

By Senator Bradley

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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

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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

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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 (4),
89 paragraphs (a), (e), (f), (g), and (i) of subsection (6),
90 paragraph (a) of subsection (8), and paragraphs (a) and (b) of

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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 settings 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

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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

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

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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.

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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 or
221 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 predator
227 by the Department of Corrections, the department, or any other
228 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 sexual
233 predator because the Department of Corrections, the department,
234 or any other law enforcement agency obtained information that
235 indicated that the offender met the criteria for designation as

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236 a sexual predator based on a violation of a similar law in
237 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

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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 any
283 other law enforcement agency obtains information which indicates
284 that an offender who establishes or maintains a permanent,
285 temporary, or transient residence in this state meets the sexual
286 predator criteria described in paragraph (4)(a) or paragraph
287 (4)(d) because the offender was civilly committed or committed a
288 similar violation in another jurisdiction on or after October 1,
289 1993, the Department of Corrections, the department, or the law
290 enforcement agency shall notify the state attorney of the county
291 where the offender establishes or maintains a permanent,
292 temporary, or transient residence of the offender's presence in
293 the community. The state attorney shall file a petition with the

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294 criminal division of the circuit court for the purpose of
295 holding a hearing to determine if the offender's criminal record
296 or record of civil commitment from another jurisdiction meets
297 the sexual predator criteria. If the court finds that the
298 offender meets the sexual predator criteria because the offender
299 has violated a similar law or similar laws in another
300 jurisdiction, the court shall make a written finding that the
301 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

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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

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

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381 Department of Corrections, or the Department of Juvenile Justice
 382 shall promptly notify each institution of higher education of
 383 the sexual predator's presence and any change in the sexual
 384 predator's enrollment, volunteer, or employment status.

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

388 2. Any other information determined necessary by the
 389 department, including criminal and corrections records;
 390 nonprivileged personnel and treatment records; and evidentiary
 391 genetic markers when available.

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

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

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

402 2. Any change in the sexual predator's permanent, ~~or~~
 403 temporary, or transient residence; name; vehicles owned;
 404 electronic mail addresses; ~~or~~ Internet identifiers; home
 405 telephone numbers and cellular telephone numbers; and employment
 406 information and any change in status at an institution of higher
 407 education, required to be provided pursuant to subparagraph
 408 (g)5., after the sexual predator registers in person at the
 409 sheriff's office as provided in subparagraph 1. must be

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410 accomplished in the manner provided in paragraphs (g), (i), and
411 (j). When a sexual predator registers with the sheriff's office,
412 the sheriff shall take a photograph, a set of fingerprints, and
413 palm prints of the predator and forward the photographs, palm
414 prints, and fingerprints to the department, along with the
415 information that the predator is required to provide pursuant to
416 this section.

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

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

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439 manufactured home, as defined in chapter 320, the sexual
440 predator shall also provide to the Department of Highway Safety
441 and Motor Vehicles the vehicle identification number; the
442 license tag number; the registration number; and a description,
443 including color scheme, of the motor vehicle, trailer, mobile
444 home, or manufactured home. If a sexual predator's place of
445 residence is a vessel, live-aboard vessel, or houseboat, as
446 defined in chapter 327, the sexual predator shall also provide
447 to the Department of Highway Safety and Motor Vehicles the hull
448 identification number; the manufacturer's serial number; the
449 name of the vessel, live-aboard vessel, or houseboat; the
450 registration number; and a description, including color scheme,
451 of the vessel, live-aboard vessel, or houseboat.

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

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

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

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

488 2.a. A sexual predator who vacates a permanent, temporary,
489 or transient residence and fails to establish or maintain
490 another permanent, temporary, or transient residence shall,
491 within 48 hours after vacating the permanent, temporary, or
492 transient residence, report in person to the sheriff's office of
493 the county in which he or she is located. The sexual predator
494 shall specify the date upon which he or she intends to or did
495 vacate such residence. The sexual predator shall provide or
496 update all of the registration information required under

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497 paragraph (a). The sexual predator shall provide an address for
498 the residence or other place that he or she is or will be
499 located during the time in which he or she fails to establish or
500 maintain a permanent or temporary residence.

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

521 3. A sexual predator who remains at a permanent, temporary,
522 or transient residence after reporting his or her intent to
523 vacate such residence shall, within 48 hours after the date upon
524 which the predator indicated he or she would or did vacate such
525 residence, report in person to the sheriff's office to which he

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526 or she reported pursuant to subparagraph 2. for the purpose of
527 reporting his or her address at such residence. When the sheriff
528 receives the report, the sheriff shall promptly convey the
529 information to the department. An offender who makes a report as
530 required under subparagraph 2. but fails to make a report as
531 required under this subparagraph commits a felony of the second
532 degree, punishable as provided in s. 775.082, s. 775.083, or s.
533 775.084.

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

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

552 b. A sexual predator shall register all changes to home
553 telephone numbers and cellular telephone numbers, including
554 added and deleted numbers, all changes to employment

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

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

572 (i) A sexual predator who intends to establish a permanent,
573 temporary, or transient residence in another state or
574 jurisdiction other than the State of Florida shall report in
575 person to the sheriff of the county of current residence within
576 48 hours before the date he or she intends to leave this state
577 to establish residence in another state or jurisdiction or at
578 least ~~within~~ 21 days before the date he or she intends to travel
579 before his or her planned departure date if the intended
580 residence of 5 days or more is outside of the United States. Any
581 travel that is not known by the sexual predator 21 days before
582 the departure date must be reported to the sheriff's office as
583 soon as possible before departure. The sexual predator shall

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584 provide to the sheriff the address, municipality, county, state,
585 and country of intended residence. For international travel, the
586 sexual predator shall also provide travel information,
587 including, but not limited to, expected departure and return
588 dates, flight number, airport of departure, cruise port of
589 departure, or any other means of intended travel. The sheriff
590 shall promptly provide to the department the information
591 received from the sexual predator. The department shall notify
592 the statewide law enforcement agency, or a comparable agency, in
593 the intended state, jurisdiction, or country of residence of the
594 sexual predator's intended residence. The failure of a sexual
595 predator to provide his or her intended place of residence is
596 punishable as provided in subsection (10).

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

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613 who are under the care, custody, control, or supervision of the
614 Department of Corrections. Local law enforcement agencies shall
615 report to the department any failure by a sexual predator to
616 comply with registration requirements.

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

626 1. Name; social security number; age; race; sex; date of
627 birth; height; weight; tattoos or other identifying marks; hair
628 and eye color; address of any permanent residence and address of
629 any current temporary residence, within the state or out of
630 state, including a rural route address and a post office box; if
631 no permanent or temporary address, any transient residence
632 within the state; address, location or description, and dates of
633 any current or known future temporary residence within the state
634 or out of state; all electronic mail addresses or Internet
635 identifiers required to be provided pursuant to subparagraph
636 (6)(g)5.; all home telephone numbers and cellular telephone
637 numbers required to be provided pursuant to subparagraph
638 (6)(g)5.; date and place of any employment required to be
639 provided pursuant to subparagraph (6)(g)5.; the make, model,
640 color, vehicle identification number (VIN), and license tag
641 number of all vehicles owned; fingerprints; palm prints; and

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642 photograph. A post office box may not be provided in lieu of a
643 physical residential address. The sexual predator shall also
644 produce his or her passport, if he or she has a passport, and,
645 if he or she is an alien, shall produce or provide information
646 about documents establishing his or her immigration status. The
647 sexual predator shall also provide information about any
648 professional licenses he or she has.

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

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

669 (10) PENALTIES.—

670 (a) Except as otherwise specifically provided, a sexual

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671 predator who fails to register; who fails, after registration,
672 to maintain, acquire, or renew a driver license or an
673 identification card; who fails to provide required location
674 information, electronic mail address information before use,
675 Internet identifier information before use, all home telephone
676 numbers and cellular telephone numbers, employment information,
677 change in status at an institution of higher education, or
678 change-of-name information; who fails to make a required report
679 in connection with vacating a permanent residence; who fails to
680 reregister as required; who fails to respond to any address
681 verification correspondence from the department within 3 weeks
682 of the date of the correspondence; who knowingly provides false
683 registration information by act or omission; or who otherwise
684 fails, by act or omission, to comply with the requirements of
685 this section commits a felony of the third degree, punishable as
686 provided in s. 775.082, s. 775.083, or s. 775.084.

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

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700 felony of the third degree, punishable as provided in s.
701 775.082, s. 775.083, or s. 775.084.

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

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

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729 A sexual predator who is charged with a subsequent failure to
730 register may not assert the defense of a lack of notice of the
731 duty to register.

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

735 856.022 Loitering or prowling by certain offenders in close
736 proximity to children; penalty.—

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

757 (2) This section does not apply to a person who has been

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758 removed from the requirement to register as a sexual offender or
759 sexual predator pursuant to s. 943.04354.

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

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

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

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

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

784 3. Fail to remain under direct supervision of a school
785 official or designated chaperone when present in the vicinity of
786 children. As used in this paragraph, the term "school official"

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787 means a principal, a school resource officer, a teacher or any
 788 other employee of the school, the superintendent of schools, a
 789 member of the school board, a child care facility owner, or a
 790 child care provider.

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

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

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

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

803 943.0435 Sexual offenders required to register with the
 804 department; penalty.—

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

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

809 a.(I) Has been convicted of committing, or attempting,
 810 soliciting, or conspiring to commit, any of the criminal
 811 offenses proscribed in the following statutes in this state or
 812 similar offenses in another jurisdiction: s. 393.135(2); s.
 813 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
 814 the victim is a minor ~~and the defendant is not the victim's~~
 815 ~~parent or guardian~~; s. 787.06(3)(b), (d), (f), or (g); former s.

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816 787.06(3)(h); s. 794.011, excluding s. 794.011(10); s. 794.05;
817 former s. 796.03; former s. 796.035; s. 800.04; s. 810.145(8);
818 s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
819 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s.

820 916.1075(2); or s. 985.701(1); or any similar offense committed
821 in this state which has been redesignated from a former statute
822 number to one of those listed in this sub-sub-subparagraph; and

823 (II) Has been released on or after October 1, 1997, from
824 the sanction imposed for any conviction of an offense described
825 in sub-sub-subparagraph (I). For purposes of sub-sub-
826 subparagraph (I), a sanction imposed in this state or in any
827 other jurisdiction includes, but is not limited to, a fine,
828 probation, community control, parole, conditional release,
829 control release, or incarceration in a state prison, federal
830 prison, private correctional facility, or local detention
831 facility;

832 b. Establishes or maintains a residence in this state and
833 who has not been designated as a sexual predator by a court of
834 this state but who has been designated as a sexual predator, as
835 a sexually violent predator, or by another sexual offender
836 designation in another state or jurisdiction and was, as a
837 result of such designation, subjected to registration or
838 community or public notification, or both, or would be if the
839 person were a resident of that state or jurisdiction, without
840 regard to whether the person otherwise meets the criteria for
841 registration as a sexual offender;

842 c. Establishes or maintains a residence in this state who
843 is in the custody or control of, or under the supervision of,
844 any other state or jurisdiction as a result of a conviction for

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

859 d. On or after July 1, 2007, has been adjudicated
860 delinquent for committing, or attempting, soliciting, or
861 conspiring to commit, any of the criminal offenses proscribed in
862 the following statutes in this state or similar offenses in
863 another jurisdiction when the juvenile was 14 years of age or
864 older at the time of the offense:

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

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

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

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

873 (V) Any similar offense committed in this state which has

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874 been redesignated from a former statute number to one of those
875 listed in this sub-subparagraph.

