

1324 (b)1. Was convicted, regardless of adjudication, or
 1325 adjudicated delinquent of an offense listed in paragraph (a) and
 1326 is required to register as a sexual offender or sexual predator

1327 solely on the basis of this conviction or adjudication; or

1328 2. Was convicted, regardless of adjudication, or
 1329 adjudicated delinquent of an offense in another jurisdiction
 1330 which is similar to an offense listed in paragraph (a) and no
 1331 longer meets the criteria for registration as a sexual offender
 1332 or sexual predator under the laws of the jurisdiction in which
 1333 the similar offense occurred; and

1334 (c) Is not more than 4 years older than the victim of this
 1335 violation who was 13 years of age or older but younger than 18
 1336 years of age at the time the person committed this violation.

1337 (2) (a) If a person meets the criteria in subsection (1),
 1338 the person may, for the purpose of removing the requirement that
 1339 he or she register as a sexual offender or sexual predator, move
 1340 the criminal division of the circuit court of the circuit:

1341 1. the person may move the criminal division of the
 1342 circuit court of the circuit Where the conviction or
 1343 adjudication for the qualifying offense occurred for a
 1344 conviction in this state;

1345 2. Where the sexual offender or sexual predator resides
 1346 for a conviction for a violation of similar law of another
 1347 jurisdiction; or

1348 3. Where the sexual offender or sexual predator last
 1349 resided for a sexual offender or sexual predator with a
 1350 conviction of a violation of a similar law of another
 1351 jurisdiction who no longer resides in this state ~~to remove the~~
 1352 ~~requirement that the person register as a sexual offender or~~

1353 ~~sexual predator.~~

1354 **(b)** The person must allege in the motion that he or she
1355 meets the criteria in subsection (1) and that removal of the
1356 registration requirement will not conflict with federal law that
1357 requires that the sexual act be consensual, notwithstanding the
1358 age of the victim. A person convicted or adjudicated delinquent
1359 of an offense in another jurisdiction which is similar to an
1360 offense listed in paragraph (1)(a) must provide the court
1361 written confirmation that he or she is not required to register
1362 in the jurisdiction in which the conviction or adjudication
1363 occurred. The state attorney and the department must be given
1364 notice of the motion at least 21 days before the date of
1365 sentencing, disposition of the violation, or hearing on the
1366 motion and may present evidence in opposition to the requested
1367 relief or may otherwise demonstrate why the motion should be
1368 denied. At sentencing, disposition of the violation, or hearing
1369 on the motion, the court shall rule on the motion, and, if the
1370 court determines the person meets the criteria in subsection (1)
1371 and the removal of the registration requirement will not
1372 conflict with federal law that requires that the sexual act be
1373 consensual, notwithstanding the age of the victim, it may grant
1374 the motion and order the removal of the registration
1375 requirement. The court shall instruct the person to provide the
1376 department a certified copy of the order granting relief. If the
1377 court denies the motion, the person is not authorized under this
1378 section to file another motion for removal of the registration

1379 requirement.

1380 Section 5. Subsection (1) of section 944.606, Florida
1381 Statutes, is reordered and amended, and paragraph (a) of
1382 subsection (3) of that section is amended, to read:

1383 944.606 Sexual offenders; notification upon release.—

1384 (1) As used in this section, the term:

1385 (a) "Convicted" means there has been a determination of
1386 guilt as a result of a trial or the entry of a plea of guilty or
1387 nolo contendere, regardless of whether adjudication is withheld.
1388 A conviction for a similar offense includes, but is not limited
1389 to, a conviction by a federal or military tribunal, including
1390 courts-martial conducted by the Armed Forces of the United
1391 States, and includes a conviction or entry of a plea of guilty
1392 or nolo contendere resulting in a sanction in any state of the
1393 United States or other jurisdiction. A sanction includes, but is
1394 not limited to, a fine; probation; community control; parole;
1395 conditional release; control release; or incarceration in a
1396 state prison, federal prison, private correctional facility, or
1397 local detention facility.

1398 (b)-(e) "Electronic mail address" has the same meaning as
1399 provided in s. 668.602.

1400 (c)-(d) "Internet identifier" has the same meaning as
1401 provided in s. 775.21.

1402 (d) "Permanent residence," "temporary residence," and
1403 "transient residence" have the same meaning as provided in s.
1404 775.21.

1405 (e) "Professional license" has the same meaning as
 1406 provided in s. 775.21.

1407 (f)~~(b)~~ "Sexual offender" means a person who has been
 1408 convicted of committing, or attempting, soliciting, or
 1409 conspiring to commit, any of the criminal offenses proscribed in
 1410 the following statutes in this state or similar offenses in
 1411 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1412 s. 787.02, or s. 787.025(2)(c), where the victim is a minor ~~and~~
 1413 ~~the defendant is not the victim's parent or guardian; s.~~
 1414 787.06(3)(b), (d), (f), or (g); former s. 787.06(3)(h); s.
 1415 794.011, excluding s. 794.011(10); s. 794.05; former s. 796.03;
 1416 former s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.
 1417 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
 1418 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.
 1419 985.701(1); or any similar offense committed in this state which
 1420 has been redesignated from a former statute number to one of
 1421 those listed in this subsection, when the department has
 1422 received verified information regarding such conviction; an
 1423 offender's computerized criminal history record is not, in and
 1424 of itself, verified information.

1425 (3)(a) The department shall provide information regarding
 1426 any sexual offender who is being released after serving a period
 1427 of incarceration for any offense, as follows:

1428 1. The department shall provide: the sexual offender's
 1429 name, any change in the offender's name by reason of marriage or
 1430 other legal process, and any alias, if known; the correctional

1431 facility from which the sexual offender is released; the sexual
1432 offender's social security number, race, sex, date of birth,
1433 height, weight, and hair and eye color; tattoos or other
1434 identifying marks; 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 sentence and each crime for which the offender was
1441 sentenced; a copy of the offender's fingerprints, palm prints,
1442 and a digitized photograph taken within 60 days before release;
1443 the date of release of the sexual offender; all electronic mail
1444 addresses and all Internet identifiers required to be provided
1445 pursuant to s. 943.0435(4)(e); employment information, if known,
1446 provided pursuant to s. 943.0435(4)(e); all home telephone
1447 numbers and cellular telephone numbers required to be provided
1448 pursuant to s. 943.0435(4)(e); information about any
1449 professional licenses the offender has, if known; and passport
1450 information, if he or she has a passport, and, if he or she is
1451 an alien, information about documents establishing his or her
1452 immigration status. The department shall notify the Department
1453 of Law Enforcement if the sexual offender escapes, absconds, or
1454 dies. If the sexual offender is in the custody of a private
1455 correctional facility, the facility shall take the digitized
1456 photograph of the sexual offender within 60 days before the

1457 sexual offender's release and provide this photograph to the
 1458 Department of Corrections and also place it in the sexual
 1459 offender's file. If the sexual offender is in the custody of a
 1460 local jail, the custodian of the local jail shall register the
 1461 offender within 3 business days after intake of the offender for
 1462 any reason and upon release, and shall notify the Department of
 1463 Law Enforcement of the sexual offender's release and provide to
 1464 the Department of Law Enforcement the information specified in
 1465 this paragraph and any information specified in subparagraph 2.
 1466 that the Department of Law Enforcement requests.

1467 2. The department may provide any other information deemed
 1468 necessary, including criminal and corrections records,
 1469 nonprivileged personnel and treatment records, when available.

1470 Section 6. Subsection (1) of section 944.607, Florida
 1471 Statutes, is reordered and amended, and subsections (4) and (13)
 1472 of that section are amended, to read:

1473 944.607 Notification to Department of Law Enforcement of
 1474 information on sexual offenders.—

1475 (1) As used in this section, the term:

1476 (a) (e) "Change in ~~enrollment or employment~~ status at an
 1477 institution of higher education" has the same meaning as
 1478 provided in s. 775.21 ~~means the commencement or termination of~~
 1479 ~~enrollment or employment or a change in location of enrollment~~
 1480 ~~or employment.~~

1481 (b) (e) "Conviction" means a determination of guilt which
 1482 is the result of a trial or the entry of a plea of guilty or

1483 nolo contendere, regardless of whether adjudication is withheld.
 1484 Conviction of a similar offense includes, but is not limited to,
 1485 a conviction by a federal or military tribunal, including
 1486 courts-martial conducted by the Armed Forces of the United
 1487 States, and includes a conviction or entry of a plea of guilty
 1488 or nolo contendere resulting in a sanction in any state of the
 1489 United States or other jurisdiction. A sanction includes, but is
 1490 not limited to, a fine; probation; community control; parole;
 1491 conditional release; control release; or incarceration in a
 1492 state prison, federal prison, private correctional facility, or
 1493 local detention facility.

