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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/03/2017	.	
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The Committee on Criminal Justice (Baxley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present paragraphs (m), (n), and (o) of
subsection (2) of section 775.21, Florida Statutes, are
redesignated as paragraphs (n), (o), and (p), respectively, a
new paragraph (m) is added to that subsection, paragraph (j) of
that subsection is amended, paragraphs (a) and (d) of subsection
(4) and paragraph (d) of subsection (5) of that section are



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11 republished, paragraphs (a), (e), (g), and (k) of subsection (6)
12 of that section are amended, paragraph (i) of subsection (6) of
13 that section is republished, paragraph (a) of subsection (8) and
14 paragraph (a) of subsection (10) of that section are amended,
15 and paragraph (e) of subsection (10) of that section is
16 republished, to read:

17 775.21 The Florida Sexual Predators Act.—

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

19 (j) "Internet identifier" means any designation, moniker,
20 screen name, username, or other name used for self-
21 identification to send or receive social Internet communication
22 includes, but is not limited to, all website uniform resource
23 locators (URLs) and application software, whether mobile or
24 nonmobile, used for Internet communication, including anonymous
25 communication, through electronic mail, chat, instant messages,
26 social networking, social gaming, or other similar programs and
27 all corresponding usernames, logins, screen names, and screen
28 identifiers associated with each URL or application software.
29 Internet identifier does not include a date of birth, social
30 security number, personal identification number (PIN), or
31 password. A sexual offender's or sexual predator's use of an
32 Internet identifier that discloses his or her date of birth,
33 social security number, personal identification number (PIN),
34 password, or other information that would reveal the identity of
35 the sexual offender or sexual predator URL, or application
36 software used for utility, banking, retail, or medical purposes.
37 ~~Voluntary disclosure by a sexual predator or sexual offender of~~
38 ~~his or her date of birth, Social Security number, or PIN as an~~
39 ~~Internet identifier waives the disclosure exemption in this~~



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40 paragraph and in s. 119.071(5)(1) for such personal information.

41 (m) "Social Internet communication" means any communication
42 through a commercial social networking website, as defined in s.
43 943.0437, or application software. The term does not include any
44 of the following:

45 1. Communication for which the primary purpose is the
46 facilitation of commercial transactions involving goods or
47 services;

48 2. Communication on an Internet website for which the
49 primary purpose of the website is the dissemination of news; or

50 3. Communication with a governmental entity.

51

52 For purposes of this paragraph, the term "application software"
53 means any computer program that is designed to run on a mobile
54 device such as a smartphone or tablet computer, that allows
55 users to create web pages or profiles that provide information
56 about themselves and are available publicly or to other users,
57 and that offers a mechanism for communication with other users
58 through a forum, a chatroom, electronic mail, or an instant
59 messenger.

60 (4) SEXUAL PREDATOR CRITERIA.—

61 (a) For a current offense committed on or after October 1,
62 1993, upon conviction, an offender shall be designated as a
63 "sexual predator" under subsection (5), and subject to
64 registration under subsection (6) and community and public
65 notification under subsection (7) if:

66 1. The felony is:

67 a. A capital, life, or first degree felony violation, or
68 any attempt thereof, of s. 787.01 or s. 787.02, where the victim



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69 is a minor, or s. 794.011, s. 800.04, or s. 847.0145, or a
70 violation of a similar law of another jurisdiction; or
71 b. Any felony violation, or any attempt thereof, of s.
72 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
73 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),
74 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding
75 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;
76 s. 800.04; s. 810.145(8)(b); s. 825.1025; s. 827.071; s.
77 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 895.03, if
78 the court makes a written finding that the racketeering activity
79 involved at least one sexual offense listed in this sub-
80 subparagraph or at least one offense listed in this sub-
81 subparagraph with sexual intent or motive; s. 916.1075(2); or s.
82 985.701(1); or a violation of a similar law of another
83 jurisdiction, and the offender has previously been convicted of
84 or found to have committed, or has pled nolo contendere or
85 guilty to, regardless of adjudication, any violation of s.
86 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
87 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),
88 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding
89 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;
90 s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
91 excluding s. 847.0135(6); s. 847.0145; s. 895.03, if the court
92 makes a written finding that the racketeering activity involved
93 at least one sexual offense listed in this sub-subparagraph or
94 at least one offense listed in this sub-subparagraph with sexual
95 intent or motive; s. 916.1075(2); or s. 985.701(1); or a
96 violation of a similar law of another jurisdiction;
97 2. The offender has not received a pardon for any felony or



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98 similar law of another jurisdiction that is necessary for the
99 operation of this paragraph; and

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

103 (d) An offender who has been determined to be a sexually
104 violent predator pursuant to a civil commitment proceeding under
105 chapter 394 shall be designated as a "sexual predator" under
106 subsection (5) and subject to registration under subsection (6)
107 and community and public notification under subsection (7).

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

110 (d) A person who establishes or maintains a residence in
111 this state and who has not been designated as a sexual predator
112 by a court of this state but who has been designated as a sexual
113 predator, as a sexually violent predator, or by another sexual
114 offender designation in another state or jurisdiction and was,
115 as a result of such designation, subjected to registration or
116 community or public notification, or both, or would be if the
117 person was a resident of that state or jurisdiction, without
118 regard to whether the person otherwise meets the criteria for
119 registration as a sexual offender, shall register in the manner
120 provided in s. 943.0435 or s. 944.607 and shall be subject to
121 community and public notification as provided in s. 943.0435 or
122 s. 944.607. A person who meets the criteria of this section is
123 subject to the requirements and penalty provisions of s.
124 943.0435 or s. 944.607 until the person provides the department
125 with an order issued by the court that designated the person as
126 a sexual predator, as a sexually violent predator, or by another



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127 sexual offender designation in the state or jurisdiction in
128 which the order was issued which states that such designation
129 has been removed or demonstrates to the department that such
130 designation, if not imposed by a court, has been removed by
131 operation of law or court order in the state or jurisdiction in
132 which the designation was made, and provided such person no
133 longer meets the criteria for registration as a sexual offender
134 under the laws of this state.

135 (6) REGISTRATION.—

136 (a) A sexual predator shall register with the department
137 through the sheriff's office by providing the following
138 information to the department:

139 1. Name; social security number; age; race; sex; date of
140 birth; height; weight; tattoos or other identifying marks; hair
141 and eye color; photograph; address of legal residence and
142 address of any current temporary residence, within the state or
143 out of state, including a rural route address and a post office
144 box; if no permanent or temporary address, any transient
145 residence within the state; address, location or description,
146 and dates of any current or known future temporary residence
147 within the state or out of state; ~~all~~ electronic mail addresses;
148 ~~and all~~ Internet identifiers and each Internet identifier's
149 corresponding website home page or application software name
150 ~~required to be provided pursuant to subparagraph (g)5.; all home~~
151 ~~telephone numbers and cellular telephone numbers required to be~~
152 ~~provided pursuant to subparagraph (g)5.; employment information~~
153 ~~required to be provided pursuant to subparagraph (g)5.; the~~
154 make, model, color, vehicle identification number (VIN), and
155 license tag number of all vehicles owned; date and place of each



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156 conviction; fingerprints; palm prints; and a brief description
157 of the crime or crimes committed by the offender. A post office
158 box may not be provided in lieu of a physical residential
159 address. The sexual predator shall produce his or her passport,
160 if he or she has a passport, and, if he or she is an alien,
161 shall produce or provide information about documents
162 establishing his or her immigration status. The sexual predator
163 shall also provide information about any professional licenses
164 he or she has.