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

879
880 For each violation of a qualifying offense listed in this
881 subsection, except for a violation of s. 794.011, the court
882 shall make a written finding of the age of the victim at the
883 time of the offense. For a violation of s. 800.04(4), the court
884 shall also make a written finding indicating whether the offense
885 involved sexual activity and indicating whether the offense
886 involved force or coercion. For a violation of s. 800.04(5), the
887 court shall also make a written finding that the offense did or
888 did not involve unclothed genitals or genital area and that the
889 offense did or did not involve the use of force or coercion.

890 (b) "Convicted" means that there has been a determination
891 of guilt as a result of a trial or the entry of a plea of guilty
892 or nolo contendere, regardless of whether adjudication is
893 withheld, and includes an adjudication of delinquency of a
894 juvenile as specified in this section. Conviction of a similar
895 offense includes, but is not limited to, a conviction by a
896 federal or military tribunal, including courts-martial conducted
897 by the Armed Forces of the United States, and includes a
898 conviction or entry of a plea of guilty or nolo contendere
899 resulting in a sanction in any state of the United States or
900 other jurisdiction. A sanction includes, but is not limited to,
901 a fine, probation, community control, parole, conditional
902 release, control release, or incarceration in a state prison,

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903 federal prison, private correctional facility, or local
904 detention facility.

905 ~~(f)~~~~(e)~~ "Permanent residence," "temporary residence," and
906 "transient residence" have the same meaning as provided ~~ascribed~~
907 in s. 775.21.

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

912 ~~(a)~~~~(e)~~ "Change in enrollment or employment status at an
913 institution of higher education" has the same meaning as
914 provided in s. 775.21 ~~means the commencement or termination of~~
915 ~~enrollment or employment or a change in location of enrollment~~
916 ~~or employment.~~

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

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

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

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

925 (2) A sexual offender shall:

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

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

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

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

935 2. In the county where he or she was convicted within 48
 936 hours after being convicted for a qualifying offense for
 937 registration under this section if the offender is not in the
 938 custody or control of, or under the supervision of, the
 939 Department of Corrections, or is not in the custody of a private
 940 correctional facility.

941
 942 Any change in the information required to be provided pursuant
 943 to paragraph (b), including, but not limited to, any change in
 944 the sexual offender's permanent, temporary, or transient
 945 residence;; name;; electronic mail addresses;;~~or~~ Internet
 946 identifiers; home telephone numbers and cellular telephone
 947 numbers; and employment information and any change in status at
 948 an institution of higher education, required to be provided
 949 pursuant to paragraph (4) (e), after the sexual offender reports
 950 in person at the sheriff's office~~;~~ must be accomplished in the
 951 manner provided in subsections (4), (7), and (8).

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

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

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

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990 color scheme, of the vessel, live-aboard vessel, or houseboat.

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

1006 3. A sexual offender shall report in person to the
1007 sheriff's office within 48 hours after any change in vehicles
1008 owned to report those vehicle information changes.

1009 (c) Provide any other information determined necessary by
1010 the department, including criminal and corrections records;
1011 nonprivileged personnel and treatment records; and evidentiary
1012 genetic markers, when available.

1013
1014 When a sexual offender reports at the sheriff's office, the
1015 sheriff shall take a photograph, a set of fingerprints, and palm
1016 prints of the offender and forward the photographs, palm prints,
1017 and fingerprints to the department, along with the information
1018 provided by the sexual offender. The sheriff shall promptly

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1019 provide to the department the information received from the
1020 sexual offender.

1021 (4) (a) Each time a sexual offender's driver license or
1022 identification card is subject to renewal, and, without regard
1023 to the status of the offender's driver license or identification
1024 card, within 48 hours after any change in the offender's
1025 permanent, temporary, or transient residence or change in the
1026 offender's name by reason of marriage or other legal process,
1027 the offender shall report in person to a driver license office,
1028 and is subject to the requirements specified in subsection (3).
1029 The Department of Highway Safety and Motor Vehicles shall
1030 forward to the department all photographs and information
1031 provided by sexual offenders. Notwithstanding the restrictions
1032 set forth in s. 322.142, the Department of Highway Safety and
1033 Motor Vehicles may release a reproduction of a color-photograph
1034 or digital-image license to the Department of Law Enforcement
1035 for purposes of public notification of sexual offenders as
1036 provided in this section and ss. 943.043 and 944.606. A sexual
1037 offender who is unable to secure or update a driver license or
1038 an identification card with the Department of Highway Safety and
1039 Motor Vehicles as provided in subsection (3) and this subsection
1040 shall also report any change in the sexual offender's permanent,
1041 temporary, or transient residence or change in the offender's
1042 name by reason of marriage or other legal process within 48
1043 hours after the change to the sheriff's office in the county
1044 where the offender resides or is located and provide
1045 confirmation that he or she reported such information to the
1046 Department of Highway Safety and Motor Vehicles. The reporting
1047 requirements under this paragraph do not negate the requirement

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1048 for a sexual offender to obtain a Florida driver license or an
1049 identification card as required in this section.

1050 (e)1. A sexual offender shall register all electronic mail
1051 addresses and Internet identifiers with the department through
1052 the department's online system or in person at the sheriff's
1053 office before using such electronic mail addresses and Internet
1054 identifiers. If the sexual offender is in the custody or
1055 control, or under the supervision, of the Department of
1056 Corrections, he or she must report all electronic mail addresses
1057 and Internet identifiers to the Department of Corrections before
1058 using such electronic mail addresses or Internet identifiers. If
1059 the sexual offender is in the custody or control, or under the
1060 supervision, of the Department of Juvenile Justice, he or she
1061 must report all electronic mail addresses and Internet
1062 identifiers to the Department of Juvenile Justice before using
1063 such electronic mail addresses or Internet identifiers.

1064 2. A sexual offender shall register all changes to home
1065 telephone numbers and cellular telephone numbers, including
1066 added and deleted numbers, all changes to employment
1067 information, and all changes in status related to enrollment,
1068 volunteering, or employment at institutions of higher education,
1069 through the department's online system; in person at the
1070 sheriff's office; in person at the Department of Corrections if
1071 the sexual offender is in the custody or control, or under the
1072 supervision, of the Department of Corrections; or in person at
1073 the Department of Juvenile Justice if the sexual offender is in
1074 the custody or control, or under the supervision, of the
1075 Department of Juvenile Justice. All changes required to be
1076 reported under this subparagraph must be reported within 48

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1077 hours after the change.

1078 3. The department shall establish an online system through
1079 which sexual offenders may securely access, submit, and update
1080 all changes in status to electronic mail address and Internet
1081 identifier information, home telephone numbers and cellular
1082 telephone numbers, employment information, and institution of
1083 higher education information.

1084 (7) A sexual offender who intends to establish a permanent,
1085 temporary, or transient residence in another state or
1086 jurisdiction other than the State of Florida shall report in
1087 person to the sheriff of the county of current residence within
1088 48 hours before the date he or she intends to leave this state
1089 to establish residence in another state or jurisdiction or at
1090 least ~~within~~ 21 days before the date he or she intends to travel
1091 ~~before his or her planned departure date~~ if the intended
1092 residence of 5 days or more is outside of the United States. Any
1093 travel that is not known by the sexual offender 21 days before
1094 the departure date must be reported in person to the sheriff's
1095 office as soon as possible before departure. The sexual offender
1096 shall provide to the sheriff ~~The notification must include the~~
1097 address, municipality, county, state, and country of intended
1098 residence. For international travel, the sexual offender shall
1099 also provide travel information, including, but not limited to,
1100 expected departure and return dates, flight number, airport of
1101 departure, cruise port of departure, or any other means of
1102 intended travel. The sheriff shall promptly provide to the
1103 department the information received from the sexual offender.
1104 The department shall notify the statewide law enforcement
1105 agency, or a comparable agency, in the intended state,

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1106 jurisdiction, or country of residence of the sexual offender's
1107 intended residence. The failure of a sexual offender to provide
1108 his or her intended place of residence is punishable as provided
1109 in subsection (9).

1110 (11) Except as provided in s. 943.04354, a sexual offender
1111 shall maintain registration with the department for the duration
1112 of his or her life unless the sexual offender has received a
1113 full pardon or has had a conviction set aside in a
1114 postconviction proceeding for any offense that meets the
1115 criteria for classifying the person as a sexual offender for
1116 purposes of registration. However, a sexual offender shall be
1117 considered for removal of the requirement to register as a
1118 sexual offender only if the person:

1119 (a)1. ~~Who~~ Has been lawfully released from confinement,
1120 supervision, or sanction, whichever is later, for at least 25
1121 years and has not been arrested for any felony or misdemeanor
1122 offense since release, provided that the sexual offender's
1123 requirement to register was not based upon an adult conviction:

- 1124 a. For a violation of s. 787.01 or s. 787.02;
1125 b. For a violation of s. 794.011, excluding s. 794.011(10);
1126 c. For a violation of s. 800.04(4)(a)2. where the court
1127 finds the offense involved a victim under 12 years of age or
1128 sexual activity by the use of force or coercion;
1129 d. For a violation of s. 800.04(5)(b);
1130 e. For a violation of s. 800.04(5)(c)2. where the court
1131 finds the offense involved the use of force or coercion and
1132 unclothed genitals or genital area;
1133 f. For a violation of s. 825.1025(2)(a);
1134 g.f. For any attempt or conspiracy to commit any such

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1135 offense;

1136 ~~h.g.~~ For a violation of similar law of another
1137 jurisdiction; or

1138 ~~i.h.~~ For a violation of a similar offense committed in this
1139 state which has been redesignated from a former statute number
1140 to one of those listed in this subparagraph.~~7~~

1141 2. If the sexual offender meets the criteria in
1142 subparagraph 1., the sexual offender may, for the purpose of
1143 removing the requirement for registration as a sexual offender,
1144 petition the criminal division of the circuit court of the
1145 circuit;

1146 a. Where the conviction or adjudication occurred, for a
1147 conviction in this state;

1148 b. Where the sexual offender resides, for a conviction of a
1149 violation of similar law of another jurisdiction; or

1150 c. Where the sexual offender last resided, for a sexual
1151 offender with a conviction of a violation of similar law of
1152 another jurisdiction who no longer resides in this state ~~for the~~
1153 ~~purpose of removing the requirement for registration as a sexual~~
1154 ~~offender.~~

1155 ~~3.2.~~ The court may grant or deny relief if the offender
1156 demonstrates to the court that he or she has not been arrested
1157 for any crime since release; the requested relief complies with
1158 ~~the provisions of~~ the federal Adam Walsh Child Protection and
1159 Safety Act of 2006 and any other federal standards applicable to
1160 the removal of registration requirements for a sexual offender
1161 or required to be met as a condition for the receipt of federal
1162 funds by the state; and the court is otherwise satisfied that
1163 the offender is not a current or potential threat to public

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1164 safety. The state attorney in the circuit in which the petition
1165 is filed must be given notice of the petition at least 3 weeks
1166 before the hearing on the matter. The state attorney may present
1167 evidence in opposition to the requested relief or may otherwise
1168 demonstrate the reasons why the petition should be denied. If
1169 the court denies the petition, the court may set a future date
1170 at which the sexual offender may again petition the court for
1171 relief, subject to the standards for relief provided in this
1172 subsection.