1494 (c)~~(f)~~ "Electronic mail address" has the same meaning as
 1495 provided in s. 668.602.

1496 (d) "Institution of higher education" has the same meaning
 1497 as provided in s. 775.21 ~~means a career center, community~~
 1498 ~~college, college, state university, or independent postsecondary~~
 1499 ~~institution.~~

1500 (e)~~(g)~~ "Internet identifier" has the same meaning as
 1501 provided in s. 775.21.

1502 (f)~~(a)~~ "Sexual offender" means a person who is in the
 1503 custody or control of, or under the supervision of, the
 1504 department or is in the custody of a private correctional
 1505 facility:

1506 1. On or after October 1, 1997, as a result of a
 1507 conviction for committing, or attempting, soliciting, or
 1508 conspiring to commit, any of the criminal offenses proscribed in

1509 the following statutes in this state or similar offenses in
 1510 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1511 s. 787.02, or s. 787.025(2)(c), where the victim is a minor ~~and~~
 1512 ~~the defendant is not the victim's parent or guardian~~; s.
 1513 787.06(3)(b), (d), (f), or (g); former s. 787.06(3)(h); s.
 1514 794.011, excluding s. 794.011(10); s. 794.05; former s. 796.03;
 1515 former s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.
 1516 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
 1517 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.
 1518 985.701(1); or any similar offense committed in this state which
 1519 has been redesignated from a former statute number to one of
 1520 those listed in this paragraph; or

1521 2. Who establishes or maintains a residence in this state
 1522 and who has not been designated as a sexual predator by a court
 1523 of this state but who has been designated as a sexual predator,
 1524 as a sexually violent predator, or by another sexual offender
 1525 designation in another state or jurisdiction and was, as a
 1526 result of such designation, subjected to registration or
 1527 community or public notification, or both, or would be if the
 1528 person were a resident of that state or jurisdiction, without
 1529 regard as to whether the person otherwise meets the criteria for
 1530 registration as a sexual offender.

1531 (g) ~~(b)~~ "Vehicles owned" has the same meaning as provided
 1532 in s. 775.21.

1533 (4) A sexual offender, as described in this section, who
 1534 is under the supervision of the Department of Corrections but is

1535 not incarcerated shall register with the Department of
1536 Corrections within 3 business days after sentencing for a
1537 registrable offense and otherwise provide information as
1538 required by this subsection.

1539 (a) The sexual offender shall provide his or her name;
1540 date of birth; social security number; race; sex; height;
1541 weight; hair and eye color; tattoos or other identifying marks;
1542 all electronic mail addresses and Internet identifiers required
1543 to be provided pursuant to s. 943.0435(4)(e); employment
1544 information required to be provided pursuant to s.
1545 943.0435(4)(e); all home telephone numbers and cellular
1546 telephone numbers required to be provided pursuant to s.
1547 943.0435(4)(e); the make, model, color, vehicle identification
1548 number (VIN), and license tag number of all vehicles owned;
1549 permanent or legal residence and address of temporary residence
1550 within the state or out of state while the sexual offender is
1551 under supervision in this state, including any rural route
1552 address or post office box; if no permanent or temporary
1553 address, any transient residence within the state; and address,
1554 location or description, and dates of any current or known
1555 future temporary residence within the state or out of state. The
1556 sexual offender shall also produce his or her passport, if he or
1557 she has a passport, and, if he or she is an alien, shall produce
1558 or provide information about documents establishing his or her
1559 immigration status. The sexual offender shall also provide
1560 information about any professional licenses he or she has. The

1561 Department of Corrections shall verify the address of each
 1562 sexual offender in the manner described in ss. 775.21 and
 1563 943.0435. The department shall report to the Department of Law
 1564 Enforcement any failure by a sexual predator or sexual offender
 1565 to comply with registration requirements.

1566 (b) If the sexual offender is enrolled or, employed,
 1567 whether for compensation or as a volunteer ~~volunteering, or~~
 1568 ~~carrying on a vocation~~ at an institution of higher education in
 1569 this state, the sexual offender shall provide the name, address,
 1570 and county of each institution, including each campus attended,
 1571 and the sexual offender's enrollment, volunteer, or employment
 1572 status required to be provided pursuant to s. 943.0435(4)(e).
 1573 Each change in ~~enrollment, volunteer, or employment~~ status at an
 1574 institution of higher education must be reported to the
 1575 department within 48 hours after the change in status at an
 1576 institution of higher education as provided pursuant to s.
 1577 943.0435(4)(e). The Department of Corrections shall promptly
 1578 notify each institution of the sexual offender's presence and
 1579 any change in the sexual offender's enrollment, volunteer, or
 1580 employment status.

1581 (c) A sexual offender shall report in person to the
 1582 sheriff's office within 48 hours after any change in vehicles
 1583 owned to report those vehicle information changes.

1584 (13)(a) A sexual offender must report in person each year
 1585 during the month of the sexual offender's birthday and during
 1586 the sixth month following the sexual offender's birth month to

1587 the sheriff's office in the county in which he or she resides or
 1588 is otherwise located to reregister.

1589 (b) However, a sexual offender who is required to register
 1590 as a result of a conviction for:

1591 1. Section 787.01 or s. 787.02 where the victim is a minor
 1592 ~~and the offender is not the victim's parent or guardian;~~

1593 2. Section 794.011, excluding s. 794.011(10);

1594 3. Section 800.04(4)(a)2. where the victim is under 12
 1595 years of age or where the court finds sexual activity by the use
 1596 of force or coercion;

1597 4. Section 800.04(5)(b);

1598 5. Section 800.04(5)(c)1. where the court finds
 1599 molestation involving unclothed genitals or genital area;

1600 6. Section 800.04(5)(c)2. where the court finds
 1601 molestation involving use of force or coercion and unclothed
 1602 genitals or genital area;

1603 7. Section 800.04(5)(d) where the court finds the use of
 1604 force or coercion and unclothed genitals or genital area;

1605 8. Section 825.1025(2)(a);

1606 ~~9.8.~~ Any attempt or conspiracy to commit such offense;

1607 ~~10.9.~~ A violation of a similar law of another
 1608 jurisdiction; or

1609 11.10. A violation of a similar offense committed in this
 1610 state which has been redesignated from a former statute number
 1611 to one of those listed in this paragraph,

1612

1613 must reregister each year during the month of the sexual
1614 offender's birthday and every third month thereafter.

1615 (c) The sheriff's office may determine the appropriate
1616 times and days for reporting by the sexual offender, which must
1617 be consistent with the reporting requirements of this
1618 subsection. Reregistration must include any changes to the
1619 following information:

1620 1. Name; social security number; age; race; sex; date of
1621 birth; height; weight; tattoos or other identifying marks; hair
1622 and eye color; address of any permanent residence and address of
1623 any current temporary residence, within the state or out of
1624 state, including a rural route address and a post office box; if
1625 no permanent or temporary address, any transient residence;
1626 address, location or description, and dates of any current or
1627 known future temporary residence within the state or out of
1628 state; all electronic mail addresses and Internet identifiers
1629 required to be provided pursuant to s. 943.0435(4)(e); all home
1630 telephone numbers and cellular telephone numbers required to be
1631 provided pursuant to s. 943.0435(4)(e); ~~date and place of any~~
1632 employment information required to be provided pursuant to s.
1633 943.0435(4)(e); the make, model, color, vehicle identification
1634 number (VIN), and license tag number of all vehicles owned;
1635 fingerprints; palm prints; and photograph. A post office box may
1636 not be provided in lieu of a physical residential address. The
1637 sexual offender shall also produce his or her passport, if he or
1638 she has a passport, and, if he or she is an alien, shall produce

1639 or provide information about documents establishing his or her
1640 immigration status. The sexual offender shall also provide
1641 information about any professional licenses he or she has.

1642 2. If the sexual offender is enrolled or, employed,
1643 whether for compensation or as a volunteer ~~volunteering, or~~
1644 ~~carrying on a vocation~~ at an institution of higher education in
1645 this state, the sexual offender shall also provide to the
1646 department the name, address, and county of each institution,
1647 including each campus attended, and the sexual offender's
1648 enrollment, volunteer, or employment status.

1649 3. If the sexual offender's place of residence is a motor
1650 vehicle, trailer, mobile home, or manufactured home, as defined
1651 in chapter 320, the sexual offender shall also provide the
1652 vehicle identification number; the license tag number; the
1653 registration number; and a description, including color scheme,
1654 of the motor vehicle, trailer, mobile home, or manufactured
1655 home. If the sexual offender's place of residence is a vessel,
1656 live-aboard vessel, or houseboat, as defined in chapter 327, the
1657 sexual offender shall also provide the hull identification
1658 number; the manufacturer's serial number; the name of the
1659 vessel, live-aboard vessel, or houseboat; the registration
1660 number; and a description, including color scheme, of the
1661 vessel, live-aboard vessel or houseboat.