165 a. Any change that occurs after the sexual predator
166 registers in person at the sheriff's office as provided in this
167 subparagraph in any of the following information related to the
168 sexual predator must be reported as provided in paragraphs (g),
169 (i), and (j): permanent, temporary, or transient residence;
170 name; electronic mail addresses; Internet identifiers and each
171 Internet identifier's corresponding website home page or
172 application software name; home telephone numbers and cellular
173 telephone numbers; employment information; and status at an
174 institution of higher education.

175 ~~b.a.~~ If the sexual predator's place of residence is a motor
176 vehicle, trailer, mobile home, or manufactured home, as defined
177 in chapter 320, the sexual predator shall also provide to the
178 department written notice of the vehicle identification number;
179 the license tag number; the registration number; and a
180 description, including color scheme, of the motor vehicle,
181 trailer, mobile home, or manufactured home. If a sexual
182 predator's place of residence is a vessel, live-aboard vessel,
183 or houseboat, as defined in chapter 327, the sexual predator
184 shall also provide to the department written notice of the hull



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185 identification number; the manufacturer's serial number; the
186 name of the vessel, live-aboard vessel, or houseboat; the
187 registration number; and a description, including color scheme,
188 of the vessel, live-aboard vessel, or houseboat.

189 ~~c.b.~~ If the sexual predator is enrolled or employed,
190 whether for compensation or as a volunteer, at an institution of
191 higher education in this state, the sexual predator shall also
192 provide to the department ~~pursuant to subparagraph (g)5.~~ the
193 name, address, and county of each institution, including each
194 campus attended, and the sexual predator's enrollment,
195 volunteer, or employment status. The sheriff, the Department of
196 Corrections, or the Department of Juvenile Justice shall
197 promptly notify each institution of higher education of the
198 sexual predator's presence and any change in the sexual
199 predator's enrollment, volunteer, or employment status.

200 ~~d.e.~~ A sexual predator shall report in person to the
201 sheriff's office within 48 hours after any change in vehicles
202 owned to report those vehicle information changes.

203 2. Any other information determined necessary by the
204 department, including criminal and corrections records;
205 nonprivileged personnel and treatment records; and evidentiary
206 genetic markers when available.

207 (e)1. If the sexual predator is not in the custody or
208 control of, or under the supervision of, the Department of
209 Corrections or is not in the custody of a private correctional
210 facility, the sexual predator shall register in person:

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



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

217 2. Any change that occurs after the sexual predator
218 registers in person at the sheriff's office as provided in
219 subparagraph 1. in any of the following information related to
220 in the sexual predator must be reported as provided in
221 paragraphs (g), (i), and (j): predator's permanent, temporary,
222 or transient residence; name; vehicles owned; electronic mail
223 addresses; Internet identifiers and each Internet identifier's
224 corresponding website home page or application software name;
225 home telephone numbers and cellular telephone numbers; and
226 employment information; and any change in status at an
227 institution of higher education, required to be provided
228 pursuant to subparagraph (g)5., after the sexual predator
229 registers in person at the sheriff's office as provided in
230 subparagraph 1. must be accomplished in the manner provided in
231 paragraphs (g), (i), and (j). When a sexual predator registers
232 with the sheriff's office, the sheriff shall take a photograph,
233 a set of fingerprints, and palm prints of the predator and
234 forward the photographs, palm prints, and fingerprints to the
235 department, along with the information that the predator is
236 required to provide pursuant to this section.

237 (g)1. Each time a sexual predator's driver license or
238 identification card is subject to renewal, and, without regard
239 to the status of the predator's driver license or identification
240 card, within 48 hours after any change of the predator's
241 residence or change in the predator's name by reason of marriage
242 or other legal process, the predator shall report in person to a



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243 driver license office and is subject to the requirements
244 specified in paragraph (f). The Department of Highway Safety and
245 Motor Vehicles shall forward to the department and to the
246 Department of Corrections all photographs and information
247 provided by sexual predators. Notwithstanding the restrictions
248 set forth in s. 322.142, the Department of Highway Safety and
249 Motor Vehicles may release a reproduction of a color-photograph
250 or digital-image license to the Department of Law Enforcement
251 for purposes of public notification of sexual predators as
252 provided in this section. A sexual predator who is unable to
253 secure or update a driver license or an identification card with
254 the Department of Highway Safety and Motor Vehicles as provided
255 in paragraph (f) and this paragraph shall also report any change
256 of the predator's residence or change in the predator's name by
257 reason of marriage or other legal process within 48 hours after
258 the change to the sheriff's office in the county where the
259 predator resides or is located and provide confirmation that he
260 or she reported such information to the Department of Highway
261 Safety and Motor Vehicles. The reporting requirements under this
262 subparagraph do not negate the requirement for a sexual predator
263 to obtain a Florida driver license or identification card as
264 required by this section.

265 2.a. A sexual predator who vacates a permanent, temporary,
266 or transient residence and fails to establish or maintain
267 another permanent, temporary, or transient residence shall,
268 within 48 hours after vacating the permanent, temporary, or
269 transient residence, report in person to the sheriff's office of
270 the county in which he or she is located. The sexual predator
271 shall specify the date upon which he or she intends to or did



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272 vacate such residence. The sexual predator shall provide or
273 update all of the registration information required under
274 paragraph (a). The sexual predator shall provide an address for
275 the residence or other place that he or she is or will be
276 located during the time in which he or she fails to establish or
277 maintain a permanent or temporary residence.

278 b. A sexual predator shall report in person at the
279 sheriff's office in the county in which he or she is located
280 within 48 hours after establishing a transient residence and
281 thereafter must report in person every 30 days to the sheriff's
282 office in the county in which he or she is located while
283 maintaining a transient residence. The sexual predator must
284 provide the addresses and locations where he or she maintains a
285 transient residence. Each sheriff's office shall establish
286 procedures for reporting transient residence information and
287 provide notice to transient registrants to report transient
288 residence information as required in this sub-subparagraph.
289 Reporting to the sheriff's office as required by this sub-
290 subparagraph does not exempt registrants from any reregistration
291 requirement. The sheriff may coordinate and enter into
292 agreements with police departments and other governmental
293 entities to facilitate additional reporting sites for transient
294 residence registration required in this sub-subparagraph. The
295 sheriff's office shall, within 2 business days, electronically
296 submit and update all information provided by the sexual
297 predator to the department.

298 3. A sexual predator who remains at a permanent, temporary,
299 or transient residence after reporting his or her intent to
300 vacate such residence shall, within 48 hours after the date upon



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301 which the predator indicated he or she would or did vacate such
302 residence, report in person to the sheriff's office to which he
303 or she reported pursuant to subparagraph 2. for the purpose of
304 reporting his or her address at such residence. When the sheriff
305 receives the report, the sheriff shall promptly convey the
306 information to the department. An offender who makes a report as
307 required under subparagraph 2. but fails to make a report as
308 required under this subparagraph commits a felony of the second
309 degree, punishable as provided in s. 775.082, s. 775.083, or s.
310 775.084.

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

315 5.a. A sexual predator shall register all electronic mail
316 addresses and Internet identifiers, and each Internet
317 identifier's corresponding website home page or application
318 software name, with the department through the department's
319 online system or in person at the sheriff's office within 48
320 hours after ~~before~~ using such electronic mail addresses and
321 Internet identifiers. If the sexual predator is in the custody
322 or control, or under the supervision, of the Department of
323 Corrections, he or she must report all electronic mail addresses
324 and Internet identifiers, and each Internet identifier's
325 corresponding website home page or application software name, to
326 the Department of Corrections before using such electronic mail
327 addresses or Internet identifiers. If the sexual predator is in
328 the custody or control, or under the supervision, of the
329 Department of Juvenile Justice, he or she must report all



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330 electronic mail addresses and Internet identifiers, and each
331 Internet identifier's corresponding website home page or
332 application software name, to the Department of Juvenile Justice
333 before using such electronic mail addresses or Internet
334 identifiers.