1173 4.3. The department shall remove an offender from
1174 classification as a sexual offender for purposes of registration
1175 if the offender provides to the department a certified copy of
1176 the court's written findings or order that indicates that the
1177 offender is no longer required to comply with the requirements
1178 for registration as a sexual offender.

1179 ~~4. For purposes of this paragraph:~~

1180 ~~a. The registration period of a sexual offender sentenced~~
1181 ~~to a term of incarceration or committed to a residential program~~
1182 ~~begins upon the offender's release from incarceration or~~
1183 ~~commitment for the most recent conviction that required the~~
1184 ~~offender to register.~~

1185 ~~b. A sexual offender's registration period is tolled during~~
1186 ~~any period in which the offender is incarcerated, civilly~~
1187 ~~committed, detained pursuant to chapter 985, or committed to a~~
1188 ~~residential program.~~

1189 ~~c. Except as provided in sub-subparagraph e., if the sexual~~
1190 ~~offender is only sentenced to a term of supervision for the most~~
1191 ~~recent conviction that required the offender to register as a~~
1192 ~~sexual offender or is only subject to a period of supervision~~

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1193 ~~for that conviction, the registration period begins when the~~
1194 ~~term or period of supervision for that conviction begins.~~

1195 ~~d. Except as provided in sub-subparagraph e., if the sexual~~
1196 ~~offender is sentenced to a term of supervision that follows a~~
1197 ~~term of incarceration for the most recent conviction that~~
1198 ~~required the offender to register as a sexual offender or is~~
1199 ~~subject to a period of supervision that follows commitment to a~~
1200 ~~residential program for that conviction, the registration period~~
1201 ~~begins when the term or period of supervision for that~~
1202 ~~conviction begins.~~

1203 ~~e. If a sexual offender is sentenced to a term of more than~~
1204 ~~25 years' supervision for the most recent conviction that~~
1205 ~~required the offender to register as a sexual offender, the~~
1206 ~~sexual offender may not petition for removal of the requirement~~
1207 ~~for registration as a sexual offender until the term of~~
1208 ~~supervision for that conviction is completed.~~

1209 (b) As defined in sub-subparagraph (1)(h)1.b. ~~(1)(a)1.b.~~
1210 must maintain registration with the department for the duration
1211 of his or her life until the person provides the department with
1212 an order issued by the court that designated the person as a
1213 sexual predator, as a sexually violent predator, or by another
1214 sexual offender designation in the state or jurisdiction in
1215 which the order was issued which states that such designation
1216 has been removed or demonstrates to the department that such
1217 designation, if not imposed by a court, has been removed by
1218 operation of law or court order in the state or jurisdiction in
1219 which the designation was made, and provided such person no
1220 longer meets the criteria for registration as a sexual offender
1221 under the laws of this state.

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1222 (14)

1223 (b) However, a sexual offender who is required to register

1224 as a result of a conviction for:

1225 1. Section 787.01 or s. 787.02 where the victim is a minor

1226 ~~and the offender is not the victim's parent or guardian;~~

1227 2. Section 794.011, excluding s. 794.011(10);

1228 3. Section 800.04(4)(a)2. where the court finds the offense

1229 involved a victim under 12 years of age or sexual activity by

1230 the use of force or coercion;

1231 4. Section 800.04(5)(b);

1232 5. Section 800.04(5)(c)1. where the court finds molestation

1233 involving unclothed genitals or genital area;

1234 6. Section 800.04(5)(c)2. where the court finds molestation

1235 involving the use of force or coercion and unclothed genitals or

1236 genital area;

1237 7. Section 800.04(5)(d) where the court finds the use of

1238 force or coercion and unclothed genitals or genital area;

1239 8. Section 825.1025(2)(a);

1240 9.8. Any attempt or conspiracy to commit such offense;

1241 10.9. A violation of a similar law of another jurisdiction;

1242 or

1243 11.10. A violation of a similar offense committed in this

1244 state which has been redesignated from a former statute number

1245 to one of those listed in this paragraph,

1246

1247 must reregister each year during the month of the sexual

1248 offender's birthday and every third month thereafter.

1249 (c) The sheriff's office may determine the appropriate

1250 times and days for reporting by the sexual offender, which must

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1251 be consistent with the reporting requirements of this
1252 subsection. Reregistration must include any changes to the
1253 following information:

1254 1. Name; social security number; age; race; sex; date of
1255 birth; height; weight; tattoos or other identifying marks; hair
1256 and eye color; address of any permanent residence and address of
1257 any current temporary residence, within the state or out of
1258 state, including a rural route address and a post office box; if
1259 no permanent or temporary address, any transient residence
1260 within the state; address, location or description, and dates of
1261 any current or known future temporary residence within the state
1262 or out of state; all electronic mail addresses or Internet
1263 identifiers required to be provided pursuant to paragraph
1264 (4) (e); all home telephone numbers and cellular telephone
1265 numbers required to be provided pursuant to paragraph (4) (e);
1266 ~~date and place of any~~ employment information required to be
1267 provided pursuant to paragraph (4) (e); the make, model, color,
1268 vehicle identification number (VIN), and license tag number of
1269 all vehicles owned; fingerprints; palm prints; and photograph. A
1270 post office box may not be provided in lieu of a physical
1271 residential address. The sexual offender shall also produce his
1272 or her passport, if he or she has a passport, and, if he or she
1273 is an alien, shall produce or provide information about
1274 documents establishing his or her immigration status. The sexual
1275 offender shall also provide information about any professional
1276 licenses he or she has.

1277 2. If the sexual offender is enrolled or, volunteering,
1278 employed, whether for compensation or as a volunteer, or
1279 ~~carrying on a vocation~~ at an institution of higher education in

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1280 this state, the sexual offender shall also provide to the
1281 department the name, address, and county of each institution,
1282 including each campus attended, and the sexual offender's
1283 enrollment, volunteer, or employment status.

1284 3. If the sexual offender's place of residence is a motor
1285 vehicle, trailer, mobile home, or manufactured home, as defined
1286 in chapter 320, the sexual offender shall also provide the
1287 vehicle identification number; the license tag number; the
1288 registration number; and a description, including color scheme,
1289 of the motor vehicle, trailer, mobile home, or manufactured
1290 home. If the sexual offender's place of residence is a vessel,
1291 live-aboard vessel, or houseboat, as defined in chapter 327, the
1292 sexual offender shall also provide the hull identification
1293 number; the manufacturer's serial number; the name of the
1294 vessel, live-aboard vessel, or houseboat; the registration
1295 number; and a description, including color scheme, of the
1296 vessel, live-aboard vessel or houseboat.

1297 4. Any sexual offender who fails to report in person as
1298 required at the sheriff's office, who fails to respond to any
1299 address verification correspondence from the department within 3
1300 weeks of the date of the correspondence, who fails to report all
1301 electronic mail addresses and all Internet identifiers before
1302 ~~prior to~~ use, or who knowingly provides false registration
1303 information by act or omission commits a felony of the third
1304 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1305 775.084.

1306 Section 4. Subsections (1) and (2) of section 943.04354,
1307 Florida Statutes, are amended to read:

1308 943.04354 Removal of the requirement to register as a

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1309 sexual offender or sexual predator in special circumstances.—

1310 (1) For purposes of this section, a person shall be
1311 considered for removal of the requirement to register as a
1312 sexual offender or sexual predator only if the person:

1313 (a) Was convicted, regardless of adjudication, or
1314 adjudicated delinquent of a violation of ~~s. 794.011~~, s. 800.04,
1315 s. 827.071, or s. 847.0135(5) or of a similar offense in another
1316 jurisdiction and if the person does not have any other
1317 conviction, regardless of adjudication, or adjudication of
1318 delinquency for a violation of s. 794.011, s. 800.04, s.
1319 827.071, or s. 847.0135(5) or for a similar offense in another
1320 jurisdiction;

1321 (b)1. Was convicted, regardless of adjudication, or
1322 adjudicated delinquent of an offense listed in paragraph (a) and
1323 is required to register as a sexual offender or sexual predator
1324 solely on the basis of this conviction or adjudication; or

1325 2. Was convicted, regardless of adjudication, or
1326 adjudicated delinquent of an offense in another jurisdiction
1327 which is similar to an offense listed in paragraph (a) and no
1328 longer meets the criteria for registration as a sexual offender
1329 or sexual predator under the laws of the jurisdiction in which
1330 the similar offense occurred; and

1331 (c) Is not more than 4 years older than the victim of this
1332 violation who was 13 years of age or older but younger than 18
1333 years of age at the time the person committed this violation.

1334 (2) (a) If a person meets the criteria in subsection (1),
1335 the person may, for the purpose of removing the requirement that
1336 he or she register as a sexual offender or sexual predator, move
1337 the criminal division of the circuit court of the circuit:

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1338 ~~1. the person may move the criminal division of the circuit~~
1339 ~~court of the circuit~~ Where the conviction or adjudication for
1340 the qualifying offense occurred for a conviction in this state;

1341 2. Where the sexual offender or sexual predator resides for
1342 a conviction for a violation of similar law of another
1343 jurisdiction; or

1344 3. Where the sexual offender or sexual predator last
1345 resided for a sexual offender or sexual predator with a
1346 conviction of a violation of a similar law of another
1347 jurisdiction who no longer resides in this state ~~to remove the~~
1348 ~~requirement that the person register as a sexual offender or~~
1349 ~~sexual predator.~~

1350 (b) The person must allege in the motion that he or she
1351 meets the criteria in subsection (1) and that removal of the
1352 registration requirement will not conflict with federal law that
1353 requires that the sexual act be consensual, notwithstanding the
1354 age of the victim. A person convicted or adjudicated delinquent
1355 of an offense in another jurisdiction which is similar to an
1356 offense listed in paragraph (1)(a) must provide the court
1357 written confirmation that he or she is not required to register
1358 in the jurisdiction in which the conviction or adjudication
1359 occurred. The state attorney and the department must be given
1360 notice of the motion at least 21 days before the date of
1361 sentencing, disposition of the violation, or hearing on the
1362 motion and may present evidence in opposition to the requested
1363 relief or may otherwise demonstrate why the motion should be
1364 denied. At sentencing, disposition of the violation, or hearing
1365 on the motion, the court shall rule on the motion, and, if the
1366 court determines the person meets the criteria in subsection (1)

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1367 and the removal of the registration requirement will not
1368 conflict with federal law that requires that the sexual act be
1369 consensual, notwithstanding the age of the victim, it may grant
1370 the motion and order the removal of the registration
1371 requirement. The court shall instruct the person to provide the
1372 department a certified copy of the order granting relief. If the
1373 court denies the motion, the person is not authorized under this
1374 section to file another motion for removal of the registration
1375 requirement.

1376 Section 5. Subsection (1) of section 944.606, Florida
1377 Statutes, is reordered and amended, and paragraph (a) of
1378 subsection (3) of that section is amended, to read:

1379 944.606 Sexual offenders; notification upon release.—

1380 (1) As used in this section, the term:

1381 (a) "Convicted" means there has been a determination of
1382 guilt as a result of a trial or the entry of a plea of guilty or
1383 nolo contendere, regardless of whether adjudication is withheld.
1384 A conviction for a similar offense includes, but is not limited
1385 to, a conviction by a federal or military tribunal, including
1386 courts-martial conducted by the Armed Forces of the United
1387 States, and includes a conviction or entry of a plea of guilty
1388 or nolo contendere resulting in a sanction in any state of the
1389 United States or other jurisdiction. A sanction includes, but is
1390 not limited to, a fine; probation; community control; parole;
1391 conditional release; control release; or incarceration in a
1392 state prison, federal prison, private correctional facility, or
1393 local detention facility.