1662 4. Any sexual offender who fails to report in person as
1663 required at the sheriff's office, who fails to respond to any
1664 address verification correspondence from the department within 3

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1665 weeks of the date of the correspondence, who fails to report all
1666 electronic mail addresses or Internet identifiers before ~~prior~~
1667 ~~to~~ use, or who knowingly provides false registration information
1668 by act or omission commits a felony of the third degree,
1669 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1670 (d) The sheriff's office shall, within 2 working days,
1671 electronically submit and update all information provided by the
1672 sexual offender to the Department of Law Enforcement in a manner
1673 prescribed by that department.

1674 Section 7. Subsection (1) and paragraph (a) of subsection
1675 (3) of section 985.481, Florida Statutes, are amended to read:

1676 985.481 Sexual offenders adjudicated delinquent;
1677 notification upon release.—

1678 (1) As used in this section:

1679 (a) "Convicted" has the same meaning as provided in s.
1680 943.0435.

1681 (b) "Electronic mail address" has the same meaning as
1682 provided in s. 668.602.

1683 (c) ~~(b)~~ "Internet identifier" has the same meaning as
1684 provided in s. 775.21.

1685 (d) "Permanent residence," "temporary residence," and
1686 "transient residence" have the same meaning as provided in s.
1687 775.21.

1688 (e) "Professional license" has the same meaning as
1689 provided in s. 775.21.

1690 (f) ~~(e)~~ "Sexual offender" means a person who has been

1691 adjudicated delinquent as provided in s. 943.0435(1)(h)1.d. ~~s.~~
 1692 ~~943.0435(1)(a)1.d.~~

1693 (g) ~~(d)~~ "Vehicles owned" has the same meaning as provided
 1694 in s. 775.21.

1695 (3)(a) The department shall provide information regarding
 1696 any sexual offender who is being released after serving a period
 1697 of residential commitment under the department for any offense,
 1698 as follows:

1699 1. The department shall provide the sexual offender's
 1700 name, any change in the offender's name by reason of marriage or
 1701 other legal process, and any alias, if known; the correctional
 1702 facility from which the sexual offender is released; the sexual
 1703 offender's social security number, race, sex, date of birth,
 1704 height, weight, and hair and eye color; tattoos or other
 1705 identifying marks; the make, model, color, vehicle
 1706 identification number (VIN), and license tag number of all
 1707 vehicles owned; address of any planned permanent residence or
 1708 temporary residence, within the state or out of state, including
 1709 a rural route address and a post office box; if no permanent or
 1710 temporary address, any transient residence within the state;
 1711 address, location or description, and dates of any known future
 1712 temporary residence within the state or out of state; date and
 1713 county of disposition and each crime for which there was a
 1714 disposition; a copy of the offender's fingerprints, palm prints,
 1715 and a digitized photograph taken within 60 days before release;
 1716 the date of release of the sexual offender; all home telephone

1717 numbers and cellular telephone numbers required to be provided
1718 pursuant to s. 943.0435(4)(e); all electronic mail addresses and
1719 Internet identifiers required to be provided pursuant to s.
1720 943.0435(4)(e); information about any professional licenses the
1721 offender has, if known; and passport information, if he or she
1722 has a passport, and, if he or she is an alien, information about
1723 documents establishing his or her immigration status. The
1724 department shall notify the Department of Law Enforcement if the
1725 sexual offender escapes, absconds, or dies. If the sexual
1726 offender is in the custody of a private correctional facility,
1727 the facility shall take the digitized photograph of the sexual
1728 offender within 60 days before the sexual offender's release and
1729 also place it in the sexual offender's file. If the sexual
1730 offender is in the custody of a local jail, the custodian of the
1731 local jail shall register the offender within 3 business days
1732 after intake of the offender for any reason and upon release,
1733 and shall notify the Department of Law Enforcement of the sexual
1734 offender's release and provide to the Department of Law
1735 Enforcement the information specified in this subparagraph and
1736 any information specified in subparagraph 2. which the
1737 Department of Law Enforcement requests.

1738 2. The department may provide any other information
1739 considered necessary, including criminal and delinquency
1740 records, when available.

1741 Section 8. Subsections (1), (4), and (13) of section
1742 985.4815, Florida Statutes, are amended, and paragraph (c) of

1743 subsection (10) is republished, to read:
 1744 985.4815 Notification to Department of Law Enforcement of
 1745 information on juvenile sexual offenders.—
 1746 (1) As used in this section, the term:
 1747 (a) "Change in enrollment or employment status at an
 1748 institution of higher education" has the same meaning as
 1749 provided in s. 775.21 ~~means the commencement or termination of~~
 1750 ~~enrollment or employment or a change in location of enrollment~~
 1751 ~~or employment.~~
 1752 (b) "Conviction" has the same meaning as provided in s.
 1753 943.0435.
 1754 (c) "Electronic mail address" has the same meaning as
 1755 provided in s. 668.602.
 1756 (d)-(e) "Institution of higher education" has the same
 1757 meaning as provided in s. 775.21 ~~means a career center,~~
 1758 ~~community college, college, state university, or independent~~
 1759 ~~postsecondary institution.~~
 1760 (e)-(d) "Internet identifier" has the same meaning as
 1761 provided in s. 775.21.
 1762 (f) "Permanent residence," "temporary residence," and
 1763 "transient residence" have the same meaning as provided in s.
 1764 775.21.
 1765 (g) "Professional license" has the same meaning as
 1766 provided in s. 775.21.
 1767 (h)-(e) "Sexual offender" means a person who is in the care
 1768 or custody or under the jurisdiction or supervision of the

1769 department or is in the custody of a private correctional
 1770 facility and who:

1771 1. Has been adjudicated delinquent as provided in s.
 1772 943.0435(1)(h)1.d. ~~s. 943.0435(1)(a)1.d.~~; or

1773 2. Establishes or maintains a residence in this state and
 1774 has not been designated as a sexual predator by a court of this
 1775 state but has been designated as a sexual predator, as a
 1776 sexually violent predator, or by another sexual offender
 1777 designation in another state or jurisdiction and was, as a
 1778 result of such designation, subjected to registration or
 1779 community or public notification, or both, or would be if the
 1780 person were a resident of that state or jurisdiction, without
 1781 regard to whether the person otherwise meets the criteria for
 1782 registration as a sexual offender.

1783 (i) ~~(f)~~ "Vehicles owned" has the same meaning as provided
 1784 in s. 775.21.

1785 (4) A sexual offender, as described in this section, who
 1786 is under the supervision of the department but who is not
 1787 committed shall register with the department within 3 business
 1788 days after adjudication and disposition for a registrable
 1789 offense and otherwise provide information as required by this
 1790 subsection.

1791 (a) The sexual offender shall provide his or her name;
 1792 date of birth; social security number; race; sex; height;
 1793 weight; hair and eye color; tattoos or other identifying marks;
 1794 the make, model, color, vehicle identification number (VIN), and

1795 license tag number of all vehicles owned; permanent or legal
1796 residence and address of temporary residence within the state or
1797 out of state while the sexual offender is in the care or custody
1798 or under the jurisdiction or supervision of the department in
1799 this state, including any rural route address or post office
1800 box; if no permanent or temporary address, any transient
1801 residence; address, location or description, and dates of any
1802 current or known future temporary residence within the state or
1803 out of state; all home telephone numbers and cellular telephone
1804 numbers required to be provided pursuant to s. 943.0435(4)(e);
1805 all electronic mail addresses and Internet identifiers required
1806 to be provided pursuant to s. 943.0435(4)(e); and the name and
1807 address of each school attended. The sexual offender shall also
1808 produce his or her passport, if he or she has a passport, and,
1809 if he or she is an alien, shall produce or provide information
1810 about documents establishing his or her immigration status. The
1811 offender shall also provide information about any professional
1812 licenses he or she has. The department shall verify the address
1813 of each sexual offender and shall report to the Department of
1814 Law Enforcement any failure by a sexual offender to comply with
1815 registration requirements.

1816 (b) If the sexual offender is enrolled ~~or~~ employed,
1817 whether for compensation or as a volunteer ~~volunteering, or~~
1818 ~~carrying on a vocation~~ at an institution of higher education in
1819 this state, the sexual offender shall provide the name, address,
1820 and county of each institution, including each campus attended,

1821 and the sexual offender's enrollment, volunteer, or employment
1822 status. Each change in ~~enrollment, volunteer, or employment~~
1823 status at an institution of higher education must be reported to
1824 the department within 48 hours after the change in status at an
1825 institution of higher education. The department shall promptly
1826 notify each institution of the sexual offender's presence and
1827 any change in the sexual offender's enrollment, volunteer, or
1828 employment status.

