

By Senator Farmer

34-01747-19

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1 A bill to be entitled
2 An act relating to protecting the public security;
3 creating s. 775.216, F.S.; defining terms; prohibiting
4 persons convicted of certain sexual offenses from
5 performing unsupervised work in specified locations;
6 providing criminal penalties; providing an effective
7 date.

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

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11 Section 1. Section 775.216, Florida Statutes, is created to
12 read:

13 775.216 Work restriction for persons convicted of certain
14 sex offenses.-

15 (1) (a) The definitions contained in s. 775.215 apply to
16 this section.

17 (b) As used in this section, the terms "dwelling unit" and
18 "premises" have the same meanings as in s. 83.43.

19 (2) (a) A person who has been convicted of a violation of s.
20 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,
21 in which the victim of the offense was less than 16 years of
22 age, may not perform any unsupervised remunerated or voluntary
23 work at any dwelling unit, premises, school, child care
24 facility, park, or playground.

25 (b) A person who violates this subsection and whose
26 conviction under s. 794.011, s. 800.04, s. 827.071, s.
27 847.0135(5), or s. 847.0145 was classified as a felony of the
28 first degree or higher commits a felony of the third degree,
29 punishable as provided in s. 775.082 or s. 775.083. A person who

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30 violates this subsection and whose conviction under s. 794.011,
31 s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145 was
32 classified as a felony of the second or third degree commits a
33 misdemeanor of the first degree, punishable as provided in s.
34 775.082 or s. 775.083.

35 (c) This subsection applies to any person convicted of a
36 violation of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5),
37 or s. 847.0145 for offenses that occur on or after October 1,
38 2019, excluding persons who have been removed from the
39 requirement to register as a sexual offender or sexual predator
40 pursuant to s. 943.04354.

41 (3) (a) A person who has been convicted of an offense in
42 another jurisdiction that is similar to a violation of s.
43 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,
44 regardless of whether adjudication has been withheld, in which
45 the victim of the offense was less than 16 years of age, may not
46 perform any remunerated or voluntary work at any dwelling unit,
47 premises, school, child care facility, park, or playground.

48 (b) A person who violates this subsection and whose
49 conviction in another jurisdiction resulted in a penalty that is
50 substantially similar to a felony of the first degree or higher
51 commits a felony of the third degree, punishable as provided in
52 s. 775.082 or s. 775.083. A person who violates this subsection
53 and whose conviction in another jurisdiction resulted in a
54 penalty that is substantially similar to a felony of the second
55 or third degree commits a misdemeanor of the first degree,
56 punishable as provided in s. 775.082 or s. 775.083.

57 (c) This subsection applies to any person convicted of an
58 offense in another jurisdiction that is similar to a violation

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59 of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.
60 847.0145 if such offense occurred on or after October 1, 2019,
61 excluding persons who have been removed from the requirement to
62 register as a sexual offender or sexual predator pursuant to s.
63 943.04354.

64 Section 2. This act shall take effect October 1, 2019.