1394 (f) ~~(b)~~ "Sexual offender" means a person who has been
1395 convicted of committing, or attempting, soliciting, or

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1396 conspiring to commit, any of the criminal offenses proscribed in
 1397 the following statutes in this state or similar offenses in
 1398 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1399 s. 787.02, or s. 787.025(2)(c), where the victim is a minor ~~and~~
 1400 ~~the defendant is not the victim's parent or guardian~~; s.
 1401 787.06(3)(b), (d), (f), or (g); former s. 787.06(3)(h); s.
 1402 794.011, excluding s. 794.011(10); s. 794.05; former s. 796.03;
 1403 former s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.
 1404 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
 1405 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.
 1406 985.701(1); or any similar offense committed in this state which
 1407 has been redesignated from a former statute number to one of
 1408 those listed in this subsection, when the department has
 1409 received verified information regarding such conviction; an
 1410 offender's computerized criminal history record is not, in and
 1411 of itself, verified information.

1412 (b) ~~(e)~~ "Electronic mail address" has the same meaning as
 1413 provided in s. 668.602.

1414 (c) ~~(d)~~ "Internet identifier" has the same meaning as
 1415 provided in s. 775.21.

1416 (d) "Permanent residence," "temporary residence," and
 1417 "transient residence" have the same meaning as provided in s.
 1418 775.21.

1419 (e) "Professional license" has the same meaning as provided
 1420 in s. 775.21.

1421 (3)(a) The department shall provide information regarding
 1422 any sexual offender who is being released after serving a period
 1423 of incarceration for any offense, as follows:

1424 1. The department shall provide: the sexual offender's

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1425 name, any change in the offender's name by reason of marriage or
1426 other legal process, and any alias, if known; the correctional
1427 facility from which the sexual offender is released; the sexual
1428 offender's social security number, race, sex, date of birth,
1429 height, weight, and hair and eye color; tattoos or other
1430 identifying marks; address of any planned permanent residence or
1431 temporary residence, within the state or out of state, including
1432 a rural route address and a post office box; if no permanent or
1433 temporary address, any transient residence within the state;
1434 address, location or description, and dates of any known future
1435 temporary residence within the state or out of state; date and
1436 county of sentence and each crime for which the offender was
1437 sentenced; a copy of the offender's fingerprints, palm prints,
1438 and a digitized photograph taken within 60 days before release;
1439 the date of release of the sexual offender; all electronic mail
1440 addresses and all Internet identifiers required to be provided
1441 pursuant to s. 943.0435(4)(e); employment information, if known,
1442 provided pursuant to s. 943.0435(4)(e); all home telephone
1443 numbers and cellular telephone numbers required to be provided
1444 pursuant to s. 943.0435(4)(e); information about any
1445 professional licenses the offender has, if known; and passport
1446 information, if he or she has a passport, and, if he or she is
1447 an alien, information about documents establishing his or her
1448 immigration status. The department shall notify the Department
1449 of Law Enforcement if the sexual offender escapes, absconds, or
1450 dies. If the sexual offender is in the custody of a private
1451 correctional facility, the facility shall take the digitized
1452 photograph of the sexual offender within 60 days before the
1453 sexual offender's release and provide this photograph to the

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1454 Department of Corrections and also place it in the sexual
1455 offender's file. If the sexual offender is in the custody of a
1456 local jail, the custodian of the local jail shall register the
1457 offender within 3 business days after intake of the offender for
1458 any reason and upon release, and shall notify the Department of
1459 Law Enforcement of the sexual offender's release and provide to
1460 the Department of Law Enforcement the information specified in
1461 this paragraph and any information specified in subparagraph 2.
1462 that the Department of Law Enforcement requests.

1463 2. The department may provide any other information deemed
1464 necessary, including criminal and corrections records,
1465 nonprivileged personnel and treatment records, when available.

1466 Section 6. Subsection (1) of section 944.607, Florida
1467 Statutes, is reordered and amended, and subsections (4) and (13)
1468 of that section are amended, to read:

1469 944.607 Notification to Department of Law Enforcement of
1470 information on sexual offenders.-

1471 (1) As used in this section, the term:

1472 (f)~~(a)~~ "Sexual offender" means a person who is in the
1473 custody or control of, or under the supervision of, the
1474 department or is in the custody of a private correctional
1475 facility:

1476 1. On or after October 1, 1997, as a result of a conviction
1477 for committing, or attempting, soliciting, or conspiring to
1478 commit, any of the criminal offenses proscribed in the following
1479 statutes in this state or similar offenses in another
1480 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.
1481 787.02, or s. 787.025(2) (c), where the victim is a minor ~~and the~~
1482 ~~defendant is not the victim's parent or guardian; s.~~

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1483 787.06(3) (b), (d), (f), or (g); former s. 787.06(3) (h); s.
1484 794.011, excluding s. 794.011(10); s. 794.05; former s. 796.03;
1485 former s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.
1486 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
1487 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.
1488 985.701(1); or any similar offense committed in this state which
1489 has been redesignated from a former statute number to one of
1490 those listed in this paragraph; or

1491 2. Who establishes or maintains a residence in this state
1492 and who has not been designated as a sexual predator by a court
1493 of this state but who has been designated as a sexual predator,
1494 as a sexually violent predator, or by another sexual offender
1495 designation in another state or jurisdiction and was, as a
1496 result of such designation, subjected to registration or
1497 community or public notification, or both, or would be if the
1498 person were a resident of that state or jurisdiction, without
1499 regard as to whether the person otherwise meets the criteria for
1500 registration as a sexual offender.

1501 (g)~~(b)~~ "Vehicles owned" has the same meaning as provided in
1502 s. 775.21.

1503 (b)~~(e)~~ "Conviction" means a determination of guilt which is
1504 the result of a trial or the entry of a plea of guilty or nolo
1505 contendere, regardless of whether adjudication is withheld.
1506 Conviction of a similar offense includes, but is not limited to,
1507 a conviction by a federal or military tribunal, including
1508 courts-martial conducted by the Armed Forces of the United
1509 States, and includes a conviction or entry of a plea of guilty
1510 or nolo contendere resulting in a sanction in any state of the
1511 United States or other jurisdiction. A sanction includes, but is

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1512 not limited to, a fine; probation; community control; parole;
1513 conditional release; control release; or incarceration in a
1514 state prison, federal prison, private correctional facility, or
1515 local detention facility.

1516 (d) "Institution of higher education" has the same meaning
1517 as provided in s. 775.21 ~~means a career center, community~~
1518 ~~college, college, state university, or independent postsecondary~~
1519 ~~institution.~~

1520 ~~(a)(e)~~ "Change in enrollment or employment status at an
1521 institution of higher education" has the same meaning as
1522 provided in s. 775.21 ~~means the commencement or termination of~~
1523 ~~enrollment or employment or a change in location of enrollment~~
1524 ~~or employment.~~

1525 ~~(c)(f)~~ "Electronic mail address" has the same meaning as
1526 provided in s. 668.602.

1527 ~~(e)(g)~~ "Internet identifier" has the same meaning as
1528 provided in s. 775.21.

1529 (4) A sexual offender, as described in this section, who is
1530 under the supervision of the Department of Corrections but is
1531 not incarcerated shall register with the Department of
1532 Corrections within 3 business days after sentencing for a
1533 registrable offense and otherwise provide information as
1534 required by this subsection.

1535 (a) The sexual offender shall provide his or her name; date
1536 of birth; social security number; race; sex; height; weight;
1537 hair and eye color; tattoos or other identifying marks; all
1538 electronic mail addresses and Internet identifiers required to
1539 be provided pursuant to s. 943.0435(4) (e); employment
1540 information required to be provided pursuant to s.

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1541 943.0435(4)(e); all home telephone numbers and cellular
 1542 telephone numbers required to be provided pursuant to s.
 1543 943.0435(4)(e); the make, model, color, vehicle identification
 1544 number (VIN), and license tag number of all vehicles owned;
 1545 permanent or legal residence and address of temporary residence
 1546 within the state or out of state while the sexual offender is
 1547 under supervision in this state, including any rural route
 1548 address or post office box; if no permanent or temporary
 1549 address, any transient residence within the state; and address,
 1550 location or description, and dates of any current or known
 1551 future temporary residence within the state or out of state. The
 1552 sexual offender shall also produce his or her passport, if he or
 1553 she has a passport, and, if he or she is an alien, shall produce
 1554 or provide information about documents establishing his or her
 1555 immigration status. The sexual offender shall also provide
 1556 information about any professional licenses he or she has. The
 1557 Department of Corrections shall verify the address of each
 1558 sexual offender in the manner described in ss. 775.21 and
 1559 943.0435. The department shall report to the Department of Law
 1560 Enforcement any failure by a sexual predator or sexual offender
 1561 to comply with registration requirements.

1562 (b) If the sexual offender is enrolled or~~r~~ employed,
 1563 whether for compensation or as a volunteer ~~volunteering, or~~
 1564 ~~carrying on a vocation~~ at an institution of higher education in
 1565 this state, the sexual offender shall provide the name, address,
 1566 and county of each institution, including each campus attended,
 1567 and the sexual offender's enrollment, volunteer, or employment
 1568 status required to be provided pursuant to s. 943.0435(4)(e).
 1569 Each change in ~~enrollment, volunteer, or employment~~ status at an

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1570 institution of higher education must be reported to the
1571 department within 48 hours after the change in status at an
1572 institution of higher education as provided pursuant to s.
1573 943.0435(4)(e). The Department of Corrections shall promptly
1574 notify each institution of the sexual offender's presence and
1575 any change in the sexual offender's enrollment, volunteer, or
1576 employment status.

1577 (c) A sexual offender shall report in person to the
1578 sheriff's office within 48 hours after any change in vehicles
1579 owned to report those vehicle information changes.

1580 (13)(a) A sexual offender must report in person each year
1581 during the month of the sexual offender's birthday and during
1582 the sixth month following the sexual offender's birth month to
1583 the sheriff's office in the county in which he or she resides or
1584 is otherwise located to reregister.

1585 (b) However, a sexual offender who is required to register
1586 as a result of a conviction for:

1587 1. Section 787.01 or s. 787.02 where the victim is a minor
1588 ~~and the offender is not the victim's parent or guardian;~~

1589 2. Section 794.011, excluding s. 794.011(10);

1590 3. Section 800.04(4)(a)2. where the victim is under 12
1591 years of age or where the court finds sexual activity by the use
1592 of force or coercion;

1593 4. Section 800.04(5)(b);

1594 5. Section 800.04(5)(c)1. where the court finds molestation
1595 involving unclothed genitals or genital area;

1596 6. Section 800.04(5)(c)2. where the court finds molestation
1597 involving use of force or coercion and unclothed genitals or
1598 genital area;

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1599 7. Section 800.04(5)(d) where the court finds the use of
1600 force or coercion and unclothed genitals or genital area;
1601 8. Section 825.1025(2)(a);
1602 ~~9.8.~~ Any attempt or conspiracy to commit such offense;
1603 ~~10.9.~~ A violation of a similar law of another jurisdiction;
1604 or
1605 ~~11.10.~~ A violation of a similar offense committed in this
1606 state which has been redesignated from a former statute number
1607 to one of those listed in this paragraph,
1608
1609 must reregister each year during the month of the sexual
1610 offender's birthday and every third month thereafter.