1829 (c) A sexual offender shall report in person to the
1830 sheriff's office within 48 hours after any change in vehicles
1831 owned to report those vehicle information changes.

1832 (10)

1833 (c) An arrest on charges of failure to register when the
1834 offender has been provided and advised of his or her statutory
1835 obligations to register under s. 943.0435(2), the service of an
1836 information or a complaint for a violation of this section, or
1837 an arraignment on charges for a violation of this section
1838 constitutes actual notice of the duty to register. A sexual
1839 offender's failure to immediately register as required by this
1840 section following such arrest, service, or arraignment
1841 constitutes grounds for a subsequent charge of failure to
1842 register. A sexual offender charged with the crime of failure to
1843 register who asserts, or intends to assert, a lack of notice of
1844 the duty to register as a defense to a charge of failure to
1845 register shall immediately register as required by this section.
1846 A sexual offender who is charged with a subsequent failure to

1847 register may not assert the defense of a lack of notice of the
 1848 duty to register.

1849 (13) (a) A sexual offender must report in person each year
 1850 during the month of the sexual offender's birthday and during
 1851 every third month thereafter to the sheriff's office in the
 1852 county in which he or she resides or is otherwise located to
 1853 reregister.

1854 (b) The sheriff's office may determine the appropriate
 1855 times and days for reporting by the sexual offender, which must
 1856 be consistent with the reporting requirements of this
 1857 subsection. Reregistration must include any changes to the
 1858 following information:

1859 1. Name; social security number; age; race; sex; date of
 1860 birth; height; weight; hair and eye color; tattoos or other
 1861 identifying marks; fingerprints; palm prints; address of any
 1862 permanent residence and address of any current temporary
 1863 residence, within the state or out of state, including a rural
 1864 route address and a post office box; if no permanent or
 1865 temporary address, any transient residence; address, location or
 1866 description, and dates of any current or known future temporary
 1867 residence within the state or out of state; passport
 1868 information, if he or she has a passport, and, if he or she is
 1869 an alien, information about documents establishing his or her
 1870 immigration status; all home telephone numbers and cellular
 1871 telephone numbers required to be provided pursuant to s.
 1872 943.0435(4)(e); all electronic mail addresses and Internet

1873 | identifiers required to be provided pursuant to s.
 1874 | 943.0435(4)(e); name and address of each school attended; ~~date~~
 1875 | ~~and place of any~~ employment information required to be provided
 1876 | pursuant to s. 943.0435(4)(e); the make, model, color, vehicle
 1877 | identification number (VIN), and license tag number of all
 1878 | vehicles owned; and photograph. A post office box may not be
 1879 | provided in lieu of a physical residential address. The offender
 1880 | shall also provide information about any professional licenses
 1881 | he or she has.

1882 | 2. If the sexual offender is enrolled or~~r~~ employed,
 1883 | whether for compensation or as a volunteer ~~volunteering, or~~
 1884 | ~~carrying on a vocation~~ at an institution of higher education in
 1885 | this state, the sexual offender shall also provide to the
 1886 | department the name, address, and county of each institution,
 1887 | including each campus attended, and the sexual offender's
 1888 | enrollment, volunteer, or employment status.

1889 | 3. If the sexual offender's place of residence is a motor
 1890 | vehicle, trailer, mobile home, or manufactured home, as defined
 1891 | in chapter 320, the sexual offender shall also provide the
 1892 | vehicle identification number; the license tag number; the
 1893 | registration number; and a description, including color scheme,
 1894 | of the motor vehicle, trailer, mobile home, or manufactured
 1895 | home. If the sexual offender's place of residence is a vessel,
 1896 | live-aboard vessel, or houseboat, as defined in chapter 327, the
 1897 | sexual offender shall also provide the hull identification
 1898 | number; the manufacturer's serial number; the name of the

1899 vessel, live-aboard vessel, or houseboat; the registration
 1900 number; and a description, including color scheme, of the
 1901 vessel, live-aboard vessel, or houseboat.

1902 4. Any sexual offender who fails to report in person as
 1903 required at the sheriff's office, who fails to respond to any
 1904 address verification correspondence from the department within 3
 1905 weeks after the date of the correspondence, or who knowingly
 1906 provides false registration information by act or omission
 1907 commits a felony of the third degree, punishable as provided in
 1908 ss. 775.082, 775.083, and 775.084.

1909 (c) The sheriff's office shall, within 2 working days,
 1910 electronically submit and update all information provided by the
 1911 sexual offender to the Department of Law Enforcement in a manner
 1912 prescribed by that department.

1913 Section 9. Paragraph (b) of subsection (1) of section
 1914 92.55, Florida Statutes, is amended to read:

1915 92.55 Judicial or other proceedings involving victim or
 1916 witness under the age of 16, a person who has an intellectual
 1917 disability, or a sexual offense victim or witness; special
 1918 protections; use of registered service or therapy animals.-

1919 (1) For purposes of this section, the term:

1920 (b) "Sexual offense" means any offense specified in s.
 1921 775.21(4)(a)1. or s. 943.0435(1)(h)1.a.(I) ~~s.~~
 1922 ~~943.0435(1)(a)1.a.(I)~~.

1923 Section 10. Subsection (2) of section 775.0862, Florida
 1924 Statutes, is amended to read:

1925 775.0862 Sexual offenses against students by authority
1926 figures; reclassification.—

1927 (2) The felony degree of a violation of an offense listed
1928 in s. 943.0435(1)(h)1.a. ~~s. 943.0435(1)(a)1.a.~~, unless the
1929 offense is a violation of s. 794.011(4)(e)7. or s.
1930 810.145(8)(a)2., shall be reclassified as provided in this
1931 section if the offense is committed by an authority figure of a
1932 school against a student of the school.

1933 Section 11. Subsection (3) of section 943.0515, Florida
1934 Statutes, is amended to read:

1935 943.0515 Retention of criminal history records of minors.—

1936 (3) Notwithstanding any other provision of this section,
1937 the Criminal Justice Information Program shall retain the
1938 criminal history record of a minor adjudicated delinquent for a
1939 violation committed on or after July 1, 2007, as provided in s.
1940 943.0435(1)(h)1.d. ~~s. 943.0435(1)(a)1.d.~~ Such records may not be
1941 destroyed and must be merged with the person's adult criminal
1942 history record and retained as a part of the person's adult
1943 record.

1944 Section 12. Subsection (12) of section 947.1405, Florida
1945 Statutes, is amended to read:

1946 947.1405 Conditional release program.—

1947 (12) In addition to all other conditions imposed, for a
1948 releasee who is subject to conditional release for a crime that
1949 was committed on or after May 26, 2010, and who has been
1950 convicted at any time of committing, or attempting, soliciting,

1951 or conspiring to commit, any of the criminal offenses listed in
 1952 s. 943.0435(1)(h)1.a.(I) ~~s. 943.0435(1)(a)1.a.(I)~~, or a similar
 1953 offense in another jurisdiction against a victim who was under
 1954 18 years of age at the time of the offense, if the releasee has
 1955 not received a pardon for any felony or similar law of another
 1956 jurisdiction necessary for the operation of this subsection, if
 1957 a conviction of a felony or similar law of another jurisdiction
 1958 necessary for the operation of this subsection has not been set
 1959 aside in any postconviction proceeding, or if the releasee has
 1960 not been removed from the requirement to register as a sexual
 1961 offender or sexual predator pursuant to s. 943.04354, the
 1962 commission must impose the following conditions:

1963 (a) A prohibition on visiting schools, child care
 1964 facilities, parks, and playgrounds without prior approval from
 1965 the releasee's supervising officer. The commission may also
 1966 designate additional prohibited locations to protect a victim.
 1967 The prohibition ordered under this paragraph does not prohibit
 1968 the releasee from visiting a school, child care facility, park,
 1969 or playground for the sole purpose of attending a religious
 1970 service as defined in s. 775.0861 or picking up or dropping off
 1971 the releasee's child or grandchild at a child care facility or
 1972 school.

1973 (b) A prohibition on distributing candy or other items to
 1974 children on Halloween; wearing a Santa Claus costume, or other
 1975 costume to appeal to children, on or preceding Christmas;
 1976 wearing an Easter Bunny costume, or other costume to appeal to

1977 children, on or preceding Easter; entertaining at children's
1978 parties; or wearing a clown costume without prior approval from
1979 the commission.

1980 Section 13. Subsection (4) of section 948.30, Florida
1981 Statutes, is amended to read:

1982 948.30 Additional terms and conditions of probation or
1983 community control for certain sex offenses.—Conditions imposed
1984 pursuant to this section do not require oral pronouncement at
1985 the time of sentencing and shall be considered standard
1986 conditions of probation or community control for offenders
1987 specified in this section.