335 b. A sexual predator shall register all changes to home
336 telephone numbers and cellular telephone numbers, including
337 added and deleted numbers, all changes to employment
338 information, and all changes in status related to enrollment,
339 volunteering, or employment at institutions of higher education,
340 through the department's online system; in person at the
341 sheriff's office; in person at the Department of Corrections if
342 the sexual predator is in the custody or control, or under the
343 supervision, of the Department of Corrections; or in person at
344 the Department of Juvenile Justice if the sexual predator is in
345 the custody or control, or under the supervision, of the
346 Department of Juvenile Justice. All changes required to be
347 reported in this sub-subparagraph shall be reported within 48
348 hours after the change.

349 c. The department shall establish an online system through
350 which sexual predators may securely access, submit, and update
351 all electronic mail addresses; address and Internet identifiers
352 and each Internet identifier's corresponding website home page
353 or application software name; identifier information, home
354 telephone numbers and cellular telephone numbers;~~;~~ employment
355 information;~~;~~ and institution of higher education information.

356 (i) A sexual predator who intends to establish a permanent,
357 temporary, or transient residence in another state or
358 jurisdiction other than the State of Florida shall report in



359 person to the sheriff of the county of current residence within
360 48 hours before the date he or she intends to leave this state
361 to establish residence in another state or jurisdiction or at
362 least 21 days before the date he or she intends to travel if the
363 intended residence of 5 days or more is outside of the United
364 States. Any travel that is not known by the sexual predator 21
365 days before the departure date must be reported to the sheriff's
366 office as soon as possible before departure. The sexual predator
367 shall provide to the sheriff the address, municipality, county,
368 state, and country of intended residence. For international
369 travel, the sexual predator shall also provide travel
370 information, including, but not limited to, expected departure
371 and return dates, flight number, airport of departure, cruise
372 port of departure, or any other means of intended travel. The
373 sheriff shall promptly provide to the department the information
374 received from the sexual predator. The department shall notify
375 the statewide law enforcement agency, or a comparable agency, in
376 the intended state, jurisdiction, or country of residence of the
377 sexual predator's intended residence. The failure of a sexual
378 predator to provide his or her intended place of residence is
379 punishable as provided in subsection (10).

380 (k)1. The department is responsible for the online
381 maintenance of current information regarding each registered
382 sexual predator. The department shall maintain hotline access
383 for state, local, and federal law enforcement agencies to obtain
384 instantaneous locator file and offender characteristics
385 information on all released registered sexual predators for
386 purposes of monitoring, tracking, and prosecution. The
387 photograph, palm prints, and fingerprints do not have to be



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388 stored in a computerized format.

389 2. The department's sexual predator registration list,
390 containing the information described in subparagraph (a)1., is a
391 public record, unless otherwise made exempt or confidential and
392 exempt from s. 119.07(1) and s. 24(a) of Art. I of the State
393 Constitution. The department may disseminate this public
394 information by any means deemed appropriate, including operating
395 a toll-free telephone number for this purpose. When the
396 department provides information regarding a registered sexual
397 predator to the public, department personnel shall advise the
398 person making the inquiry that positive identification of a
399 person believed to be a sexual predator cannot be established
400 unless a fingerprint comparison is made, and that it is illegal
401 to use public information regarding a registered sexual predator
402 to facilitate the commission of a crime.

403 3. The department shall adopt guidelines as necessary
404 regarding the registration of sexual predators and the
405 dissemination of information regarding sexual predators as
406 required by this section.

407 (8) VERIFICATION.—The department and the Department of
408 Corrections shall implement a system for verifying the addresses
409 of sexual predators. The system must be consistent with the
410 federal Adam Walsh Child Protection and Safety Act of 2006 and
411 any other federal standards applicable to such verification or
412 required to be met as a condition for the receipt of federal
413 funds by the state. The Department of Corrections shall verify
414 the addresses of sexual predators who are not incarcerated but
415 who reside in the community under the supervision of the
416 Department of Corrections and shall report to the department any



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417 failure by a sexual predator to comply with registration
418 requirements. County and local law enforcement agencies, in
419 conjunction with the department, shall verify the addresses of
420 sexual predators who are not under the care, custody, control,
421 or supervision of the Department of Corrections, and may verify
422 the addresses of sexual predators who are under the care,
423 custody, control, or supervision of the Department of
424 Corrections. Local law enforcement agencies shall report to the
425 department any failure by a sexual predator to comply with
426 registration requirements.

427 (a) A sexual predator shall report in person each year
428 during the month of the sexual predator's birthday and during
429 every third month thereafter to the sheriff's office in the
430 county in which he or she resides or is otherwise located to
431 reregister. The sheriff's office may determine the appropriate
432 times and days for reporting by the sexual predator, which must
433 be consistent with the reporting requirements of this paragraph.
434 Reregistration must include any changes to the following
435 information:

436 1. Name; social security number; age; race; sex; date of
437 birth; height; weight; tattoos or other identifying marks; hair
438 and eye color; address of any permanent residence and address of
439 any current temporary residence, within the state or out of
440 state, including a rural route address and a post office box; if
441 no permanent or temporary address, any transient residence
442 within the state including the; address, location or description
443 of the transient residences, and dates of any current or known
444 future temporary residence within the state or out of state; all
445 electronic mail addresses; all ~~or~~ Internet identifiers and each



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446 Internet identifier's corresponding website home page or
447 application software name ~~required to be provided pursuant to~~
448 ~~subparagraph (6)(g)5.~~; all home telephone numbers and cellular
449 telephone numbers ~~required to be provided pursuant to~~
450 ~~subparagraph (6)(g)5.~~; date and place of any employment ~~required~~
451 ~~to be provided pursuant to subparagraph (6)(g)5.~~; the make,
452 model, color, vehicle identification number (VIN), and license
453 tag number of all vehicles owned; fingerprints; palm prints; and
454 photograph. A post office box may not be provided in lieu of a
455 physical residential address. The sexual predator shall also
456 produce his or her passport, if he or she has a passport, and,
457 if he or she is an alien, shall produce or provide information
458 about documents establishing his or her immigration status. The
459 sexual predator shall also provide information about any
460 professional licenses he or she has.

461 2. If the sexual predator is enrolled or employed, whether
462 for compensation or as a volunteer, at an institution of higher
463 education in this state, the sexual predator shall also provide
464 to the department the name, address, and county of each
465 institution, including each campus attended, and the sexual
466 predator's enrollment, volunteer, or employment status.

467 3. If the sexual predator's place of residence is a motor
468 vehicle, trailer, mobile home, or manufactured home, as defined
469 in chapter 320, the sexual predator shall also provide the
470 vehicle identification number; the license tag number; the
471 registration number; and a description, including color scheme,
472 of the motor vehicle, trailer, mobile home, or manufactured
473 home. If the sexual predator's place of residence is a vessel,
474 live-aboard vessel, or houseboat, as defined in chapter 327, the



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475 sexual predator shall also provide the hull identification
476 number; the manufacturer's serial number; the name of the
477 vessel, live-aboard vessel, or houseboat; the registration
478 number; and a description, including color scheme, of the
479 vessel, live-aboard vessel, or houseboat.