1611 (c) The sheriff's office may determine the appropriate
1612 times and days for reporting by the sexual offender, which must
1613 be consistent with the reporting requirements of this
1614 subsection. Reregistration must include any changes to the
1615 following information:

1616 1. Name; social security number; age; race; sex; date of
1617 birth; height; weight; tattoos or other identifying marks; hair
1618 and eye color; address of any permanent residence and address of
1619 any current temporary residence, within the state or out of
1620 state, including a rural route address and a post office box; if
1621 no permanent or temporary address, any transient residence;
1622 address, location or description, and dates of any current or
1623 known future temporary residence within the state or out of
1624 state; all electronic mail addresses and Internet identifiers
1625 required to be provided pursuant to s. 943.0435(4)(e); all home
1626 telephone numbers and cellular telephone numbers required to be
1627 provided pursuant to s. 943.0435(4)(e); ~~date and place of any~~

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1628 employment information required to be provided pursuant to s.
1629 943.0435(4)(e); the make, model, color, vehicle identification
1630 number (VIN), and license tag number of all vehicles owned;
1631 fingerprints; palm prints; and photograph. A post office box may
1632 not be provided in lieu of a physical residential address. The
1633 sexual offender shall also produce his or her passport, if he or
1634 she has a passport, and, if he or she is an alien, shall produce
1635 or provide information about documents establishing his or her
1636 immigration status. The sexual offender shall also provide
1637 information about any professional licenses he or she has.

1638 2. If the sexual offender is enrolled or, employed, whether
1639 for compensation or as a volunteer ~~volunteering, or carrying on~~
1640 ~~a vocation~~ at an institution of higher education in this state,
1641 the sexual offender shall also provide to the department the
1642 name, address, and county of each institution, including each
1643 campus attended, and the sexual offender's enrollment,
1644 volunteer, or employment status.

1645 3. If the sexual offender's place of residence is a motor
1646 vehicle, trailer, mobile home, or manufactured home, as defined
1647 in chapter 320, the sexual offender shall also provide the
1648 vehicle identification number; the license tag number; the
1649 registration number; and a description, including color scheme,
1650 of the motor vehicle, trailer, mobile home, or manufactured
1651 home. If the sexual offender's place of residence is a vessel,
1652 live-aboard vessel, or houseboat, as defined in chapter 327, the
1653 sexual offender shall also provide the hull identification
1654 number; the manufacturer's serial number; the name of the
1655 vessel, live-aboard vessel, or houseboat; the registration
1656 number; and a description, including color scheme, of the

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1657 vessel, live-aboard vessel or houseboat.

1658 4. Any sexual offender who fails to report in person as
1659 required at the sheriff's office, who fails to respond to any
1660 address verification correspondence from the department within 3
1661 weeks of the date of the correspondence, who fails to report all
1662 electronic mail addresses or Internet identifiers before ~~prior~~
1663 ~~to~~ use, or who knowingly provides false registration information
1664 by act or omission commits a felony of the third degree,
1665 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1666 (d) The sheriff's office shall, within 2 working days,
1667 electronically submit and update all information provided by the
1668 sexual offender to the Department of Law Enforcement in a manner
1669 prescribed by that department.

1670 Section 7. Subsection (1) and paragraph (a) of subsection
1671 (3) of section 985.481, Florida Statutes, are amended to read:

1672 985.481 Sexual offenders adjudicated delinquent;
1673 notification upon release.-

1674 (1) As used in this section:

1675 (a) "Convicted" has the same meaning as provided in s.
1676 943.0435.

1677 (b) "Electronic mail address" has the same meaning as
1678 provided in s. 668.602.

1679 (c) ~~(b)~~ "Internet identifier" has the same meaning as
1680 provided in s. 775.21.

1681 (d) "Permanent residence," "temporary residence," and
1682 "transient residence" have the same meaning as provided in s.
1683 775.21.

1684 (e) "Professional license" has the same meaning as provided
1685 in s. 775.21.

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1686 (f)~~(e)~~ "Sexual offender" means a person who has been
1687 adjudicated delinquent as provided in s. 943.0435(1)(h)1.d. ~~s.~~
1688 ~~943.0435(1)(a)1.d.~~

1689 (g)~~(d)~~ "Vehicles owned" has the same meaning as provided in
1690 s. 775.21.

1691 (3) (a) The department shall provide information regarding
1692 any sexual offender who is being released after serving a period
1693 of residential commitment under the department for any offense,
1694 as follows:

1695 1. The department shall provide the sexual offender's name,
1696 any change in the offender's name by reason of marriage or other
1697 legal process, and any alias, if known; the correctional
1698 facility from which the sexual offender is released; the sexual
1699 offender's social security number, race, sex, date of birth,
1700 height, weight, and hair and eye color; tattoos or other
1701 identifying marks; the make, model, color, vehicle
1702 identification number (VIN), and license tag number of all
1703 vehicles owned; address of any planned permanent residence or
1704 temporary residence, within the state or out of state, including
1705 a rural route address and a post office box; if no permanent or
1706 temporary address, any transient residence within the state;
1707 address, location or description, and dates of any known future
1708 temporary residence within the state or out of state; date and
1709 county of disposition and each crime for which there was a
1710 disposition; a copy of the offender's fingerprints, palm prints,
1711 and a digitized photograph taken within 60 days before release;
1712 the date of release of the sexual offender; all home telephone
1713 numbers and cellular telephone numbers required to be provided
1714 pursuant to s. 943.0435(4)(e); all electronic mail addresses and

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1715 Internet identifiers required to be provided pursuant to s.
1716 943.0435(4)(e); information about any professional licenses the
1717 offender has, if known; and passport information, if he or she
1718 has a passport, and, if he or she is an alien, information about
1719 documents establishing his or her immigration status. The
1720 department shall notify the Department of Law Enforcement if the
1721 sexual offender escapes, absconds, or dies. If the sexual
1722 offender is in the custody of a private correctional facility,
1723 the facility shall take the digitized photograph of the sexual
1724 offender within 60 days before the sexual offender's release and
1725 also place it in the sexual offender's file. If the sexual
1726 offender is in the custody of a local jail, the custodian of the
1727 local jail shall register the offender within 3 business days
1728 after intake of the offender for any reason and upon release,
1729 and shall notify the Department of Law Enforcement of the sexual
1730 offender's release and provide to the Department of Law
1731 Enforcement the information specified in this subparagraph and
1732 any information specified in subparagraph 2. which the
1733 Department of Law Enforcement requests.

1734 2. The department may provide any other information
1735 considered necessary, including criminal and delinquency
1736 records, when available.

1737 Section 8. Subsections (1), (4), and (13) of section
1738 985.4815, Florida Statutes, are amended, and paragraph (c) of
1739 subsection (10) is republished, to read:

1740 985.4815 Notification to Department of Law Enforcement of
1741 information on juvenile sexual offenders.—

1742 (1) As used in this section, the term:

1743 (a) "Change in ~~enrollment or employment~~ status at an

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1744 institution of higher education" has the same meaning as
1745 provided in s. 775.21 ~~means the commencement or termination of~~
1746 ~~enrollment or employment or a change in location of enrollment~~
1747 ~~or employment.~~

1748 (b) "Conviction" has the same meaning as provided in s.
1749 943.0435.

1750 (c) "Electronic mail address" has the same meaning as
1751 provided in s. 668.602.

1752 (d)~~(e)~~ "Institution of higher education" has the same
1753 meaning as provided in s. 775.21 ~~means a career center,~~
1754 ~~community college, college, state university, or independent~~
1755 ~~postsecondary institution.~~

1756 (e)~~(d)~~ "Internet identifier" has the same meaning as
1757 provided in s. 775.21.

1758 (f) "Permanent residence," "temporary residence," and
1759 "transient residence" have the same meaning as provided in s.
1760 775.21.

1761 (g) "Professional license" has the same meaning as provided
1762 in s. 775.21.

1763 (h)~~(e)~~ "Sexual offender" means a person who is in the care
1764 or custody or under the jurisdiction or supervision of the
1765 department or is in the custody of a private correctional
1766 facility and who:

1767 1. Has been adjudicated delinquent as provided in s.
1768 943.0435(1)(h)1.d. ~~s. 943.0435(1)(a)1.d.~~; or

1769 2. Establishes or maintains a residence in this state and
1770 has not been designated as a sexual predator by a court of this
1771 state but has been designated as a sexual predator, as a
1772 sexually violent predator, or by another sexual offender

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1773 designation in another state or jurisdiction and was, as a
1774 result of such designation, subjected to registration or
1775 community or public notification, or both, or would be if the
1776 person were a resident of that state or jurisdiction, without
1777 regard to whether the person otherwise meets the criteria for
1778 registration as a sexual offender.

1779 (i)~~(f)~~ "Vehicles owned" has the same meaning as provided in
1780 s. 775.21.

1781 (4) A sexual offender, as described in this section, who is
1782 under the supervision of the department but who is not committed
1783 shall register with the department within 3 business days after
1784 adjudication and disposition for a registrable offense and
1785 otherwise provide information as required by this subsection.

1786 (a) The sexual offender shall provide his or her name; date
1787 of birth; social security number; race; sex; height; weight;
1788 hair and eye color; tattoos or other identifying marks; the
1789 make, model, color, vehicle identification number (VIN), and
1790 license tag number of all vehicles owned; permanent or legal
1791 residence and address of temporary residence within the state or
1792 out of state while the sexual offender is in the care or custody
1793 or under the jurisdiction or supervision of the department in
1794 this state, including any rural route address or post office
1795 box; if no permanent or temporary address, any transient
1796 residence; address, location or description, and dates of any
1797 current or known future temporary residence within the state or
1798 out of state; all home telephone numbers and cellular telephone
1799 numbers required to be provided pursuant to s. 943.0435(4)(e);
1800 all electronic mail addresses and Internet identifiers required
1801 to be provided pursuant to s. 943.0435(4)(e); and the name and

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1802 address of each school attended. The sexual offender shall also
1803 produce his or her passport, if he or she has a passport, and,
1804 if he or she is an alien, shall produce or provide information
1805 about documents establishing his or her immigration status. The
1806 offender shall also provide information about any professional
1807 licenses he or she has. The department shall verify the address
1808 of each sexual offender and shall report to the Department of
1809 Law Enforcement any failure by a sexual offender to comply with
1810 registration requirements.

1811 (b) If the sexual offender is enrolled or employed,
1812 whether for compensation or as a volunteer ~~volunteering, or~~
1813 ~~carrying on a vocation~~ at an institution of higher education in
1814 this state, the sexual offender shall provide the name, address,
1815 and county of each institution, including each campus attended,
1816 and the sexual offender's enrollment, volunteer, or employment
1817 status. Each change in ~~enrollment, volunteer, or employment~~
1818 status at an institution of higher education must be reported to
1819 the department within 48 hours after the change in status at an
1820 institution of higher education. The department shall promptly
1821 notify each institution of the sexual offender's presence and
1822 any change in the sexual offender's enrollment, volunteer, or
1823 employment status.

1824 (c) A sexual offender shall report in person to the
1825 sheriff's office within 48 hours after any change in vehicles
1826 owned to report those vehicle information changes.