1988 (4) In addition to all other conditions imposed, for a
1989 probationer or community controllee who is subject to
1990 supervision for a crime that was committed on or after May 26,
1991 2010, and who has been convicted at any time of committing, or
1992 attempting, soliciting, or conspiring to commit, any of the
1993 criminal offenses listed in s. 943.0435(1)(h)1.a.(I) ~~s.~~
1994 ~~943.0435(1)(a)1.a.(I)~~, or a similar offense in another
1995 jurisdiction, against a victim who was under the age of 18 at
1996 the time of the offense; if the offender has not received a
1997 pardon for any felony or similar law of another jurisdiction
1998 necessary for the operation of this subsection, if a conviction
1999 of a felony or similar law of another jurisdiction necessary for
2000 the operation of this subsection has not been set aside in any
2001 postconviction proceeding, or if the offender has not been
2002 removed from the requirement to register as a sexual offender or

2003 sexual predator pursuant to s. 943.04354, the court must impose
 2004 the following conditions:

2005 (a) A prohibition on visiting schools, child care
 2006 facilities, parks, and playgrounds, without prior approval from
 2007 the offender's supervising officer. The court may also designate
 2008 additional locations to protect a victim. The prohibition
 2009 ordered under this paragraph does not prohibit the offender from
 2010 visiting a school, child care facility, park, or playground for
 2011 the sole purpose of attending a religious service as defined in
 2012 s. 775.0861 or picking up or dropping off the offender's
 2013 children or grandchildren at a child care facility or school.

2014 (b) A prohibition on distributing candy or other items to
 2015 children on Halloween; wearing a Santa Claus costume, or other
 2016 costume to appeal to children, on or preceding Christmas;
 2017 wearing an Easter Bunny costume, or other costume to appeal to
 2018 children, on or preceding Easter; entertaining at children's
 2019 parties; or wearing a clown costume; without prior approval from
 2020 the court.

2021 Section 14. Section 948.31, Florida Statutes, is amended
 2022 to read:

2023 948.31 Evaluation and treatment of sexual predators and
 2024 offenders on probation or community control.—The court may
 2025 require any probationer or community controllee who is required
 2026 to register as a sexual predator under s. 775.21 or sexual
 2027 offender under s. 943.0435, s. 944.606, or s. 944.607 to undergo
 2028 an evaluation, at the probationer or community controllee's

2029 expense, by a qualified practitioner to determine whether such
 2030 probationer or community controllee needs sexual offender
 2031 treatment. If the qualified practitioner determines that sexual
 2032 offender treatment is needed and recommends treatment, the
 2033 probationer or community controllee must successfully complete
 2034 and pay for the treatment. Such treatment must be obtained from
 2035 a qualified practitioner as defined in s. 948.001. Treatment may
 2036 not be administered by a qualified practitioner who has been
 2037 convicted or adjudicated delinquent of committing, or
 2038 attempting, soliciting, or conspiring to commit, any offense
 2039 that is listed in s. 943.0435(1)(h)1.a.(I) ~~s.~~
 2040 ~~943.0435(1)(a)1.a.(I)~~.

2041 Section 15. Subsection (4) of section 1012.315, Florida
 2042 Statutes, is amended to read:

2043 1012.315 Disqualification from employment.—A person is
 2044 ineligible for educator certification, and instructional
 2045 personnel and school administrators, as defined in s. 1012.01,
 2046 are ineligible for employment in any position that requires
 2047 direct contact with students in a district school system,
 2048 charter school, or private school that accepts scholarship
 2049 students under s. 1002.39 or s. 1002.395, if the person,
 2050 instructional personnel, or school administrator has been
 2051 convicted of:

2052 (4) Any delinquent act committed in this state or any
 2053 delinquent or criminal act committed in another state or under
 2054 federal law which, if committed in this state, qualifies an

2055 individual for inclusion on the Registered Juvenile Sex Offender
 2056 List under s. 943.0435(1)(h)1.d. ~~s. 943.0435(1)(a)1.d.~~

2057 Section 16. Paragraph (g) of subsection (2) of section
 2058 1012.467, Florida Statutes, is amended to read:

2059 1012.467 Noninstructional contractors who are permitted
 2060 access to school grounds when students are present; background
 2061 screening requirements.—

2062 (2)

2063 (g) A noninstructional contractor for whom a criminal
 2064 history check is required under this section may not have been
 2065 convicted of any of the following offenses designated in the
 2066 Florida Statutes, any similar offense in another jurisdiction,
 2067 or any similar offense committed in this state which has been
 2068 redesignated from a former provision of the Florida Statutes to
 2069 one of the following offenses:

2070 1. Any offense listed in s. 943.0435(1)(h)1. ~~s.~~
 2071 ~~943.0435(1)(a)1.~~, relating to the registration of an individual
 2072 as a sexual offender.

2073 2. Section 393.135, relating to sexual misconduct with
 2074 certain developmentally disabled clients and the reporting of
 2075 such sexual misconduct.

2076 3. Section 394.4593, relating to sexual misconduct with
 2077 certain mental health patients and the reporting of such sexual
 2078 misconduct.

2079 4. Section 775.30, relating to terrorism.

2080 5. Section 782.04, relating to murder.

2081 6. Section 787.01, relating to kidnapping.

2082 7. Any offense under chapter 800, relating to lewdness and
2083 indecent exposure.

2084 8. Section 826.04, relating to incest.

2085 9. Section 827.03, relating to child abuse, aggravated
2086 child abuse, or neglect of a child.

2087 Section 17. For the purpose of incorporating the amendment
2088 made by this act to section 775.21, Florida Statutes, in a
2089 reference thereto, section 938.085, Florida Statutes, is
2090 reenacted to read:

2091 938.085 Additional cost to fund rape crisis centers.—In
2092 addition to any sanction imposed when a person pleads guilty or
2093 nolo contendere to, or is found guilty of, regardless of
2094 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and
2095 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
2096 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
2097 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
2098 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
2099 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
2100 796.07(2)(a)–(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
2101 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
2102 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
2103 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and
2104 (14)(c); or s. 985.701(1), the court shall impose a surcharge of
2105 \$151. Payment of the surcharge shall be a condition of
2106 probation, community control, or any other court-ordered

2107 supervision. The sum of \$150 of the surcharge shall be deposited
2108 into the Rape Crisis Program Trust Fund established within the
2109 Department of Health by chapter 2003-140, Laws of Florida. The
2110 clerk of the court shall retain \$1 of each surcharge that the
2111 clerk of the court collects as a service charge of the clerk's
2112 office.

2113 Section 18. For the purpose of incorporating the
2114 amendments made by this act to sections 775.21 and 943.0435,
2115 Florida Statutes, in references thereto, subsection (1) of
2116 section 794.056, Florida Statutes, is reenacted to read:

2117 794.056 Rape Crisis Program Trust Fund.—

2118 (1) The Rape Crisis Program Trust Fund is created within
2119 the Department of Health for the purpose of providing funds for
2120 rape crisis centers in this state. Trust fund moneys shall be
2121 used exclusively for the purpose of providing services for
2122 victims of sexual assault. Funds credited to the trust fund
2123 consist of those funds collected as an additional court
2124 assessment in each case in which a defendant pleads guilty or
2125 nolo contendere to, or is found guilty of, regardless of
2126 adjudication, an offense provided in s. 775.21(6) and (10)(a),
2127 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
2128 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
2129 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
2130 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
2131 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
2132 796.06; s. 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s.

2133 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
 2134 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
 2135 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),
 2136 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust
 2137 fund also shall include revenues provided by law, moneys
 2138 appropriated by the Legislature, and grants from public or
 2139 private entities.