480 (10) PENALTIES.—

481 (a) Except as otherwise specifically provided, a sexual
482 predator who fails to register; who fails, after registration,
483 to maintain, acquire, or renew a driver license or an
484 identification card; who fails to provide required location
485 information; who fails to provide, electronic mail addresses
486 address information before use, Internet identifiers, and each
487 Internet identifier's corresponding website home page or
488 application software name; who fails to provide identifier
489 information before use, all home telephone numbers and cellular
490 telephone numbers, employment information, change in status at
491 an institution of higher education, or change-of-name
492 information; who fails to make a required report in connection
493 with vacating a permanent residence; who fails to reregister as
494 required; who fails to respond to any address verification
495 correspondence from the department within 3 weeks of the date of
496 the correspondence; who knowingly provides false registration
497 information by act or omission; or who otherwise fails, by act
498 or omission, to comply with the requirements of this section
499 commits a felony of the third degree, punishable as provided in
500 s. 775.082, s. 775.083, or s. 775.084.

501 (e) An arrest on charges of failure to register, the
502 service of an information or a complaint for a violation of this
503 section, or an arraignment on charges for a violation of this



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504 section constitutes actual notice of the duty to register when
505 the predator has been provided and advised of his or her
506 statutory obligation to register under subsection (6). A sexual
507 predator's failure to immediately register as required by this
508 section following such arrest, service, or arraignment
509 constitutes grounds for a subsequent charge of failure to
510 register. A sexual predator charged with the crime of failure to
511 register who asserts, or intends to assert, a lack of notice of
512 the duty to register as a defense to a charge of failure to
513 register shall immediately register as required by this section.
514 A sexual predator who is charged with a subsequent failure to
515 register may not assert the defense of a lack of notice of the
516 duty to register.

517 Section 2. Paragraph (e) of subsection (1) of section
518 943.0435, Florida Statutes, is republished, and subsection (2),
519 paragraph (e) of subsection (4), and paragraph (c) of subsection
520 (14) of that section, are amended to read:

521 943.0435 Sexual offenders required to register with the
522 department; penalty.-

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

524 (e) "Internet identifier" has the same meaning as provided
525 in s. 775.21.

526 (2) Upon initial registration, a sexual offender shall:

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

528 1. In the county in which the offender establishes or
529 maintains a permanent, temporary, or transient residence within
530 48 hours after:

531 a. Establishing permanent, temporary, or transient
532 residence in this state; or



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533 b. Being released from the custody, control, or supervision
534 of the Department of Corrections or from the custody of a
535 private correctional facility; or

536 2. In the county where he or she was convicted within 48
537 hours after being convicted for a qualifying offense for
538 registration under this section if the offender is not in the
539 custody or control of, or under the supervision of, the
540 Department of Corrections, or is not in the custody of a private
541 correctional facility.

542
543 Any change in the information required to be provided pursuant
544 to paragraph (b), including, but not limited to, any change in
545 the sexual offender's permanent, temporary, or transient
546 residence; name; electronic mail addresses; Internet identifiers
547 and each Internet identifier's corresponding website home page
548 or application software name; home telephone numbers and
549 cellular telephone numbers; ~~and~~ employment information; and any
550 change in status at an institution of higher education, ~~required~~
551 ~~to be provided pursuant to paragraph (4)(c)~~, after the sexual
552 offender reports in person at the sheriff's office must be
553 reported ~~accomplished~~ in the manner provided in subsections (4),
554 (7), and (8).

555 (b) Provide his or her name; date of birth; social security
556 number; race; sex; height; weight; hair and eye color; tattoos
557 or other identifying marks; fingerprints; palm prints;
558 photograph; employment information ~~required to be provided~~
559 ~~pursuant to paragraph (4)(c)~~; address of permanent or legal
560 residence or address of any current temporary residence, within
561 the state or out of state, including a rural route address and a



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562 post office box; if no permanent or temporary address, any
563 transient residence within the state, address, location or
564 description, and dates of any current or known future temporary
565 residence within the state or out of state; the make, model,
566 color, vehicle identification number (VIN), and license tag
567 number of all vehicles owned; ~~all~~ home telephone numbers and
568 cellular telephone numbers ~~required to be provided pursuant to~~
569 ~~paragraph (4) (e); all~~ electronic mail addresses; ~~and all~~
570 Internet identifiers and each Internet identifier's
571 corresponding website home page or application software name
572 ~~required to be provided pursuant to paragraph (4) (e);~~ date and
573 place of each conviction; and a brief description of the crime
574 or crimes committed by the offender. A post office box may not
575 be provided in lieu of a physical residential address. The
576 sexual offender shall also produce his or her passport, if he or
577 she has a passport, and, if he or she is an alien, shall produce
578 or provide information about documents establishing his or her
579 immigration status. The sexual offender shall also provide
580 information about any professional licenses he or she has.

581 1. If the sexual offender's place of residence is a motor
582 vehicle, trailer, mobile home, or manufactured home, as defined
583 in chapter 320, the sexual offender shall also provide to the
584 department through the sheriff's office written notice of the
585 vehicle identification number; the license tag number; the
586 registration number; and a description, including color scheme,
587 of the motor vehicle, trailer, mobile home, or manufactured
588 home. If the sexual offender's place of residence is a vessel,
589 live-aboard vessel, or houseboat, as defined in chapter 327, the
590 sexual offender shall also provide to the department written



591 notice of the hull identification number; the manufacturer's
592 serial number; the name of the vessel, live-aboard vessel, or
593 houseboat; the registration number; and a description, including
594 color scheme, of the vessel, live-aboard vessel, or houseboat.

595 2. If the sexual offender is enrolled or employed, whether
596 for compensation or as a volunteer, at an institution of higher
597 education in this state, the sexual offender shall also provide
598 to the department ~~pursuant to paragraph (4)(e)~~ the name,
599 address, and county of each institution, including each campus
600 attended, and the sexual offender's enrollment, volunteer, or
601 employment status. The sheriff, the Department of Corrections,
602 or the Department of Juvenile Justice shall promptly notify each
603 institution of higher education of the sexual offender's
604 presence and any change in the sexual offender's enrollment,
605 volunteer, or employment status.

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

609 (c) Provide any other information determined necessary by
610 the department, including criminal and corrections records;
611 nonprivileged personnel and treatment records; and evidentiary
612 genetic markers, when available.

613
614 When a sexual offender reports at the sheriff's office, the
615 sheriff shall take a photograph, a set of fingerprints, and palm
616 prints of the offender and forward the photographs, palm prints,
617 and fingerprints to the department, along with the information
618 provided by the sexual offender. The sheriff shall promptly
619 provide to the department the information received from the



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620 sexual offender.

621 (4)

622 (e)1. A sexual offender shall register all electronic mail
623 addresses and Internet identifiers, and each Internet
624 identifier's corresponding website home page or application
625 software name, with the department through the department's
626 online system or in person at the sheriff's office within 48
627 hours after ~~before~~ using such electronic mail addresses and
628 Internet identifiers. If the sexual offender is in the custody
629 or control, or under the supervision, of the Department of
630 Corrections, he or she must report all electronic mail addresses
631 and Internet identifiers, and each Internet identifier's
632 corresponding website home page or application software name, to
633 the Department of Corrections before using such electronic mail
634 addresses or Internet identifiers. If the sexual offender is in
635 the custody or control, or under the supervision, of the
636 Department of Juvenile Justice, he or she must report all
637 electronic mail addresses and Internet identifiers, and each
638 Internet identifier's corresponding website home page or
639 application software name, to the Department of Juvenile Justice
640 before using such electronic mail addresses or Internet
641 identifiers.