1827 (10)

1828 (c) An arrest on charges of failure to register when the
1829 offender has been provided and advised of his or her statutory
1830 obligations to register under s. 943.0435(2), the service of an

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1831 information or a complaint for a violation of this section, or
1832 an arraignment on charges for a violation of this section
1833 constitutes actual notice of the duty to register. A sexual
1834 offender's failure to immediately register as required by this
1835 section following such arrest, service, or arraignment
1836 constitutes grounds for a subsequent charge of failure to
1837 register. A sexual offender charged with the crime of failure to
1838 register who asserts, or intends to assert, a lack of notice of
1839 the duty to register as a defense to a charge of failure to
1840 register shall immediately register as required by this section.
1841 A sexual offender who is charged with a subsequent failure to
1842 register may not assert the defense of a lack of notice of the
1843 duty to register.

1844 (13) (a) A sexual offender must report in person each year
1845 during the month of the sexual offender's birthday and during
1846 every third month thereafter to the sheriff's office in the
1847 county in which he or she resides or is otherwise located to
1848 reregister.

1849 (b) The sheriff's office may determine the appropriate
1850 times and days for reporting by the sexual offender, which must
1851 be consistent with the reporting requirements of this
1852 subsection. Reregistration must include any changes to the
1853 following information:

1854 1. Name; social security number; age; race; sex; date of
1855 birth; height; weight; hair and eye color; tattoos or other
1856 identifying marks; fingerprints; palm prints; address of any
1857 permanent residence and address of any current temporary
1858 residence, within the state or out of state, including a rural
1859 route address and a post office box; if no permanent or

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1860 temporary address, any transient residence; address, location or
1861 description, and dates of any current or known future temporary
1862 residence within the state or out of state; passport
1863 information, if he or she has a passport, and, if he or she is
1864 an alien, information about documents establishing his or her
1865 immigration status; all home telephone numbers and cellular
1866 telephone numbers required to be provided pursuant to s.
1867 943.0435(4)(e); all electronic mail addresses and Internet
1868 identifiers required to be provided pursuant to s.
1869 943.0435(4)(e); name and address of each school attended; ~~date~~
1870 ~~and place of any~~ employment information required to be provided
1871 pursuant to s. 943.0435(4)(e); the make, model, color, vehicle
1872 identification number (VIN), and license tag number of all
1873 vehicles owned; and photograph. A post office box may not be
1874 provided in lieu of a physical residential address. The offender
1875 shall also provide information about any professional licenses
1876 he or she has.

1877 2. If the sexual offender is enrolled or, employed, whether
1878 for compensation or as a volunteer volunteering, or carrying on
1879 a vocation at an institution of higher education in this state,
1880 the sexual offender shall also provide to the department the
1881 name, address, and county of each institution, including each
1882 campus attended, and the sexual offender's enrollment,
1883 volunteer, or employment status.

1884 3. If the sexual offender's place of residence is a motor
1885 vehicle, trailer, mobile home, or manufactured home, as defined
1886 in chapter 320, the sexual offender shall also provide the
1887 vehicle identification number; the license tag number; the
1888 registration number; and a description, including color scheme,

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

1897 4. Any sexual offender who fails to report in person as
 1898 required at the sheriff's office, who fails to respond to any
 1899 address verification correspondence from the department within 3
 1900 weeks after the date of the correspondence, or who knowingly
 1901 provides false registration information by act or omission
 1902 commits a felony of the third degree, punishable as provided in
 1903 ss. 775.082, 775.083, and 775.084.

1904 (c) The sheriff's office shall, within 2 working days,
 1905 electronically submit and update all information provided by the
 1906 sexual offender to the Department of Law Enforcement in a manner
 1907 prescribed by that department.

1908 Section 9. Paragraph (b) of subsection (1) of section
 1909 92.55, Florida Statutes, is amended to read:

1910 92.55 Judicial or other proceedings involving victim or
 1911 witness under the age of 16, a person who has an intellectual
 1912 disability, or a sexual offense victim or witness; special
 1913 protections; use of registered service or therapy animals.-

1914 (1) For purposes of this section, the term:

1915 (b) "Sexual offense" means any offense specified in s.

1916 775.21(4)(a)1. or s. 943.0435(1)(h)1.a.(I) ~~s.~~

1917 ~~943.0435(1)(a)1.a.(I).~~

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1918 Section 10. Subsection (2) of section 775.0862, Florida
1919 Statutes, is amended to read:

1920 775.0862 Sexual offenses against students by authority
1921 figures; reclassification.—

1922 (2) The felony degree of a violation of an offense listed
1923 in s. 943.0435(1)(h)1.a. ~~s. 943.0435(1)(a)1.a.~~, unless the
1924 offense is a violation of s. 794.011(4)(e)7. or s.
1925 810.145(8)(a)2., shall be reclassified as provided in this
1926 section if the offense is committed by an authority figure of a
1927 school against a student of the school.

1928 Section 11. Subsection (3) of section 943.0515, Florida
1929 Statutes, is amended to read:

1930 943.0515 Retention of criminal history records of minors.—

1931 (3) Notwithstanding any other provision of this section,
1932 the Criminal Justice Information Program shall retain the
1933 criminal history record of a minor adjudicated delinquent for a
1934 violation committed on or after July 1, 2007, as provided in s.
1935 943.0435(1)(h)1.d. ~~s. 943.0435(1)(a)1.d.~~ Such records may not be
1936 destroyed and must be merged with the person's adult criminal
1937 history record and retained as a part of the person's adult
1938 record.

1939 Section 12. Subsection (12) of section 947.1405, Florida
1940 Statutes, is amended to read:

1941 947.1405 Conditional release program.—

1942 (12) In addition to all other conditions imposed, for a
1943 releasee who is subject to conditional release for a crime that
1944 was committed on or after May 26, 2010, and who has been
1945 convicted at any time of committing, or attempting, soliciting,
1946 or conspiring to commit, any of the criminal offenses listed in

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1947 s. 943.0435(1)(h)1.a.(I) ~~s. 943.0435(1)(a)1.a.(I)~~, or a similar
1948 offense in another jurisdiction against a victim who was under
1949 18 years of age at the time of the offense, if the releasee has
1950 not received a pardon for any felony or similar law of another
1951 jurisdiction necessary for the operation of this subsection, if
1952 a conviction of a felony or similar law of another jurisdiction
1953 necessary for the operation of this subsection has not been set
1954 aside in any postconviction proceeding, or if the releasee has
1955 not been removed from the requirement to register as a sexual
1956 offender or sexual predator pursuant to s. 943.04354, the
1957 commission must impose the following conditions:

1958 (a) A prohibition on visiting schools, child care
1959 facilities, parks, and playgrounds without prior approval from
1960 the releasee's supervising officer. The commission may also
1961 designate additional prohibited locations to protect a victim.
1962 The prohibition ordered under this paragraph does not prohibit
1963 the releasee from visiting a school, child care facility, park,
1964 or playground for the sole purpose of attending a religious
1965 service as defined in s. 775.0861 or picking up or dropping off
1966 the releasee's child or grandchild at a child care facility or
1967 school.

1968 (b) A prohibition on distributing candy or other items to
1969 children on Halloween; wearing a Santa Claus costume, or other
1970 costume to appeal to children, on or preceding Christmas;
1971 wearing an Easter Bunny costume, or other costume to appeal to
1972 children, on or preceding Easter; entertaining at children's
1973 parties; or wearing a clown costume without prior approval from
1974 the commission.

1975 Section 13. Subsection (4) of section 948.30, Florida

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1976 Statutes, is amended to read:

1977 948.30 Additional terms and conditions of probation or
1978 community control for certain sex offenses.—Conditions imposed
1979 pursuant to this section do not require oral pronouncement at
1980 the time of sentencing and shall be considered standard
1981 conditions of probation or community control for offenders
1982 specified in this section.

1983 (4) In addition to all other conditions imposed, for a
1984 probationer or community controllee who is subject to
1985 supervision for a crime that was committed on or after May 26,
1986 2010, and who has been convicted at any time of committing, or
1987 attempting, soliciting, or conspiring to commit, any of the
1988 criminal offenses listed in s. 943.0435(1)(h)1.a.(I) ~~s.~~
1989 ~~943.0435(1)(a)1.a.(I)~~, or a similar offense in another
1990 jurisdiction, against a victim who was under the age of 18 at
1991 the time of the offense; if the offender has not received a
1992 pardon for any felony or similar law of another jurisdiction
1993 necessary for the operation of this subsection, if a conviction
1994 of a felony or similar law of another jurisdiction necessary for
1995 the operation of this subsection has not been set aside in any
1996 postconviction proceeding, or if the offender has not been
1997 removed from the requirement to register as a sexual offender or
1998 sexual predator pursuant to s. 943.04354, the court must impose
1999 the following conditions:

2000 (a) A prohibition on visiting schools, child care
2001 facilities, parks, and playgrounds, without prior approval from
2002 the offender's supervising officer. The court may also designate
2003 additional locations to protect a victim. The prohibition
2004 ordered under this paragraph does not prohibit the offender from

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2005 visiting a school, child care facility, park, or playground for
2006 the sole purpose of attending a religious service as defined in
2007 s. 775.0861 or picking up or dropping off the offender's
2008 children or grandchildren at a child care facility or school.

2009 (b) A prohibition on distributing candy or other items to
2010 children on Halloween; wearing a Santa Claus costume, or other
2011 costume to appeal to children, on or preceding Christmas;
2012 wearing an Easter Bunny costume, or other costume to appeal to
2013 children, on or preceding Easter; entertaining at children's
2014 parties; or wearing a clown costume; without prior approval from
2015 the court.

2016 Section 14. Section 948.31, Florida Statutes, is amended to
2017 read:

2018 948.31 Evaluation and treatment of sexual predators and
2019 offenders on probation or community control.—The court may
2020 require any probationer or community controllee who is required
2021 to register as a sexual predator under s. 775.21 or sexual
2022 offender under s. 943.0435, s. 944.606, or s. 944.607 to undergo
2023 an evaluation, at the probationer or community controllee's
2024 expense, by a qualified practitioner to determine whether such
2025 probationer or community controllee needs sexual offender
2026 treatment. If the qualified practitioner determines that sexual
2027 offender treatment is needed and recommends treatment, the
2028 probationer or community controllee must successfully complete
2029 and pay for the treatment. Such treatment must be obtained from
2030 a qualified practitioner as defined in s. 948.001. Treatment may
2031 not be administered by a qualified practitioner who has been
2032 convicted or adjudicated delinquent of committing, or
2033 attempting, soliciting, or conspiring to commit, any offense

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2034 that is listed in s. 943.0435(1)(h)1.a.(I) ~~s.~~
2035 ~~943.0435(1)(a)1.a.(I)~~.

2036 Section 15. Subsection (4) of section 1012.315, Florida
2037 Statutes, is amended to read:

2038 1012.315 Disqualification from employment.—A person is
2039 ineligible for educator certification, and instructional
2040 personnel and school administrators, as defined in s. 1012.01,
2041 are ineligible for employment in any position that requires
2042 direct contact with students in a district school system,
2043 charter school, or private school that accepts scholarship
2044 students under s. 1002.39 or s. 1002.395, if the person,
2045 instructional personnel, or school administrator has been
2046 convicted of:

2047 (4) Any delinquent act committed in this state or any
2048 delinquent or criminal act committed in another state or under
2049 federal law which, if committed in this state, qualifies an
2050 individual for inclusion on the Registered Juvenile Sex Offender
2051 List under s. 943.0435(1)(h)1.d. ~~s. 943.0435(1)(a)1.d.~~

2052 Section 16. Paragraph (g) of subsection (2) of section
2053 1012.467, Florida Statutes, is amended to read:

2054 1012.467 Noninstructional contractors who are permitted
2055 access to school grounds when students are present; background
2056 screening requirements.—

2057 (2)

2058 (g) A noninstructional contractor for whom a criminal
2059 history check is required under this section may not have been
2060 convicted of any of the following offenses designated in the
2061 Florida Statutes, any similar offense in another jurisdiction,
2062 or any similar offense committed in this state which has been

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2063 redesignated from a former provision of the Florida Statutes to
2064 one of the following offenses:

2065 1. Any offense listed in s. 943.0435(1)(h)1. ~~s.~~
2066 ~~943.0435(1)(a)1.~~, relating to the registration of an individual
2067 as a sexual offender.

