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LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Flores) recommended the following:

Senate Amendment

Delete lines 369 - 495

and insert:

(e)1. A sexual offender shall register all electronic mail addresses and Internet identifiers, and each Internet identifier's corresponding website homepage or application software name, with the department through the department's online system or in person at the sheriff's office within 48 hours after using such electronic mail addresses and Internet



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11 identifiers. If the sexual offender is in the custody or
12 control, or under the supervision, of the Department of
13 Corrections, he or she must report all electronic mail addresses
14 and Internet identifiers, and each Internet identifier's
15 corresponding website homepage or application software name, to
16 the Department of Corrections before using such electronic mail
17 addresses or Internet identifiers. If the sexual offender is in
18 the custody or control, or under the supervision, of the
19 Department of Juvenile Justice, he or she must report all
20 electronic mail addresses and Internet identifiers, and each
21 Internet identifier's corresponding website homepage or
22 application software name, to the Department of Juvenile Justice
23 before using such electronic mail addresses or Internet
24 identifiers.

25 2. A sexual offender shall register all changes to vehicles
26 owned, all changes to home telephone numbers and cellular
27 telephone numbers, including added and deleted numbers, all
28 changes to employment information, and all changes in status
29 related to enrollment, volunteering, or employment at
30 institutions of higher education, through the department's
31 online system; in person at the sheriff's office; in person at
32 the Department of Corrections if the sexual offender is in the
33 custody or control, or under the supervision, of the Department
34 of Corrections; or in person at the Department of Juvenile
35 Justice if the sexual offender is in the custody or control, or
36 under the supervision, of the Department of Juvenile Justice.
37 All changes required to be reported under this subparagraph must
38 be reported within 48 hours after the change.

39 3. The department shall establish an online system through



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40 which sexual offenders may securely access, submit, and update
41 all changes in status to vehicles owned; electronic mail
42 addresses; Internet identifiers and each Internet identifier's
43 corresponding website homepage or application software name;
44 home telephone numbers and cellular telephone numbers;
45 employment information; and institution of higher education
46 information.

47 (7) A sexual offender who intends to establish a permanent,
48 temporary, or transient residence in another state or
49 jurisdiction other than the State of Florida or intends to
50 travel outside of the United States shall report in person to
51 the sheriff of the county of current residence at least within
52 48 hours before the date he or she intends to leave this state
53 to establish residence in another state or jurisdiction or at
54 least 21 days before the date he or she intends to travel ~~if the~~
55 ~~intended residence of 5 days or more is~~ outside of the United
56 States. Any travel that is not known by the sexual offender 48
57 hours before he or she intends to establish a residence in
58 another state or jurisdiction or 21 days before the departure
59 date for travel outside of the United States must be reported in
60 person to the sheriff's office as soon as possible before
61 departure. The sexual offender shall provide to the sheriff the
62 address, municipality, county, state, and country of intended
63 residence. For international travel, the sexual offender shall
64 also provide travel information, including, but not limited to,
65 expected departure and return dates, flight numbers ~~number~~,
66 airports ~~airport~~ of departure and return, cruise ports ~~port~~ of
67 departure and return, or any other means of intended travel. The
68 sheriff shall promptly provide to the department the information



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69 received from the sexual offender. The department shall notify
70 the statewide law enforcement agency, or a comparable agency, in
71 the intended state, jurisdiction, or country of residence or the
72 intended country of travel of the sexual offender's intended
73 residence or intended travel. The failure of a sexual offender
74 to provide his or her intended place of residence or intended
75 travel is punishable as provided in subsection (9).

76 (11) Except as provided in s. 943.04354, a sexual offender
77 shall maintain registration with the department for the duration
78 of his or her life unless the sexual offender has received a
79 full pardon or has had a conviction set aside in a
80 postconviction proceeding for any offense that meets the
81 criteria for classifying the person as a sexual offender for
82 purposes of registration. However, a sexual offender shall be
83 considered for removal of the requirement to register as a
84 sexual offender only if the person:

85 (b) Maintains ~~As defined in sub-subparagraph (1)(h)1.b.~~
86 ~~must maintain~~ registration with the department as described in
87 sub-subparagraph (1)(h)1.b. for the duration of his or her life
88 until the person provides the department with an order issued by
89 the court that designated the person as a sexual predator or, ~~as~~
90 ~~a sexually violent predator,~~ or any other ~~by another~~ sexual
91 offender designation in the state or jurisdiction in which the
92 order was issued which states that such designation has been
93 removed or demonstrates to the department that such designation,
94 if not imposed by a court, has been removed by operation of law
95 or court order in the state or jurisdiction in which the
96 designation was made, ~~and~~ provided that such person no longer
97 meets the criteria for registration as a sexual offender under



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98 the laws of this state.

99 (c)1. Is required to register as a sexual offender solely
100 under the requirements of sub-subparagraph (1)(h)1.b. and files
101 a petition in the circuit court in the jurisdiction in which the
102 person resides or, for a person who no longer resides in this
103 state, the court in the jurisdiction in which the person last
104 resided in this state. The petition must assert that his or her
105 designation as a sexual predator or sexually violent predator or
106 any other sexual offender designation in the state or
107 jurisdiction in which the designation was made is confidential
108 from public disclosure or that such designation, if not imposed
109 by a court, is considered confidential from public disclosure by
110 operation of law or court order in the state or jurisdiction in
111 which the designation was made, provided that such person does
112 not meet the criteria for registration as a sexual offender
113 under the laws of this state.

114 2. If the person meets the criteria in subparagraph 1., the
115 court may grant the petition and remove the requirement to
116 register as a sexual offender.

117 3. A petition under this paragraph must document the
118 person's conviction and include a copy of the order issued by
119 the court in the state or jurisdiction which made the
120 designation confidential from public disclosure. If such relief
121 was not granted by court order, the person must demonstrate to
122 the court that his or her registration requirement has been made
123 confidential by operation of law in the state or jurisdiction
124 requiring registration. The state attorney and the department
125 must be given notice at least 21 days before the date of the
126 hearing on the petition and may present evidence in opposition



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127 to the requested relief or may otherwise demonstrate why it
128 should be denied.

129 4. If a person provides to the department a certified copy
130 of the circuit court's order granting the person removal of the
131 requirement to register as a sexual offender in this state in
132 accordance with this sub-paragraph, the registration