642 2. A sexual offender shall register all changes to home
643 telephone numbers and cellular telephone numbers, including
644 added and deleted numbers, all changes to employment
645 information, and all changes in status related to enrollment,
646 volunteering, or employment at institutions of higher education,
647 through the department's online system; in person at the
648 sheriff's office; in person at the Department of Corrections if



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649 the sexual offender is in the custody or control, or under the
650 supervision, of the Department of Corrections; or in person at
651 the Department of Juvenile Justice if the sexual offender is in
652 the custody or control, or under the supervision, of the
653 Department of Juvenile Justice. All changes required to be
654 reported under this subparagraph must be reported within 48
655 hours after the change.

656 3. The department shall establish an online system through
657 which sexual offenders may securely access, submit, and update
658 all changes in status to electronic mail addresses; ~~address and~~
659 Internet identifiers and each Internet identifier's
660 corresponding website home page or application software name;
661 ~~identifier information~~, home telephone numbers and cellular
662 telephone numbers; ~~;~~ employment information; ~~;~~ and institution of
663 higher education information.

664 (14)

665 (c) The sheriff's office may determine the appropriate
666 times and days for reporting by the sexual offender, which must
667 be consistent with the reporting requirements of this
668 subsection. Reregistration must include any changes to the
669 following information:

670 1. Name; social security number; age; race; sex; date of
671 birth; height; weight; tattoos or other identifying marks; hair
672 and eye color; address of any permanent residence and address of
673 any current temporary residence, within the state or out of
674 state, including a rural route address and a post office box; if
675 no permanent or temporary address, any transient residence
676 within the state; address, location or description, and dates of
677 any current or known future temporary residence within the state



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678 or out of state; all electronic mail addresses or Internet
679 identifiers and each Internet identifier's corresponding website
680 home page or application software name ~~required to be provided~~
681 ~~pursuant to paragraph (4)(e);~~ all home telephone numbers and
682 cellular telephone numbers ~~required to be provided pursuant to~~
683 ~~paragraph (4)(e);~~ employment information ~~required to be provided~~
684 ~~pursuant to paragraph (4)(e);~~ the make, model, color, vehicle
685 identification number (VIN), and license tag number of all
686 vehicles owned; fingerprints; palm prints; and photograph. A
687 post office box may not be provided in lieu of a physical
688 residential address. The sexual offender shall also produce his
689 or her passport, if he or she has a passport, and, if he or she
690 is an alien, shall produce or provide information about
691 documents establishing his or her immigration status. The sexual
692 offender shall also provide information about any professional
693 licenses he or she has.

694 2. If the sexual offender is enrolled or employed, whether
695 for compensation or as a volunteer, at an institution of higher
696 education in this state, the sexual offender shall also provide
697 to the department the name, address, and county of each
698 institution, including each campus attended, and the sexual
699 offender's enrollment, volunteer, or employment status.

700 3. If the sexual offender's place of residence is a motor
701 vehicle, trailer, mobile home, or manufactured home, as defined
702 in chapter 320, the sexual offender shall also provide the
703 vehicle identification number; the license tag number; the
704 registration number; and a description, including color scheme,
705 of the motor vehicle, trailer, mobile home, or manufactured
706 home. If the sexual offender's place of residence is a vessel,



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707 live-aboard vessel, or houseboat, as defined in chapter 327, the
708 sexual offender shall also provide the hull identification
709 number; the manufacturer's serial number; the name of the
710 vessel, live-aboard vessel, or houseboat; the registration
711 number; and a description, including color scheme, of the
712 vessel, live-aboard vessel, or houseboat.

713 4. Any sexual offender who fails to report in person as
714 required at the sheriff's office, who fails to respond to any
715 address verification correspondence from the department within 3
716 weeks of the date of the correspondence, who fails to report all
717 electronic mail addresses and all Internet identifiers, and each
718 Internet identifier's corresponding website home page or
719 application software name before use, or who knowingly provides
720 false registration information by act or omission commits a
721 felony of the third degree, punishable as provided in s.
722 775.082, s. 775.083, or s. 775.084.

723 Section 3. For the purpose of incorporating the amendment
724 made by this act to section 775.21, Florida Statutes, in a
725 reference thereto, subsection (2) of section 943.0437, Florida
726 Statutes, is reenacted to read:

727 943.0437 Commercial social networking websites.—

728 (2) The department may provide information relating to
729 electronic mail addresses and Internet identifiers, as defined
730 in s. 775.21, maintained as part of the sexual offender registry
731 to commercial social networking websites or third parties
732 designated by commercial social networking websites. The
733 commercial social networking website may use this information
734 for the purpose of comparing registered users and screening
735 potential users of the commercial social networking website



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736 against the list of electronic mail addresses and Internet
737 identifiers provided by the department.

738 Section 4. For the purpose of incorporating the amendment
739 made by this act to section 775.21, Florida Statutes, in a
740 reference thereto, paragraph (c) of subsection (1) of section
741 944.606, Florida Statutes, is reenacted to read:

742 944.606 Sexual offenders; notification upon release.-

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

744 (c) "Internet identifier" has the same meaning as provided
745 in s. 775.21.

746 Section 5. For the purpose of incorporating the amendment
747 made by this act to section 775.21, Florida Statutes, in a
748 reference thereto, paragraph (e) of subsection (1) of section
749 944.607, Florida Statutes, is reenacted to read:

750 944.607 Notification to Department of Law Enforcement of
751 information on sexual offenders.-

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

753 (e) "Internet identifier" has the same meaning as provided
754 in s. 775.21.

755 Section 6. For the purpose of incorporating the amendment
756 made by this act to section 775.21, Florida Statutes, in a
757 reference thereto, paragraph (c) of subsection (1) of section
758 985.481, Florida Statutes, is reenacted to read:

759 985.481 Sexual offenders adjudicated delinquent;
760 notification upon release.-

761 (1) As used in this section:

762 (c) "Internet identifier" has the same meaning as provided
763 in s. 775.21.

764 Section 7. For the purpose of incorporating the amendment



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765 made by this act to section 775.21, Florida Statutes, in a
766 reference thereto, paragraph (e) of subsection (1) of section
767 985.4815, Florida Statutes, is reenacted to read:

768 985.4815 Notification to Department of Law Enforcement of
769 information on juvenile sexual offenders.—

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

771 (e) "Internet identifier" has the same meaning as provided
772 in s. 775.21.

773 Section 8. For the purpose of incorporating the amendment
774 made by this act to section 943.0435, Florida Statutes, in a
775 reference thereto, paragraph (a) of subsection (3) of section
776 944.606, Florida Statutes, is reenacted to read:

777 944.606 Sexual offenders; notification upon release.—

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

781 1. The department shall provide: the sexual offender's
782 name, any change in the offender's name by reason of marriage or
783 other legal process, and any alias, if known; the correctional
784 facility from which the sexual offender is released; the sexual
785 offender's social security number, race, sex, date of birth,
786 height, weight, and hair and eye color; tattoos or other
787 identifying marks; address of any planned permanent residence or
788 temporary residence, within the state or out of state, including
789 a rural route address and a post office box; if no permanent or
790 temporary address, any transient residence within the state;
791 address, location or description, and dates of any known future
792 temporary residence within the state or out of state; date and
793 county of sentence and each crime for which the offender was



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794 sentenced; a copy of the offender's fingerprints, palm prints,
795 and a digitized photograph taken within 60 days before release;
796 the date of release of the sexual offender; all electronic mail
797 addresses and all Internet identifiers required to be provided
798 pursuant to s. 943.0435(4)(e); employment information, if known,
799 provided pursuant to s. 943.0435(4)(e); all home telephone
800 numbers and cellular telephone numbers required to be provided
801 pursuant to s. 943.0435(4)(e); information about any
802 professional licenses the offender has, if known; and passport
803 information, if he or she has a passport, and, if he or she is
804 an alien, information about documents establishing his or her
805 immigration status. The department shall notify the Department
806 of Law Enforcement if the sexual offender escapes, absconds, or
807 dies. If the sexual offender is in the custody of a private
808 correctional facility, the facility shall take the digitized
809 photograph of the sexual offender within 60 days before the
810 sexual offender's release and provide this photograph to the
811 Department of Corrections and also place it in the sexual
812 offender's file. If the sexual offender is in the custody of a
813 local jail, the custodian of the local jail shall register the
814 offender within 3 business days after intake of the offender for
815 any reason and upon release, and shall notify the Department of
816 Law Enforcement of the sexual offender's release and provide to
817 the Department of Law Enforcement the information specified in
818 this paragraph and any information specified in subparagraph 2.
819 that the Department of Law Enforcement requests.