2068 2. Section 393.135, relating to sexual misconduct with
2069 certain developmentally disabled clients and the reporting of
2070 such sexual misconduct.

2071 3. Section 394.4593, relating to sexual misconduct with
2072 certain mental health patients and the reporting of such sexual
2073 misconduct.

2074 4. Section 775.30, relating to terrorism.

2075 5. Section 782.04, relating to murder.

2076 6. Section 787.01, relating to kidnapping.

2077 7. Any offense under chapter 800, relating to lewdness and
2078 indecent exposure.

2079 8. Section 826.04, relating to incest.

2080 9. Section 827.03, relating to child abuse, aggravated
2081 child abuse, or neglect of a child.

2082 Section 17. For the purpose of incorporating the amendment
2083 made by this act to section 775.21, Florida Statutes, in a
2084 reference thereto, section 938.085, Florida Statutes, is
2085 reenacted to read:

2086 938.085 Additional cost to fund rape crisis centers.—In
2087 addition to any sanction imposed when a person pleads guilty or
2088 nolo contendere to, or is found guilty of, regardless of
2089 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and
2090 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
2091 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.

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2092 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
2093 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
2094 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
2095 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
2096 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
2097 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
2098 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and
2099 (14)(c); or s. 985.701(1), the court shall impose a surcharge of
2100 \$151. Payment of the surcharge shall be a condition of
2101 probation, community control, or any other court-ordered
2102 supervision. The sum of \$150 of the surcharge shall be deposited
2103 into the Rape Crisis Program Trust Fund established within the
2104 Department of Health by chapter 2003-140, Laws of Florida. The
2105 clerk of the court shall retain \$1 of each surcharge that the
2106 clerk of the court collects as a service charge of the clerk's
2107 office.

2108 Section 18. For the purpose of incorporating the amendments
2109 made by this act to sections 775.21 and 943.0435, Florida
2110 Statutes, in references thereto, subsection (1) of section
2111 794.056, Florida Statutes, is reenacted to read:

2112 794.056 Rape Crisis Program Trust Fund.—

2113 (1) The Rape Crisis Program Trust Fund is created within
2114 the Department of Health for the purpose of providing funds for
2115 rape crisis centers in this state. Trust fund moneys shall be
2116 used exclusively for the purpose of providing services for
2117 victims of sexual assault. Funds credited to the trust fund
2118 consist of those funds collected as an additional court
2119 assessment in each case in which a defendant pleads guilty or
2120 nolo contendere to, or is found guilty of, regardless of

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2121 adjudication, an offense provided in s. 775.21(6) and (10)(a),
 2122 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
 2123 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
 2124 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
 2125 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
 2126 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
 2127 796.06; s. 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s.
 2128 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
 2129 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
 2130 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),
 2131 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust
 2132 fund also shall include revenues provided by law, moneys
 2133 appropriated by the Legislature, and grants from public or
 2134 private entities.

2135 Section 19. For the purpose of incorporating the amendments
 2136 made by this act to sections 775.21, 943.0435, 944.607, and
 2137 985.4815, Florida Statutes, in references thereto, paragraph (g)
 2138 of subsection (3) of section 921.0022, Florida Statutes, is
 2139 reenacted to read:

2140 921.0022 Criminal Punishment Code; offense severity ranking
 2141 chart.—

2142 (3) OFFENSE SEVERITY RANKING CHART

2143 (g) LEVEL 7

2144

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving

2145

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			scene.
2146	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
2147	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
2148	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
2149	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
2150	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
2151			

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	409.920	2nd	Medicaid provider fraud;
	(2) (b) 1.b.		more than \$10,000, but
2152			less than \$50,000.
	456.065 (2)	3rd	Practicing a health care
			profession without a
			license.
2153			
	456.065 (2)	2nd	Practicing a health care
			profession without a
			license which results in
			serious bodily injury.
2154			
	458.327 (1)	3rd	Practicing medicine
			without a license.
2155			
	459.013 (1)	3rd	Practicing osteopathic
			medicine without a
			license.
2156			
	460.411 (1)	3rd	Practicing chiropractic
			medicine without a
			license.
2157			
	461.012 (1)	3rd	Practicing podiatric
			medicine without a
			license.
2158			
	462.17	3rd	Practicing naturopathy

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			without a license.
2159	463.015 (1)	3rd	Practicing optometry without a license.
2160	464.016 (1)	3rd	Practicing nursing without a license.
2161	465.015 (2)	3rd	Practicing pharmacy without a license.
2162	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
2163	467.201	3rd	Practicing midwifery without a license.
2164	468.366	3rd	Delivering respiratory care services without a license.
2165	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
2166	483.901 (9)	3rd	Practicing medical physics without a license.
2167			

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2168 484.013 (1) (c) 3rd Preparing or dispensing
optical devices without a
prescription.

2169 484.053 3rd Dispensing hearing aids
without a license.

2170 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.

2171 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.

2172 560.125 (5) (a) 3rd Money services business by
unauthorized person,
currency or payment
instruments exceeding \$300
but less than \$20,000.

655.50 (10) (b) 1. 3rd Failure to report
financial transactions

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2173

775.21(10)(a)

3rd

exceeding \$300 but less than \$20,000 by financial institution.

Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

2174

775.21(10)(b)

3rd

Sexual predator working where children regularly congregate.

2175

775.21(10)(g)

3rd

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

2176

782.051(3)

2nd

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

2177

782.07(1)

2nd

Killing of a human being by the act, procurement, or culpable negligence of

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2178

782.071

2nd

another (manslaughter).

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

2179

782.072

2nd

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

2180

784.045 (1) (a) 1.

2nd

Aggravated battery; intentionally causing great bodily harm or disfigurement.

2181

784.045 (1) (a) 2.

2nd

Aggravated battery; using deadly weapon.

2182

784.045 (1) (b)

2nd

Aggravated battery; perpetrator aware victim pregnant.

2183

784.048 (4)

3rd

Aggravated stalking; violation of injunction or court order.

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2184

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

2185

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

2186

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

2187

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

2188

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

2189

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

2190

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

2191

787.06 (3) (a) 2. 1st Human trafficking using
coercion for labor and
services of an adult.

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2192

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.

2193

790.07(4)

1st

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

2194

790.16(1)

1st

Discharge of a machine gun under specified circumstances.

2195

790.165(2)

2nd

Manufacture, sell, possess, or deliver hoax bomb.

2196

790.165(3)

2nd

Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

2197

790.166(3)

2nd

Possessing, selling, using, or attempting to

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2198

use a hoax weapon of mass destruction.

790.166(4)

2nd

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

2199

790.23

1st, PBL

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

2200

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.

2201

796.05(1)

1st

Live on earnings of a prostitute; 2nd offense.

2202

796.05(1)

1st

Live on earnings of a prostitute; 3rd and subsequent offense.

2203

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2204 800.04 (5) (c) 1. 2nd Lewd or lascivious
molestation; victim
younger than 12 years of
age; offender younger than
18 years of age.

2205 800.04 (5) (c) 2. 2nd 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.

2206 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.

2207 806.01 (2) 2nd Maliciously damage
structure by fire or
explosive.

2208 810.02 (3) (a) 2nd Burglary of occupied
dwelling; unarmed; no
assault or battery.

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2209 810.02 (3) (b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.

2210 810.02 (3) (d) 2nd Burglary of occupied conveyance; unarmed; no assault or battery.

2211 810.02 (3) (e) 2nd Burglary of authorized emergency vehicle.

2212 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.

2213 812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

2214 812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

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2215	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
2216	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
2217	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
2218	812.131 (2) (a)	2nd	Robbery by sudden snatching.
2219	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
2220	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
2220	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.

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2221

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

2222

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

2223

817.2341 1st Making false entries of (2) (b) & (3) (b) 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.

2224

817.535 (2) (a) 3rd Filing false lien or other unauthorized document.

2225

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

2226

825.103 (3) (b) 2nd Exploiting an elderly person or disabled adult

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			and property is valued at \$10,000 or more, but less than \$50,000.
2227	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
2228	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2229	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2230	838.015	2nd	Bribery.
2231	838.016	2nd	Unlawful compensation or reward for official behavior.
2232	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2233	838.22	2nd	Bid tampering.

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2234	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2235	843.0855 (3)	3rd	Unlawful simulation of legal process.
2236	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2237	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2238	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2239	872.06	2nd	Abuse of a dead human body.
2240	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
2241	874.10	1st, PBL	Knowingly initiates, organizes, plans,

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2242

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
facility, school, or
state, county, or
municipal park or publicly
owned recreational
facility or community
center.

2243

893.13(1)(e)1.

1st

Sell, manufacture, or
deliver cocaine or other
drug prohibited under s.
893.03(1)(a), (1)(b),
(1)(d), (2)(a), (2)(b), or
(2)(c)4., within 1,000
feet of property used for
religious services or a
specified business site.

2244

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2245	893.13 (4) (a)	1st	Deliver to minor cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).
2246	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
2247	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
2248	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2249	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
2250	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2250	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.

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2251

893.135 (1) (c) 3.b. 1st Trafficking in oxycodone, 14 grams or more, less than 25 grams.

2252

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

2253

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

2254

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

2255

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

2256

893.135 (1) (h) 1.a. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.

2257

893.135 1st Trafficking in 1,4-

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	(1) (j) 1.a.		Butanediol, 1 kilogram or more, less than 5 kilograms.
2258	893.135	1st	Trafficking in
	(1) (k) 2.a.		Phenethylamines, 10 grams or more, less than 200 grams.
2259	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
2260	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
2261	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2262	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with

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2263			reporting requirements.
	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
2264			
	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
2265			
	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2266			
	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2267			
	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
2268			

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2269	944.607(10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2270	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2271	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2272	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2273	985.4815(13)	3rd	Sexual offender; failure to report and reregister;

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failure to respond to
 address verification;
 providing false
 registration information.

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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:

985.04 Oaths; records; confidential information.—

(6)

(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.

Section 21. For the purpose of incorporating the amendments made by this act to sections 775.21, 943.0435, and 944.607, Florida Statutes, in references thereto, subsections (3) and (4) of section 322.141, Florida Statutes, are reenacted to read:

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

(3) All licenses for the operation of motor vehicles or identification cards originally issued or reissued by the department to persons who are designated as sexual predators under s. 775.21 or subject to registration as sexual offenders under s. 943.0435 or s. 944.607, or who have a similar designation or are subject to a similar registration under the laws of another jurisdiction, shall have on the front of the

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2299 license or identification card the following:

2300 (a) For a person designated as a sexual predator under s.
2301 775.21 or who has a similar designation under the laws of
2302 another jurisdiction, the marking "SEXUAL PREDATOR."

2303 (b) For a person subject to registration as a sexual
2304 offender under s. 943.0435 or s. 944.607, or subject to a
2305 similar registration under the laws of another jurisdiction, the
2306 marking "943.0435, F.S."