2140 Section 19. For the purpose of incorporating the
 2141 amendments made by this act to sections 775.21, 943.0435,
 2142 944.607, and 985.4815, Florida Statutes, in references thereto,
 2143 paragraph (g) of subsection (3) of section 921.0022, Florida
 2144 Statutes, is reenacted to read:

2145 921.0022 Criminal Punishment Code; offense severity
 2146 ranking chart.—

2147 (3) OFFENSE SEVERITY RANKING CHART

2148 (g) LEVEL 7

2149

| Florida Statute | Felony Degree | Description |
|--------------------|------------------|---|
| 316.027(2)(c) | 1st | Accident involving death, failure to stop; leaving scene. |
| 316.193(3)(c)2. | 3rd | DUI resulting in serious bodily |

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| | <p>2152</p> <p>316.1935 (3) (b)</p> <p>1st</p> <p>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.</p> |
| <p>2153</p> | <p>327.35 (3) (c) 2.</p> <p>3rd</p> <p>Vessel BUI resulting in serious bodily injury.</p> |
| <p>2154</p> | <p>402.319 (2)</p> <p>2nd</p> <p>Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.</p> |
| <p>2155</p> | <p>409.920</p> <p>(2) (b) 1.a.</p> <p>3rd</p> <p>Medicaid provider fraud; \$10,000 or less.</p> |

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| 2156 | 409.920 (2) (b) 1.b. | 2nd | Medicaid provider fraud; more than \$10,000, but less than \$50,000. |
| 2157 | 456.065 (2) | 3rd | Practicing a health care profession without a license. |
| 2158 | 456.065 (2) | 2nd | Practicing a health care profession without a license which results in serious bodily injury. |
| 2159 | 458.327 (1) | 3rd | Practicing medicine without a license. |
| 2160 | 459.013 (1) | 3rd | Practicing osteopathic medicine without a license. |
| 2161 | 460.411 (1) | 3rd | Practicing chiropractic medicine without a license. |
| 2162 | 461.012 (1) | 3rd | Practicing podiatric medicine without a |

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| 2163 | | | license. |
| 2163 | 462.17 | 3rd | Practicing naturopathy without a license. |
| 2164 | 463.015 (1) | 3rd | Practicing optometry without a license. |
| 2165 | 464.016 (1) | 3rd | Practicing nursing without a license. |
| 2166 | 465.015 (2) | 3rd | Practicing pharmacy without a license. |
| 2167 | 466.026 (1) | 3rd | Practicing dentistry or dental hygiene without a license. |
| 2168 | 467.201 | 3rd | Practicing midwifery without a license. |
| 2169 | 468.366 | 3rd | Delivering respiratory care services without a license. |
| 2170 | 483.828 (1) | 3rd | Practicing as clinical laboratory personnel |

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| 2171 | | | without a license. |
| | 483.901 (9) | 3rd | Practicing medical physics without a license. |
| 2172 | | | |
| | 484.013 (1) (c) | 3rd | Preparing or dispensing optical devices without a prescription. |
| 2173 | | | |
| | 484.053 | 3rd | Dispensing hearing aids without a license. |
| 2174 | | | |
| | 494.0018 (2) | 1st | Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims. |
| 2175 | | | |
| | 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. |

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| 2176 | 560.125 (5) (a) | 3rd | Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000. |
| 2177 | 655.50 (10) (b) 1. | 3rd | Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution. |
| 2178 | 775.21 (10) (a) | 3rd | Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations. |
| 2179 | 775.21 (10) (b) | 3rd | Sexual predator working where children regularly congregate. |
| 2180 | 775.21 (10) (g) | 3rd | Failure to report or providing false information about a |

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| 2181 | 782.051 (3) | 2nd | <p>sexual predator; harbor or conceal a sexual predator.</p> <p>Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.</p> |
| 2182 | 782.07 (1) | 2nd | <p>Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).</p> |
| 2183 | 782.071 | 2nd | <p>Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).</p> |
| 2184 | 782.072 | 2nd | <p>Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).</p> |
| 2185 | | | |

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| 2186 | 784.045 (1) (a) 1. | 2nd | Aggravated battery; intentionally causing great bodily harm or disfigurement. |
| 2187 | 784.045 (1) (a) 2. | 2nd | Aggravated battery; using deadly weapon. |
| 2188 | 784.045 (1) (b) | 2nd | Aggravated battery; perpetrator aware victim pregnant. |
| 2189 | 784.048 (4) | 3rd | Aggravated stalking; violation of injunction or court order. |
| 2190 | 784.048 (7) | 3rd | Aggravated stalking; violation of court order. |
| 2191 | 784.07 (2) (d) | 1st | Aggravated battery on law enforcement officer. |
| | 784.074 (1) (a) | 1st | Aggravated battery on sexually violent predators facility staff. |

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| 2192 | 784.08 (2) (a) | 1st | Aggravated battery on a person 65 years of age or older. |
| 2193 | 784.081 (1) | 1st | Aggravated battery on specified official or employee. |
| 2194 | 784.082 (1) | 1st | Aggravated battery by detained person on visitor or other detainee. |
| 2195 | 784.083 (1) | 1st | Aggravated battery on code inspector. |
| 2196 | 787.06 (3) (a) 2. | 1st | Human trafficking using coercion for labor and services of an adult. |
| 2197 | 787.06 (3) (e) 2. | 1st | Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state. |

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| 2198 | 790.07(4) | 1st | Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2). |
| 2199 | 790.16(1) | 1st | Discharge of a machine gun under specified circumstances. |
| 2200 | 790.165(2) | 2nd | Manufacture, sell, possess, or deliver hoax bomb. |
| 2201 | 790.165(3) | 2nd | Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony. |
| 2202 | 790.166(3) | 2nd | Possessing, selling, using, or attempting to use a hoax weapon of mass destruction. |
| 2203 | 790.166(4) | 2nd | Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or |

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| 2204 | | | attempting to commit a felony. |
| | 790.23 | 1st, PBL | Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04. |
| 2205 | | | |
| | 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. |
| 2206 | | | |
| | 796.05 (1) | 1st | Live on earnings of a prostitute; 2nd offense. |
| 2207 | | | |
| | 796.05 (1) | 1st | Live on earnings of a prostitute; 3rd and subsequent offense. |
| 2208 | | | |
| | 800.04 (5) (c) 1. | 2nd | Lewd or lascivious molestation; victim younger than 12 years of age; offender younger |

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| 2209 | 800.04 (5) (c) 2. | 2nd | than 18 years of age. Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older. |
| 2210 | 800.04 (5) (e) | 1st | Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense. |
| 2211 | 806.01 (2) | 2nd | Maliciously damage structure by fire or explosive. |
| 2212 | 810.02 (3) (a) | 2nd | Burglary of occupied dwelling; unarmed; no assault or battery. |
| 2213 | 810.02 (3) (b) | 2nd | Burglary of unoccupied dwelling; unarmed; no |

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| 2214 | | | assault or battery. |
| | 810.02 (3) (d) | 2nd | Burglary of occupied conveyance; unarmed; no assault or battery. |
| 2215 | | | |
| | 810.02 (3) (e) | 2nd | Burglary of authorized emergency vehicle. |
| 2216 | | | |
| | 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. |
| 2217 | | | |
| | 812.014 (2) (b) 2. | 2nd | Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree. |
| 2218 | | | |
| | 812.014 (2) (b) 3. | 2nd | Property stolen, emergency medical |

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| 2219 | 812.014 (2) (b) 4. | 2nd | equipment; 2nd degree grand theft. Property stolen, law enforcement equipment from authorized emergency vehicle. |
| 2220 | 812.0145 (2) (a) | 1st | Theft from person 65 years of age or older; \$50,000 or more. |
| 2221 | 812.019 (2) | 1st | Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property. |
| 2222 | 812.131 (2) (a) | 2nd | Robbery by sudden snatching. |
| 2223 | 812.133 (2) (b) | 1st | Carjacking; no firearm, deadly weapon, or other weapon. |
| 2224 | | | |

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| 2225 | 817.034 (4) (a) 1. | 1st | Communications fraud, value greater than \$50,000. |
| 2226 | 817.234 (8) (a) | 2nd | Solicitation of motor vehicle accident victims with intent to defraud. |
| 2227 | 817.234 (9) | 2nd | Organizing, planning, or participating in an intentional motor vehicle collision. |
| 2228 | 817.234 (11) (c) | 1st | Insurance fraud; property value \$100,000 or more. |
| 2229 | 817.2341 (2) (b) & (3) (b) | 1st | Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity. |

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| 2230 | 817.535 (2) (a) | 3rd | Filing false lien or other unauthorized document. |
| 2231 | 825.102 (3) (b) | 2nd | Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement. |
| 2232 | 825.103 (3) (b) | 2nd | Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000. |
| 2233 | 827.03 (2) (b) | 2nd | Neglect of a child causing great bodily harm, disability, or disfigurement. |
| 2234 | 827.04 (3) | 3rd | Impregnation of a child under 16 years of age by person 21 years of age or older. |
| | 837.05 (2) | 3rd | Giving false information about alleged capital felony |

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| | | | to a law enforcement officer. |
| 2235 | 838.015 | 2nd | Bribery. |
| 2236 | 838.016 | 2nd | Unlawful compensation or reward for official behavior. |
| 2237 | 838.021 (3) (a) | 2nd | Unlawful harm to a public servant. |
| 2238 | 838.22 | 2nd | Bid tampering. |
| 2239 | 843.0855 (2) | 3rd | Impersonation of a public officer or employee. |
| 2240 | 843.0855 (3) | 3rd | Unlawful simulation of legal process. |
| 2241 | 843.0855 (4) | 3rd | Intimidation of a public officer or employee. |
| 2242 | 847.0135 (3) | 3rd | Solicitation of a child, via a computer service, to commit an unlawful sex act. |
| 2243 | | | |