820 2. The department may provide any other information deemed
821 necessary, including criminal and corrections records,
822 nonprivileged personnel and treatment records, when available.



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823 Section 9. For the purpose of incorporating the amendment
824 made by this act to section 943.0435, Florida Statutes, in
825 references thereto, paragraph (a) of subsection (4), subsection
826 (9), and paragraph (c) of subsection (13) of section 944.607,
827 Florida Statutes, are reenacted to read:

828 944.607 Notification to Department of Law Enforcement of
829 information on sexual offenders.—

830 (4) A sexual offender, as described in this section, who is
831 under the supervision of the Department of Corrections but is
832 not incarcerated shall register with the Department of
833 Corrections within 3 business days after sentencing for a
834 registrable offense and otherwise provide information as
835 required by this subsection.

836 (a) The sexual offender shall provide his or her name; date
837 of birth; social security number; race; sex; height; weight;
838 hair and eye color; tattoos or other identifying marks; all
839 electronic mail addresses and Internet identifiers required to
840 be provided pursuant to s. 943.0435(4) (e); employment
841 information required to be provided pursuant to s.
842 943.0435(4) (e); all home telephone numbers and cellular
843 telephone numbers required to be provided pursuant to s.
844 943.0435(4) (e); the make, model, color, vehicle identification
845 number (VIN), and license tag number of all vehicles owned;
846 permanent or legal residence and address of temporary residence
847 within the state or out of state while the sexual offender is
848 under supervision in this state, including any rural route
849 address or post office box; if no permanent or temporary
850 address, any transient residence within the state; and address,
851 location or description, and dates of any current or known



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852 future temporary residence within the state or out of state. The
853 sexual offender shall also produce his or her passport, if he or
854 she has a passport, and, if he or she is an alien, shall produce
855 or provide information about documents establishing his or her
856 immigration status. The sexual offender shall also provide
857 information about any professional licenses he or she has. The
858 Department of Corrections shall verify the address of each
859 sexual offender in the manner described in ss. 775.21 and
860 943.0435. The department shall report to the Department of Law
861 Enforcement any failure by a sexual predator or sexual offender
862 to comply with registration requirements.

863 (9) A sexual offender, as described in this section, who is
864 under the supervision of the Department of Corrections but who
865 is not incarcerated shall, in addition to the registration
866 requirements provided in subsection (4), register and obtain a
867 distinctive driver license or identification card in the manner
868 provided in s. 943.0435(3), (4), and (5), unless the sexual
869 offender is a sexual predator, in which case he or she shall
870 register and obtain a distinctive driver license or
871 identification card as required under s. 775.21. A sexual
872 offender who fails to comply with the requirements of s.
873 943.0435 is subject to the penalties provided in s. 943.0435(9).

874 (13)

875 (c) The sheriff's office may determine the appropriate
876 times and days for reporting by the sexual offender, which must
877 be consistent with the reporting requirements of this
878 subsection. Reregistration must include any changes to the
879 following information:

880 1. Name; social security number; age; race; sex; date of



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881 birth; height; weight; tattoos or other identifying marks; hair
882 and eye color; address of any permanent residence and address of
883 any current temporary residence, within the state or out of
884 state, including a rural route address and a post office box; if
885 no permanent or temporary address, any transient residence;
886 address, location or description, and dates of any current or
887 known future temporary residence within the state or out of
888 state; all electronic mail addresses and Internet identifiers
889 required to be provided pursuant to s. 943.0435(4)(e); all home
890 telephone numbers and cellular telephone numbers required to be
891 provided pursuant to s. 943.0435(4)(e); employment information
892 required to be provided pursuant to s. 943.0435(4)(e); the make,
893 model, color, vehicle identification number (VIN), and license
894 tag number of all vehicles owned; fingerprints; palm prints; and
895 photograph. A post office box may not be provided in lieu of a
896 physical residential address. The sexual offender shall also
897 produce his or her passport, if he or she has a passport, and,
898 if he or she is an alien, shall produce or provide information
899 about documents establishing his or her immigration status. The
900 sexual offender shall also provide information about any
901 professional licenses he or she has.

902 2. If the sexual offender is enrolled or employed, whether
903 for compensation or as a volunteer, at an institution of higher
904 education in this state, the sexual offender shall also provide
905 to the department the name, address, and county of each
906 institution, including each campus attended, and the sexual
907 offender's enrollment, volunteer, or employment status.

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



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910 in chapter 320, the sexual offender shall also provide the
911 vehicle identification number; the license tag number; the
912 registration number; and a description, including color scheme,
913 of the motor vehicle, trailer, mobile home, or manufactured
914 home. If the sexual offender's place of residence is a vessel,
915 live-aboard vessel, or houseboat, as defined in chapter 327, the
916 sexual offender shall also provide the hull identification
917 number; the manufacturer's serial number; the name of the
918 vessel, live-aboard vessel, or houseboat; the registration
919 number; and a description, including color scheme, of the
920 vessel, live-aboard vessel or houseboat.

921 4. Any sexual offender who fails to report in person as
922 required at the sheriff's office, who fails to respond to any
923 address verification correspondence from the department within 3
924 weeks of the date of the correspondence, who fails to report all
925 electronic mail addresses or Internet identifiers before use, or
926 who knowingly provides false registration information by act or
927 omission commits a felony of the third degree, punishable as
928 provided in s. 775.082, s. 775.083, or s. 775.084.