2307 (4) Unless previously secured or updated, each sexual
2308 offender and sexual predator shall report to the department
2309 during the month of his or her reregistration as required under
2310 s. 775.21(8), s. 943.0435(14), or s. 944.607(13) in order to
2311 obtain an updated or renewed driver license or identification
2312 card as required by subsection (3).

2313 Section 22. For the purpose of incorporating the amendments
2314 made by this act to sections 775.21, 943.0435, and 944.607,
2315 Florida Statutes, in references thereto, subsection (4) of
2316 section 948.06, Florida Statutes, is reenacted to read:

2317 948.06 Violation of probation or community control;
2318 revocation; modification; continuance; failure to pay
2319 restitution or cost of supervision.—

2320 (4) Notwithstanding any other provision of this section, a
2321 felony probationer or an offender in community control who is
2322 arrested for violating his or her probation or community control
2323 in a material respect may be taken before the court in the
2324 county or circuit in which the probationer or offender was
2325 arrested. That court shall advise him or her of the charge of a
2326 violation and, if such charge is admitted, shall cause him or
2327 her to be brought before the court that granted the probation or

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2328 community control. If the violation is not admitted by the
2329 probationer or offender, the court may commit him or her or
2330 release him or her with or without bail to await further
2331 hearing. However, if the probationer or offender is under
2332 supervision for any criminal offense proscribed in chapter 794,
2333 s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a
2334 registered sexual predator or a registered sexual offender, or
2335 is under supervision for a criminal offense for which he or she
2336 would meet the registration criteria in s. 775.21, s. 943.0435,
2337 or s. 944.607 but for the effective date of those sections, the
2338 court must make a finding that the probationer or offender is
2339 not a danger to the public prior to release with or without
2340 bail. In determining the danger posed by the offender's or
2341 probationer's release, the court may consider the nature and
2342 circumstances of the violation and any new offenses charged; the
2343 offender's or probationer's past and present conduct, including
2344 convictions of crimes; any record of arrests without conviction
2345 for crimes involving violence or sexual crimes; any other
2346 evidence of allegations of unlawful sexual conduct or the use of
2347 violence by the offender or probationer; the offender's or
2348 probationer's family ties, length of residence in the community,
2349 employment history, and mental condition; his or her history and
2350 conduct during the probation or community control supervision
2351 from which the violation arises and any other previous
2352 supervisions, including disciplinary records of previous
2353 incarcerations; the likelihood that the offender or probationer
2354 will engage again in a criminal course of conduct; the weight of
2355 the evidence against the offender or probationer; and any other
2356 facts the court considers relevant. The court, as soon as is

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2357 practicable, shall give the probationer or offender an
2358 opportunity to be fully heard on his or her behalf in person or
2359 by counsel. After the hearing, the court shall make findings of
2360 fact and forward the findings to the court that granted the
2361 probation or community control and to the probationer or
2362 offender or his or her attorney. The findings of fact by the
2363 hearing court are binding on the court that granted the
2364 probation or community control. Upon the probationer or offender
2365 being brought before it, the court that granted the probation or
2366 community control may revoke, modify, or continue the probation
2367 or community control or may place the probationer into community
2368 control as provided in this section. However, the probationer or
2369 offender shall not be released and shall not be admitted to
2370 bail, but shall be brought before the court that granted the
2371 probation or community control if any violation of felony
2372 probation or community control other than a failure to pay costs
2373 or fines or make restitution payments is alleged to have been
2374 committed by:

2375 (a) A violent felony offender of special concern, as
2376 defined in this section;

2377 (b) A person who is on felony probation or community
2378 control for any offense committed on or after the effective date
2379 of this act and who is arrested for a qualifying offense as
2380 defined in this section; or

2381 (c) A person who is on felony probation or community
2382 control and has previously been found by a court to be a
2383 habitual violent felony offender as defined in s. 775.084(1)(b),
2384 a three-time violent felony offender as defined in s.
2385 775.084(1)(c), or a sexual predator under s. 775.21, and who is

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2386 arrested for committing a qualifying offense as defined in this
2387 section on or after the effective date of this act.

2388 Section 23. For the purpose of incorporating the amendments
2389 made by this act to sections 775.21, 943.0435, and 944.607,
2390 Florida Statutes, in references thereto, section 948.063,
2391 Florida Statutes, is reenacted to read:

2392 948.063 Violations of probation or community control by
2393 designated sexual offenders and sexual predators.—

2394 (1) If probation or community control for any felony
2395 offense is revoked by the court pursuant to s. 948.06(2)(e) and
2396 the offender is designated as a sexual offender pursuant to s.
2397 943.0435 or s. 944.607 or as a sexual predator pursuant to s.
2398 775.21 for unlawful sexual activity involving a victim 15 years
2399 of age or younger and the offender is 18 years of age or older,
2400 and if the court imposes a subsequent term of supervision
2401 following the revocation of probation or community control, the
2402 court must order electronic monitoring as a condition of the
2403 subsequent term of probation or community control.

2404 (2) If the probationer or offender is required to register
2405 as a sexual predator under s. 775.21 or as a sexual offender
2406 under s. 943.0435 or s. 944.607 for unlawful sexual activity
2407 involving a victim 15 years of age or younger and the
2408 probationer or offender is 18 years of age or older and has
2409 violated the conditions of his or her probation or community
2410 control, but the court does not revoke the probation or
2411 community control, the court shall nevertheless modify the
2412 probation or community control to include electronic monitoring
2413 for any probationer or offender not then subject to electronic
2414 monitoring.

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2415 Section 24. For the purpose of incorporating the amendment
2416 made by this act to section 943.0435, Florida Statutes, in a
2417 reference thereto, paragraph (c) of subsection (10) of section
2418 944.607, Florida Statutes, is reenacted to read:

2419 944.607 Notification to Department of Law Enforcement of
2420 information on sexual offenders.—

2421 (10)

2422 (c) An arrest on charges of failure to register when the
2423 offender has been provided and advised of his or her statutory
2424 obligations to register under s. 943.0435(2), the service of an
2425 information or a complaint for a violation of this section, or
2426 an arraignment on charges for a violation of this section
2427 constitutes actual notice of the duty to register. A sexual
2428 offender's failure to immediately register as required by this
2429 section following such arrest, service, or arraignment
2430 constitutes grounds for a subsequent charge of failure to
2431 register. A sexual offender charged with the crime of failure to
2432 register who asserts, or intends to assert, a lack of notice of
2433 the duty to register as a defense to a charge of failure to
2434 register shall immediately register as required by this section.
2435 A sexual offender who is charged with a subsequent failure to
2436 register may not assert the defense of a lack of notice of the
2437 duty to register.

2438 Section 25. For the purpose of incorporating the amendment
2439 made by this act to section 943.04354, Florida Statutes, in a
2440 reference thereto, subsection (2) of section 397.4872, Florida
2441 Statutes, is reenacted to read:

2442 397.4872 Exemption from disqualification; publication.—

2443 (2) The department may exempt a person from ss. 397.487(6)

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2444 and 397.4871(5) if it has been at least 3 years since the person
2445 has completed or been lawfully released from confinement,
2446 supervision, or sanction for the disqualifying offense. An
2447 exemption from the disqualifying offenses may not be given under
2448 any circumstances for any person who is a:

- 2449 (a) Sexual predator pursuant to s. 775.21;
2450 (b) Career offender pursuant to s. 775.261; or
2451 (c) Sexual offender pursuant to s. 943.0435, unless the
2452 requirement to register as a sexual offender has been removed
2453 pursuant to s. 943.04354.

2454 Section 26. For the purpose of incorporating the amendment
2455 made by this act to section 943.04354, Florida Statutes, in a
2456 reference thereto, paragraph (b) of subsection (4) of section
2457 435.07, Florida Statutes, is reenacted to read:

2458 435.07 Exemptions from disqualification.—Unless otherwise
2459 provided by law, the provisions of this section apply to
2460 exemptions from disqualification for disqualifying offenses
2461 revealed pursuant to background screenings required under this
2462 chapter, regardless of whether those disqualifying offenses are
2463 listed in this chapter or other laws.

2464 (4)

2465 (b) Disqualification from employment under this chapter may
2466 not be removed from, nor may an exemption be granted to, any
2467 person who is a:

- 2468 1. Sexual predator as designated pursuant to s. 775.21;
2469 2. Career offender pursuant to s. 775.261; or
2470 3. Sexual offender pursuant to s. 943.0435, unless the
2471 requirement to register as a sexual offender has been removed
2472 pursuant to s. 943.04354.

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2473 Section 27. For the purpose of incorporating the amendments
2474 made by this act to sections 944.606 and 944.607, Florida
2475 Statutes, in references thereto, section 775.25, Florida
2476 Statutes, is reenacted to read:

2477 775.25 Prosecutions for acts or omissions.—A sexual
2478 predator or sexual offender who commits any act or omission in
2479 violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s.
2480 944.607, or former s. 947.177 may be prosecuted for the act or
2481 omission in the county in which the act or omission was
2482 committed, in the county of the last registered address of the
2483 sexual predator or sexual offender, in the county in which the
2484 conviction occurred for the offense or offenses that meet the
2485 criteria for designating a person as a sexual predator or sexual
2486 offender, in the county where the sexual predator or sexual
2487 offender was released from incarceration, or in the county of
2488 the intended address of the sexual predator or sexual offender
2489 as reported by the predator or offender prior to his or her
2490 release from incarceration. In addition, a sexual predator may
2491 be prosecuted for any such act or omission in the county in
2492 which he or she was designated a sexual predator.

2493 Section 28. For the purpose of incorporating the amendment
2494 made by this act to section 944.607, Florida Statutes, in a
2495 reference thereto, subsection (2) of section 775.24, Florida
2496 Statutes, is reenacted to read:

2497 775.24 Duty of the court to uphold laws governing sexual
2498 predators and sexual offenders.—

2499 (2) If a person meets the criteria in this chapter for
2500 designation as a sexual predator or meets the criteria in s.
2501 943.0435, s. 944.606, s. 944.607, or any other law for

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2502 classification as a sexual offender, the court may not enter an
2503 order, for the purpose of approving a plea agreement or for any
2504 other reason, which:

2505 (a) Exempts a person who meets the criteria for designation
2506 as a sexual predator or classification as a sexual offender from
2507 such designation or classification, or exempts such person from
2508 the requirements for registration or community and public
2509 notification imposed upon sexual predators and sexual offenders;

2510 (b) Restricts the compiling, reporting, or release of
2511 public records information that relates to sexual predators or
2512 sexual offenders; or

2513 (c) Prevents any person or entity from performing its
2514 duties or operating within its statutorily conferred authority
2515 as such duty or authority relates to sexual predators or sexual
2516 offenders.

2517 Section 29. For the purpose of incorporating the amendment
2518 made by this act to section 944.607, Florida Statutes, in a
2519 reference thereto, subsection (7) of section 944.608, Florida
2520 Statutes, is reenacted to read:

2521 944.608 Notification to Department of Law Enforcement of
2522 information on career offenders.—

2523 (7) A career offender who is under the supervision of the
2524 department but who is not incarcerated shall, in addition to the
2525 registration requirements provided in subsection (3), register
2526 in the manner provided in s. 775.261(4)(c), unless the career
2527 offender is a sexual predator, in which case he or she shall
2528 register as required under s. 775.21, or is a sexual offender,
2529 in which case he or she shall register as required in s.
2530 944.607. A career offender who fails to comply with the

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2531 requirements of s. 775.261(4) is subject to the penalties
2532 provided in s. 775.261(8).

2533 Section 30. This act shall take effect October 1, 2016.