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| 2244 | 847.0135(4) | 2nd | Traveling to meet a minor to commit an unlawful sex act. |
| 2245 | 872.06 | 2nd | Abuse of a dead human body. |
| 2246 | 874.05(2)(b) | 1st | Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense. |
| 2247 | 874.10 | 1st, PBL | Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity. |
| | 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 |

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| 2248 | 893.13(1)(e)1. | 1st | <p>facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p> |
| 2249 | 893.13(4)(a) | 1st | <p>Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.</p> |
| 2250 | 893.135(1)(a)1. | 1st | <p>Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.</p> |

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| 2251 | 893.135 (1) (b) 1.a. | 1st | Trafficking in cocaine, more than 28 grams, less than 200 grams. |
| 2252 | 893.135 (1) (c) 1.a. | 1st | Trafficking in illegal drugs, more than 4 grams, less than 14 grams. |
| 2253 | 893.135 (1) (c) 2.a. | 1st | Trafficking in hydrocodone, 14 grams or more, less than 28 grams. |
| 2254 | 893.135 (1) (c) 2.b. | 1st | Trafficking in hydrocodone, 28 grams or more, less than 50 grams. |
| 2255 | 893.135 (1) (c) 3.a. | 1st | Trafficking in oxycodone, 7 grams or more, less than 14 grams. |
| 2256 | 893.135 (1) (c) 3.b. | 1st | Trafficking in oxycodone, 14 grams or more, less than 25 grams. |
| 2257 | 893.135 (1) (d) 1. | 1st | Trafficking in |

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| 2258 | 893.135 (1) (e) 1. | 1st | phencyclidine, more than 28 grams, less than 200 grams. |
| 2259 | 893.135 (1) (f) 1. | 1st | Trafficking in methaqualone, more than 200 grams, less than 5 kilograms. |
| 2260 | 893.135 (1) (g) 1.a. | 1st | Trafficking in amphetamine, more than 14 grams, less than 28 grams. |
| 2261 | 893.135 (1) (h) 1.a. | 1st | Trafficking in flunitrazepam, 4 grams or more, less than 14 grams. |
| 2262 | 893.135 (1) (j) 1.a. | 1st | Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms. |
| | | | Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms. |

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2263

893.135 (1) (k) 2.a. 1st Trafficking in Phenethylamines,
10 grams or more, less than 200
grams.

2264

893.1351 (2) 2nd Possession of place for
trafficking in or
manufacturing of controlled
substance.

2265

896.101 (5) (a) 3rd Money laundering,
financial transactions
exceeding \$300 but less
than \$20,000.

2266

896.104 (4) (a) 1. 3rd Structuring transactions
to evade reporting or
registration
requirements, financial
transactions exceeding
\$300 but less than
\$20,000.

2267

943.0435 (4) (c) 2nd Sexual offender vacating
permanent residence;
failure to comply with

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| 2268 | | | reporting requirements. |
| | 943.0435 (8) | 2nd | Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements. |
| 2269 | | | |
| | 943.0435 (9) (a) | 3rd | Sexual offender; failure to comply with reporting requirements. |
| 2270 | | | |
| | 943.0435 (13) | 3rd | Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender. |
| 2271 | | | |
| | 943.0435 (14) | 3rd | Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information. |
| 2272 | | | |
| | 944.607 (9) | 3rd | Sexual offender; failure to |

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| 2273 | 944.607(10) (a) | 3rd | <p>comply with reporting requirements.</p> <p>Sexual offender; failure to submit to the taking of a digitized photograph.</p> |
| 2274 | 944.607(12) | 3rd | <p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.</p> |
| 2275 | 944.607(13) | 3rd | <p>Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.</p> |
| 2276 | 985.4815(10) | 3rd | <p>Sexual offender; failure to submit to the taking of a digitized photograph.</p> |
| 2277 | 985.4815(12) | 3rd | <p>Failure to report or</p> |

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

2278

985.4815(13)

3rd

Sexual offender; failure to
report and reregister;
failure to respond to
address verification;
providing false registration
information.

2279

2280

Section 20. For the purpose of incorporating the
amendments made by this act to sections 775.21, 943.0435,
944.606, 944.607, 985.481, and 985.4815, Florida Statutes, in
references thereto, paragraph (b) of subsection (6) of section
985.04, Florida Statutes, is reenacted to read:

2285

985.04 Oaths; records; confidential information.—

2286

(6)

2287

(b) Sexual offender and predator registration information
as required in ss. 775.21, 943.0435, 944.606, 944.607, 985.481,
and 985.4815 is a public record pursuant to s. 119.07(1) and as
otherwise provided by law.

2291

Section 21. For the purpose of incorporating the
amendments made by this act to sections 775.21, 943.0435, and

2292

2293 944.607, Florida Statutes, in references thereto, subsections
 2294 (3) and (4) of section 322.141, Florida Statutes, are reenacted
 2295 to read:

2296 322.141 Color or markings of certain licenses or
 2297 identification cards.—

2298 (3) All licenses for the operation of motor vehicles or
 2299 identification cards originally issued or reissued by the
 2300 department to persons who are designated as sexual predators
 2301 under s. 775.21 or subject to registration as sexual offenders
 2302 under s. 943.0435 or s. 944.607, or who have a similar
 2303 designation or are subject to a similar registration under the
 2304 laws of another jurisdiction, shall have on the front of the
 2305 license or identification card the following:

2306 (a) For a person designated as a sexual predator under s.
 2307 775.21 or who has a similar designation under the laws of
 2308 another jurisdiction, the marking "SEXUAL PREDATOR."

2309 (b) For a person subject to registration as a sexual
 2310 offender under s. 943.0435 or s. 944.607, or subject to a
 2311 similar registration under the laws of another jurisdiction, the
 2312 marking "943.0435, F.S."

2313 (4) Unless previously secured or updated, each sexual
 2314 offender and sexual predator shall report to the department
 2315 during the month of his or her reregistration as required under
 2316 s. 775.21(8), s. 943.0435(14), or s. 944.607(13) in order to
 2317 obtain an updated or renewed driver license or identification
 2318 card as required by subsection (3).

2319 Section 22. For the purpose of incorporating the
 2320 amendments made by this act to sections 775.21, 943.0435, and
 2321 944.607, Florida Statutes, in references thereto, subsection (4)
 2322 of section 948.06, Florida Statutes, is reenacted to read:

2323 948.06 Violation of probation or community control;
 2324 revocation; modification; continuance; failure to pay
 2325 restitution or cost of supervision.—

2326 (4) Notwithstanding any other provision of this section, a
 2327 felony probationer or an offender in community control who is
 2328 arrested for violating his or her probation or community control
 2329 in a material respect may be taken before the court in the
 2330 county or circuit in which the probationer or offender was
 2331 arrested. That court shall advise him or her of the charge of a
 2332 violation and, if such charge is admitted, shall cause him or
 2333 her to be brought before the court that granted the probation or
 2334 community control. If the violation is not admitted by the
 2335 probationer or offender, the court may commit him or her or
 2336 release him or her with or without bail to await further
 2337 hearing. However, if the probationer or offender is under
 2338 supervision for any criminal offense proscribed in chapter 794,
 2339 s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a
 2340 registered sexual predator or a registered sexual offender, or
 2341 is under supervision for a criminal offense for which he or she
 2342 would meet the registration criteria in s. 775.21, s. 943.0435,
 2343 or s. 944.607 but for the effective date of those sections, the
 2344 court must make a finding that the probationer or offender is

2345 not a danger to the public prior to release with or without
2346 bail. In determining the danger posed by the offender's or
2347 probationer's release, the court may consider the nature and
2348 circumstances of the violation and any new offenses charged; the
2349 offender's or probationer's past and present conduct, including
2350 convictions of crimes; any record of arrests without conviction
2351 for crimes involving violence or sexual crimes; any other
2352 evidence of allegations of unlawful sexual conduct or the use of
2353 violence by the offender or probationer; the offender's or
2354 probationer's family ties, length of residence in the community,
2355 employment history, and mental condition; his or her history and
2356 conduct during the probation or community control supervision
2357 from which the violation arises and any other previous
2358 supervisions, including disciplinary records of previous
2359 incarcerations; the likelihood that the offender or probationer
2360 will engage again in a criminal course of conduct; the weight of
2361 the evidence against the offender or probationer; and any other
2362 facts the court considers relevant. The court, as soon as is
2363 practicable, shall give the probationer or offender an
2364 opportunity to be fully heard on his or her behalf in person or
2365 by counsel. After the hearing, the court shall make findings of
2366 fact and forward the findings to the court that granted the
2367 probation or community control and to the probationer or
2368 offender or his or her attorney. The findings of fact by the
2369 hearing court are binding on the court that granted the
2370 probation or community control. Upon the probationer or offender

2371 being brought before it, the court that granted the probation or
 2372 community control may revoke, modify, or continue the probation
 2373 or community control or may place the probationer into community
 2374 control as provided in this section. However, the probationer or
 2375 offender shall not be released and shall not be admitted to
 2376 bail, but shall be brought before the court that granted the
 2377 probation or community control if any violation of felony
 2378 probation or community control other than a failure to pay costs
 2379 or fines or make restitution payments is alleged to have been
 2380 committed by:

2381 (a) A violent felony offender of special concern, as
 2382 defined in this section;

2383 (b) A person who is on felony probation or community
 2384 control for any offense committed on or after the effective date
 2385 of this act and who is arrested for a qualifying offense as
 2386 defined in this section; or

2387 (c) A person who is on felony probation or community
 2388 control and has previously been found by a court to be a
 2389 habitual violent felony offender as defined in s. 775.084(1)(b),
 2390 a three-time violent felony offender as defined in s.
 2391 775.084(1)(c), or a sexual predator under s. 775.21, and who is
 2392 arrested for committing a qualifying offense as defined in this
 2393 section on or after the effective date of this act.