929 Section 10. For the purpose of incorporating the amendment
930 made by this act to section 943.0435, Florida Statutes, in a
931 reference thereto, paragraph (a) of subsection (3) of section
932 985.481, Florida Statutes, is reenacted to read:

933 985.481 Sexual offenders adjudicated delinquent;
934 notification upon release.-

935 (3) (a) The department shall provide information regarding
936 any sexual offender who is being released after serving a period
937 of residential commitment under the department for any offense,
938 as follows:



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939 1. The department shall provide the sexual offender's name,
940 any change in the offender's name by reason of marriage or other
941 legal process, and any alias, if known; the correctional
942 facility from which the sexual offender is released; the sexual
943 offender's social security number, race, sex, date of birth,
944 height, weight, and hair and eye color; tattoos or other
945 identifying marks; the make, model, color, vehicle
946 identification number (VIN), and license tag number of all
947 vehicles owned; address of any planned permanent residence or
948 temporary residence, within the state or out of state, including
949 a rural route address and a post office box; if no permanent or
950 temporary address, any transient residence within the state;
951 address, location or description, and dates of any known future
952 temporary residence within the state or out of state; date and
953 county of disposition and each crime for which there was a
954 disposition; a copy of the offender's fingerprints, palm prints,
955 and a digitized photograph taken within 60 days before release;
956 the date of release of the sexual offender; all home telephone
957 numbers and cellular telephone numbers required to be provided
958 pursuant to s. 943.0435(4)(e); all electronic mail addresses and
959 Internet identifiers required to be provided pursuant to s.
960 943.0435(4)(e); information about any professional licenses the
961 offender has, if known; and passport information, if he or she
962 has a passport, and, if he or she is an alien, information about
963 documents establishing his or her immigration status. The
964 department shall notify the Department of Law Enforcement if the
965 sexual offender escapes, absconds, or dies. If the sexual
966 offender is in the custody of a private correctional facility,
967 the facility shall take the digitized photograph of the sexual



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968 offender within 60 days before the sexual offender's release and
969 also place it in the sexual offender's file. If the sexual
970 offender is in the custody of a local jail, the custodian of the
971 local jail shall register the offender within 3 business days
972 after intake of the offender for any reason and upon release,
973 and shall notify the Department of Law Enforcement of the sexual
974 offender's release and provide to the Department of Law
975 Enforcement the information specified in this subparagraph and
976 any information specified in subparagraph 2. which the
977 Department of Law Enforcement requests.

978 2. The department may provide any other information
979 considered necessary, including criminal and delinquency
980 records, when available.

981 Section 11. For the purpose of incorporating the amendment
982 made by this act to section 943.0435, Florida Statutes, in
983 references thereto, paragraph (a) of subsection (4), subsection
984 (9), and paragraph (b) of subsection (13) of section 985.4815,
985 Florida Statutes, are reenacted to read:

986 985.4815 Notification to Department of Law Enforcement of
987 information on juvenile sexual offenders.—

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

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



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997 license tag number of all vehicles owned; permanent or legal
998 residence and address of temporary residence within the state or
999 out of state while the sexual offender is in the care or custody
1000 or under the jurisdiction or supervision of the department in
1001 this state, including any rural route address or post office
1002 box; if no permanent or temporary address, any transient
1003 residence; address, location or description, and dates of any
1004 current or known future temporary residence within the state or
1005 out of state; all home telephone numbers and cellular telephone
1006 numbers required to be provided pursuant to s. 943.0435(4)(e);
1007 all electronic mail addresses and Internet identifiers required
1008 to be provided pursuant to s. 943.0435(4)(e); and the name and
1009 address of each school attended. The sexual offender shall also
1010 produce his or her passport, if he or she has a passport, and,
1011 if he or she is an alien, shall produce or provide information
1012 about documents establishing his or her immigration status. The
1013 offender shall also provide information about any professional
1014 licenses he or she has. The department shall verify the address
1015 of each sexual offender and shall report to the Department of
1016 Law Enforcement any failure by a sexual offender to comply with
1017 registration requirements.

1018 (9) A sexual offender, as described in this section, who is
1019 under the care, jurisdiction, or supervision of the department
1020 but who is not incarcerated shall, in addition to the
1021 registration requirements provided in subsection (4), register
1022 in the manner provided in s. 943.0435(3), (4), and (5), unless
1023 the sexual offender is a sexual predator, in which case he or
1024 she shall register as required under s. 775.21. A sexual
1025 offender who fails to comply with the requirements of s.



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1026 943.0435 is subject to the penalties provided in s. 943.0435(9).
1027 (13)

1028 (b) The sheriff's office may determine the appropriate
1029 times and days for reporting by the sexual offender, which must
1030 be consistent with the reporting requirements of this
1031 subsection. Reregistration must include any changes to the
1032 following information:

1033 1. Name; social security number; age; race; sex; date of
1034 birth; height; weight; hair and eye color; tattoos or other
1035 identifying marks; fingerprints; palm prints; address of any
1036 permanent residence and address of any current temporary
1037 residence, within the state or out of state, including a rural
1038 route address and a post office box; if no permanent or
1039 temporary address, any transient residence; address, location or
1040 description, and dates of any current or known future temporary
1041 residence within the state or out of state; passport
1042 information, if he or she has a passport, and, if he or she is
1043 an alien, information about documents establishing his or her
1044 immigration status; all home telephone numbers and cellular
1045 telephone numbers required to be provided pursuant to s.
1046 943.0435(4)(e); all electronic mail addresses and Internet
1047 identifiers required to be provided pursuant to s.
1048 943.0435(4)(e); name and address of each school attended;
1049 employment information required to be provided pursuant to s.
1050 943.0435(4)(e); the make, model, color, vehicle identification
1051 number (VIN), and license tag number of all vehicles owned; and
1052 photograph. A post office box may not be provided in lieu of a
1053 physical residential address. The offender shall also provide
1054 information about any professional licenses he or she has.



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1055 2. If the sexual offender is enrolled or employed, whether
1056 for compensation or as a volunteer, at an institution of higher
1057 education in this state, the sexual offender shall also provide
1058 to the department the name, address, and county of each
1059 institution, including each campus attended, and the sexual
1060 offender's enrollment, volunteer, or employment status.

1061 3. If the sexual offender's place of residence is a motor
1062 vehicle, trailer, mobile home, or manufactured home, as defined
1063 in chapter 320, the sexual offender shall also provide the
1064 vehicle identification number; the license tag number; the
1065 registration number; and a description, including color scheme,
1066 of the motor vehicle, trailer, mobile home, or manufactured
1067 home. If the sexual offender's place of residence is a vessel,
1068 live-aboard vessel, or houseboat, as defined in chapter 327, the
1069 sexual offender shall also provide the hull identification
1070 number; the manufacturer's serial number; the name of the
1071 vessel, live-aboard vessel, or houseboat; the registration
1072 number; and a description, including color scheme, of the
1073 vessel, live-aboard vessel, or houseboat.

1074 4. Any sexual offender who fails to report in person as
1075 required at the sheriff's office, who fails to respond to any
1076 address verification correspondence from the department within 3
1077 weeks after the date of the correspondence, or who knowingly
1078 provides false registration information by act or omission
1079 commits a felony of the third degree, punishable as provided in
1080 ss. 775.082, 775.083, and 775.084.

1081 Section 12. For the purpose of incorporating the amendments
1082 made by this act to sections 775.21 and 943.0435, Florida
1083 Statutes, in references thereto, subsection (1) of section



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1084 794.056, Florida Statutes, is reenacted to read:

1085 794.056 Rape Crisis Program Trust Fund.—

1086 (1) The Rape Crisis Program Trust Fund is created within
1087 the Department of Health for the purpose of providing funds for
1088 rape crisis centers in this state. Trust fund moneys shall be
1089 used exclusively for the purpose of providing services for
1090 victims of sexual assault. Funds credited to the trust fund
1091 consist of those funds collected as an additional court
1092 assessment in each case in which a defendant pleads guilty or
1093 nolo contendere to, or is found guilty of, regardless of
1094 adjudication, an offense provided in s. 775.21(6) and (10)(a),
1095 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
1096 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
1097 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
1098 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
1099 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
1100 796.06; s. 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s.
1101 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
1102 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
1103 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),
1104 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust
1105 fund also shall include revenues provided by law, moneys
1106 appropriated by the Legislature, and grants from public or
1107 private entities.

