

By the Committee on Appropriations; and 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 sub-subparagraph shall be reported within 48  
565 hours 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 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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2152

409.920  
(2) (b) 1.b.

2nd

Medicaid provider fraud;  
more than \$10,000, but  
less than \$50,000.

2153

456.065 (2)

3rd

Practicing a health care  
profession without a  
license.

2154

456.065 (2)

2nd

Practicing a health care  
profession without a  
license which results in  
serious bodily injury.

2155

458.327 (1)

3rd

Practicing medicine  
without a license.

2156

459.013 (1)

3rd

Practicing osteopathic  
medicine without a  
license.

2157

460.411 (1)

3rd

Practicing chiropractic  
medicine without a  
license.

2158

461.012 (1)

3rd

Practicing podiatric  
medicine without a  
license.

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.
2172	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  
2199  
2200  
2201  
2202  
2203

790.166(4)

2nd

use a hoax weapon of mass destruction.

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

790.23

1st,PBL

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

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.

796.05(1)

1st

Live on earnings of a prostitute; 2nd offense.

796.05(1)

1st

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

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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.
	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 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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	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).
2245	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
2246	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
2247	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2248	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
2249	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

(1) (k) 2.a.

Trafficking in 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

943.0435 (8)

2nd

reporting requirements.  
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.

2270 944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

2271 944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

2272 985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

2273 985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

985.4815(13) 3rd Sexual offender; failure to report and reregister;

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

2274

2275 Section 20. For the purpose of incorporating the amendments  
2276 made by this act to sections 775.21, 943.0435, 944.606, 944.607,  
2277 985.481, and 985.4815, Florida Statutes, in references thereto,  
2278 paragraph (b) of subsection (6) of section 985.04, Florida  
2279 Statutes, is reenacted to read:

2280 985.04 Oaths; records; confidential information.—

2281 (6)

2282 (b) Sexual offender and predator registration information  
2283 as required in ss. 775.21, 943.0435, 944.606, 944.607, 985.481,  
2284 and 985.4815 is a public record pursuant to s. 119.07(1) and as  
2285 otherwise provided by law.

2286 Section 21. For the purpose of incorporating the amendments  
2287 made by this act to sections 775.21, 943.0435, and 944.607,  
2288 Florida Statutes, in references thereto, subsections (3) and (4)  
2289 of section 322.141, Florida Statutes, are reenacted to read:

2290 322.141 Color or markings of certain licenses or  
2291 identification cards.—

2292 (3) All licenses for the operation of motor vehicles or  
2293 identification cards originally issued or reissued by the  
2294 department to persons who are designated as sexual predators  
2295 under s. 775.21 or subject to registration as sexual offenders  
2296 under s. 943.0435 or s. 944.607, or who have a similar  
2297 designation or are subject to a similar registration under the  
2298 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.