2394 Section 23. For the purpose of incorporating the
 2395 amendments made by this act to sections 775.21, 943.0435, and
 2396 944.607, Florida Statutes, in references thereto, section

2397 948.063, Florida Statutes, is reenacted to read:

2398 948.063 Violations of probation or community control by
2399 designated sexual offenders and sexual predators.—

2400 (1) If probation or community control for any felony
2401 offense is revoked by the court pursuant to s. 948.06(2)(e) and
2402 the offender is designated as a sexual offender pursuant to s.
2403 943.0435 or s. 944.607 or as a sexual predator pursuant to s.
2404 775.21 for unlawful sexual activity involving a victim 15 years
2405 of age or younger and the offender is 18 years of age or older,
2406 and if the court imposes a subsequent term of supervision
2407 following the revocation of probation or community control, the
2408 court must order electronic monitoring as a condition of the
2409 subsequent term of probation or community control.

2410 (2) If the probationer or offender is required to register
2411 as a sexual predator under s. 775.21 or as a sexual offender
2412 under s. 943.0435 or s. 944.607 for unlawful sexual activity
2413 involving a victim 15 years of age or younger and the
2414 probationer or offender is 18 years of age or older and has
2415 violated the conditions of his or her probation or community
2416 control, but the court does not revoke the probation or
2417 community control, the court shall nevertheless modify the
2418 probation or community control to include electronic monitoring
2419 for any probationer or offender not then subject to electronic
2420 monitoring.

2421 Section 24. For the purpose of incorporating the amendment
2422 made by this act to section 943.0435, Florida Statutes, in a

2423 reference thereto, paragraph (c) of subsection (10) of section
 2424 944.607, Florida Statutes, is reenacted to read:

2425 944.607 Notification to Department of Law Enforcement of
 2426 information on sexual offenders.—

2427 (10)

2428 (c) An arrest on charges of failure to register when the
 2429 offender has been provided and advised of his or her statutory
 2430 obligations to register under s. 943.0435(2), the service of an
 2431 information or a complaint for a violation of this section, or
 2432 an arraignment on charges for a violation of this section
 2433 constitutes actual notice of the duty to register. A sexual
 2434 offender's failure to immediately register as required by this
 2435 section following such arrest, service, or arraignment
 2436 constitutes grounds for a subsequent charge of failure to
 2437 register. A sexual offender charged with the crime of failure to
 2438 register who asserts, or intends to assert, a lack of notice of
 2439 the duty to register as a defense to a charge of failure to
 2440 register shall immediately register as required by this section.
 2441 A sexual offender who is charged with a subsequent failure to
 2442 register may not assert the defense of a lack of notice of the
 2443 duty to register.

2444 Section 25. For the purpose of incorporating the amendment
 2445 made by this act to section 943.04354, Florida Statutes, in a
 2446 reference thereto, subsection (2) of section 397.4872, Florida
 2447 Statutes, is reenacted to read:

2448 397.4872 Exemption from disqualification; publication.—

2449 (2) The department may exempt a person from ss. 397.487(6)
 2450 and 397.4871(5) if it has been at least 3 years since the person
 2451 has completed or been lawfully released from confinement,
 2452 supervision, or sanction for the disqualifying offense. An
 2453 exemption from the disqualifying offenses may not be given under
 2454 any circumstances for any person who is a:

- 2455 (a) Sexual predator pursuant to s. 775.21;
- 2456 (b) Career offender pursuant to s. 775.261; or
- 2457 (c) Sexual offender pursuant to s. 943.0435, unless the
 2458 requirement to register as a sexual offender has been removed
 2459 pursuant to s. 943.04354.

2460 Section 26. For the purpose of incorporating the amendment
 2461 made by this act to section 943.04354, Florida Statutes, in a
 2462 reference thereto, paragraph (b) of subsection (4) of section
 2463 435.07, Florida Statutes, is reenacted to read:

2464 435.07 Exemptions from disqualification.—Unless otherwise
 2465 provided by law, the provisions of this section apply to
 2466 exemptions from disqualification for disqualifying offenses
 2467 revealed pursuant to background screenings required under this
 2468 chapter, regardless of whether those disqualifying offenses are
 2469 listed in this chapter or other laws.

- 2470 (4)
- 2471 (b) Disqualification from employment under this chapter
 2472 may not be removed from, nor may an exemption be granted to, any
 2473 person who is a:

- 2474 1. Sexual predator as designated pursuant to s. 775.21;

- 2475 2. Career offender pursuant to s. 775.261; or
 2476 3. Sexual offender pursuant to s. 943.0435, unless the
 2477 requirement to register as a sexual offender has been removed
 2478 pursuant to s. 943.04354.

2479 Section 27. For the purpose of incorporating the
 2480 amendments made by this act to sections 944.606 and 944.607,
 2481 Florida Statutes, in references thereto, section 775.25, Florida
 2482 Statutes, is reenacted to read:

2483 775.25 Prosecutions for acts or omissions.—A sexual
 2484 predator or sexual offender who commits any act or omission in
 2485 violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s.
 2486 944.607, or former s. 947.177 may be prosecuted for the act or
 2487 omission in the county in which the act or omission was
 2488 committed, in the county of the last registered address of the
 2489 sexual predator or sexual offender, in the county in which the
 2490 conviction occurred for the offense or offenses that meet the
 2491 criteria for designating a person as a sexual predator or sexual
 2492 offender, in the county where the sexual predator or sexual
 2493 offender was released from incarceration, or in the county of
 2494 the intended address of the sexual predator or sexual offender
 2495 as reported by the predator or offender prior to his or her
 2496 release from incarceration. In addition, a sexual predator may
 2497 be prosecuted for any such act or omission in the county in
 2498 which he or she was designated a sexual predator.

2499 Section 28. For the purpose of incorporating the amendment
 2500 made by this act to section 944.607, Florida Statutes, in a

2501 reference thereto, subsection (2) of section 775.24, Florida
2502 Statutes, is reenacted to read:

2503 775.24 Duty of the court to uphold laws governing sexual
2504 predators and sexual offenders.—

2505 (2) If a person meets the criteria in this chapter for
2506 designation as a sexual predator or meets the criteria in s.
2507 943.0435, s. 944.606, s. 944.607, or any other law for
2508 classification as a sexual offender, the court may not enter an
2509 order, for the purpose of approving a plea agreement or for any
2510 other reason, which:

2511 (a) Exempts a person who meets the criteria for
2512 designation as a sexual predator or classification as a sexual
2513 offender from such designation or classification, or exempts
2514 such person from the requirements for registration or community
2515 and public notification imposed upon sexual predators and sexual
2516 offenders;

2517 (b) Restricts the compiling, reporting, or release of
2518 public records information that relates to sexual predators or
2519 sexual offenders; or

2520 (c) Prevents any person or entity from performing its
2521 duties or operating within its statutorily conferred authority
2522 as such duty or authority relates to sexual predators or sexual
2523 offenders.

2524 Section 29. For the purpose of incorporating the amendment
2525 made by this act to section 944.607, Florida Statutes, in a
2526 reference thereto, subsection (7) of section 944.608, Florida

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2527 Statutes, is reenacted to read:

2528 944.608 Notification to Department of Law Enforcement of
2529 information on career offenders.—

2530 (7) A career offender who is under the supervision of the
2531 department but who is not incarcerated shall, in addition to the
2532 registration requirements provided in subsection (3), register
2533 in the manner provided in s. 775.261(4)(c), unless the career
2534 offender is a sexual predator, in which case he or she shall
2535 register as required under s. 775.21, or is a sexual offender,
2536 in which case he or she shall register as required in s.

2537 944.607. A career offender who fails to comply with the
2538 requirements of s. 775.261(4) is subject to the penalties
2539 provided in s. 775.261(8).

2540 Section 30. This act shall take effect October 1, 2016.