1108 Section 13. For the purpose of incorporating the amendments
1109 made by this act to sections 775.21 and 943.0435, Florida
1110 Statutes, in references thereto, paragraph (g) of subsection (3)
1111 of section 921.0022, Florida Statutes, is reenacted to read:

1112 921.0022 Criminal Punishment Code; offense severity ranking



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1113 chart.-

1114 (3) OFFENSE SEVERITY RANKING CHART

1115 (g) LEVEL 7

1116

1117

Florida Statute	Felony Degree	Description
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1118

316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
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1119

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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1120

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.
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1121

327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
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1122

402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm,
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1123			permanent disfiguration, permanent disability, or death.
1124	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1125	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1126	456.065 (2)	3rd	Practicing a health care profession without a license.
1127	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1128	458.327 (1)	3rd	Practicing medicine without a license.
1129	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1130	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
	461.012 (1)	3rd	Practicing podiatric medicine without a license.



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1131	462.17	3rd	Practicing naturopathy without a license.
1132	463.015(1)	3rd	Practicing optometry without a license.
1133	464.016(1)	3rd	Practicing nursing without a license.
1134	465.015(2)	3rd	Practicing pharmacy without a license.
1135	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
1136	467.201	3rd	Practicing midwifery without a license.
1137	468.366	3rd	Delivering respiratory care services without a license.
1138	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
1139	483.901(7)	3rd	Practicing medical physics without a license.
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1141	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1142	484.053	3rd	Dispensing hearing aids without a license.
1143	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.
1144	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.
1145	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1146	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.



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1147	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1148	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
1149	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1150	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1151	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular



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1152			homicide).
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1153			
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1154			
	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1155			
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1156			
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1157			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1158			
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1159			
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.



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1160	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
1161	784.081(1)	1st	Aggravated battery on specified official or employee.
1162	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
1163	784.083(1)	1st	Aggravated battery on code inspector.
1164	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
1165	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.
1166	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1167			



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1168	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1169	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1170	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1171	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1172	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1173	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



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1174			authority to a victim younger than 18 years of age.
1175	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
1176	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1177	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1178	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.
1179	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.
	806.01(2)	2nd	Maliciously damage structure by



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1180			fire or explosive.
	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1181			
	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1182			
	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1183			
	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1184			
	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.
1185			
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1186			
	812.014 (2) (b) 3.	2nd	Property stolen, emergency



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1187			medical equipment; 2nd degree grand theft.
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1188			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1189			
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1190			
	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1191			
	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1192			
	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1193			
	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1194			
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional



1195			motor vehicle collision.
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1196			
	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1197			
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1198			
	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1199			
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1200			
	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.



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1201	827.03(2)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1202	827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1203	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1204	838.015	2nd	Bribery.
1205	838.016	2nd	Unlawful compensation or reward for official behavior.
1206	838.021(3)(a)	2nd	Unlawful harm to a public servant.
1207	838.22	2nd	Bid tampering.
1208	843.0855(2)	3rd	Impersonation of a public officer or employee.
1209	843.0855(3)	3rd	Unlawful simulation of legal process.
1210			



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1211	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1212	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1213	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1214	872.06	2nd	Abuse of a dead human body.
1215	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1216	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.) within 1,000 feet of a child care facility, school, or



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1217			state, county, or municipal park or publicly owned recreational facility or community center.
	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
1218			
	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1219			
	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1220			
	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1221			
	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.



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1222	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1223	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1224	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1225	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1226	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1227	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1228	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1229			



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1230	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1231	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1232	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1233	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1234	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1235	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but



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1236			less than \$20,000.
1237	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1238	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1239	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1240	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1241	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
	944.607 (9)	3rd	Sexual offender; failure to comply with reporting



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1242			requirements.
	944.607(10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1243			
	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1244			
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1245			
	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1246			
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1247			
	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address



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verification; providing false
registration information.

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Section 14. For the purpose of incorporating the amendments made by this act to sections 775.21 and 943.0435, Florida Statutes, in references thereto, section 938.085, Florida Statutes, is reenacted to read:

938.085 Additional cost to fund rape crisis centers.—In addition to any sanction imposed when a person pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, a violation of s. 775.21(6) and (10)(a), (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s. 796.07(2)(a)–(d) and (i); s. 800.03; s. 800.04; s. 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and (14)(c); or s. 985.701(1), the court shall impose a surcharge of \$151. Payment of the surcharge shall be a condition of probation, community control, or any other court-ordered supervision. The sum of \$150 of the surcharge shall be deposited into the Rape Crisis Program Trust Fund established within the Department of Health by chapter 2003-140, Laws of Florida. The clerk of the court shall retain \$1 of each surcharge that the clerk of the court collects as a service charge of the clerk's



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1275 office.
1276 Section 15. This act shall take effect upon becoming a law.

1277
1278 ===== T I T L E A M E N D M E N T =====

1279 And the title is amended as follows:

1280 Delete everything before the enacting clause
1281 and insert:

1282 A bill to be entitled
1283 An act relating to Internet identifiers; amending s.
1284 775.21, F.S.; revising the definition of the term
1285 "Internet identifier"; defining the term "social
1286 Internet communication"; requiring a sexual predator
1287 to register each Internet identifier's corresponding
1288 website home page or application software name with
1289 the Department of Law Enforcement through the
1290 sheriff's office; requiring a sexual predator to
1291 report any change to certain information after initial
1292 in-person registration in a specified manner;
1293 requiring a sexual predator to register all electronic
1294 mail addresses, Internet identifiers, and Internet
1295 identifiers' corresponding website home pages or
1296 application names with the department within 48 hours
1297 after using the addresses or identifiers, rather than
1298 before using them; providing that the department's
1299 sexual predator registration list is a public record,
1300 unless otherwise made exempt or confidential and
1301 exempt; revising the information that a sexual
1302 predator must report to the sheriff's office each
1303 year; conforming provisions to change made by the act;



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1304 making technical changes; amending s. 943.0435, F.S.;

1305 requiring a sexual offender, upon initial

1306 registration, to report in person at the sheriff's

1307 office; requiring the sexual offender to report any

1308 change to each Internet identifier's corresponding

1309 website home page or application software name in

1310 person at the sheriff's office in a specified manner;

1311 requiring a sexual offender to report any change to

1312 certain information after initial in-person

1313 registration in a specified manner; requiring a sexual

1314 offender to register all electronic mail addresses and

1315 Internet identifiers, and each Internet identifier's

1316 corresponding website home page or application

1317 software name, with a specified period after using

1318 these addresses or identifiers, rather than before

1319 using them; making technical changes; reenacting ss.

1320 943.0437(2), 944.606(1)(c), 944.607(1)(e),

1321 985.481(1)(c), and 985.4815(1)(e), F.S., relating to

1322 the definition of the term "Internet identifier," to

1323 incorporate the amendment made to s. 775.21, F.S., in

1324 references thereto; reenacting ss. 944.606(3)(a),

1325 944.607(4)(a), (9), and (13)(c), 985.481(3)(a), and

1326 985.4815(4)(a), (9), and (13)(b), F.S., relating to

1327 sexual offenders, notification to the Department of

1328 Law Enforcement of information on sexual offenders,

1329 notification to the department upon release of sexual

1330 offenders adjudicated delinquent, and notification to

1331 the department of information on juvenile sexual

1332 offenders, respectively, to incorporate the amendment



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1333 made to s. 943.0435, F.S., in references thereto;
1334 reenacting ss. 794.056(1), 921.0022(3)(g), and
1335 938.085, F.S., relating to the Rape Crisis Program
1336 Trust Fund, the Criminal Punishment Code offense
1337 severity ranking chart, and additional costs to fund
1338 rape crisis centers, respectively, to incorporate the
1339 amendments made to ss. 775.21 and 943.0435, F.S., in
1340 references thereto; providing an effective date.