

By Senator Flores

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1 A bill to be entitled
2 An act relating to law enforcement activities;
3 amending s. 683.231, F.S.; authorizing a citizen
4 support organization for Florida Missing Children's
5 Day to provide grants to law enforcement agencies for
6 specified purposes; redefining the term "citizen
7 support organization"; providing requirements for such
8 grants and for the citizen support organization;
9 amending ss. 775.21 and 943.0435, F.S.; authorizing
10 sexual predators and sexual offenders to report online
11 certain information to the Department of Law
12 Enforcement; revising reporting requirements for
13 sexual predators and sexual offenders; making
14 technical changes; providing for consideration for
15 removal of the requirement to register as a sexual
16 offender under certain circumstances; providing an
17 effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Subsection (7) of section 683.231, Florida
22 Statutes, is renumbered as subsection (10), subsection (1),
23 paragraph (b) of subsection (2), and subsection (4) are amended,
24 and a new subsection (7) and subsections (8) and (9) are added
25 to that section, to read:

26 683.231 Citizen support organization for Florida Missing
27 Children's Day.—

28 (1) The Department of Law Enforcement may establish a
29 citizen support organization to provide assistance, funding, and

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30 promotional support for activities authorized for Florida
31 Missing Children's Day under s. 683.23 and to provide financial
32 support to law enforcement agencies for missing and unidentified
33 persons investigations and specialized training to support the
34 resolution of such investigations through the issuance of
35 grants.

36 (2) As used in this section, the term "citizen support
37 organization" means an organization that is:

38 (b) Organized and operated to conduct programs and
39 activities; raise funds; request and receive grants, gifts, and
40 bequests of money; acquire, receive, hold, invest, and
41 administer, in its own name, securities, funds, objects of
42 value, or other property, either real or personal; and make
43 expenditures to or for the direct or indirect benefit of the
44 department in furtherance of Florida Missing Children's Day and
45 missing and unidentified persons investigations and specialized
46 training to support the resolution of such investigations.

47 (4) The citizen support organization is specifically
48 authorized to collect and expend funds to be used for awards;
49 public awareness and awards ceremonies, workshops, and other
50 meetings, including distribution materials for public education
51 and awareness; grants to assist missing and unidentified persons
52 investigations and specialized training to support the
53 resolution of such investigations; travel; Internet and web-
54 hosting services; administrative costs, including personnel
55 costs; costs of audits; and costs of facilities rental.

56 (7) The citizen support organization is authorized to
57 create a grant program to provide financial support to law
58 enforcement agencies for missing and unidentified persons

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59 investigations and specialized training to support the
60 resolution of such investigations through the issuance of
61 grants. The citizen support organization may raise and accept
62 funds from any public or private source. The citizen support
63 organization may establish criteria and set specific time
64 periods for the acceptance of applications from local and state
65 law enforcement agencies and for the selection process for
66 awards. The citizen support organization shall make such
67 criteria publicly available on its website.

68 (8) The citizen support organization may not award grants
69 if the president of the citizen support organization or the
70 staff of the department reasonably believe that the citizen
71 support organization has not yet met its obligations for funding
72 Florida Missing Children's Day. The total amount of grants
73 awarded may not exceed funds available to the citizen support
74 organization.

75 (9) The citizen support organization shall manage the
76 assignment and use of grants awarded. The department shall
77 oversee these activities consistent with subsection (5).

78 Section 2. Paragraphs (a), (g), and (i) of subsection (6)
79 of section 775.21, Florida Statutes, are amended to read:

80 775.21 The Florida Sexual Predators Act.—

81 (6) REGISTRATION.—

82 (a) A sexual predator shall register with the department
83 through the sheriff's office by providing the following
84 information to the department:

85 1. Name; social security number; age; race; sex; date of
86 birth; height; weight; tattoos or other identifying marks; hair
87 and eye color; photograph; address of legal residence and

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88 address of any current temporary residence, within the state or
89 out of state, including a rural route address and a post office
90 box; if no permanent or temporary address, any transient
91 residence within the state; address, location or description,
92 and dates of any current or known future temporary residence
93 within the state or out of state; electronic mail addresses;
94 Internet identifiers and each Internet identifier's
95 corresponding website homepage or application software name;
96 home telephone numbers and cellular telephone numbers;
97 employment information; the make, model, color, vehicle
98 identification number (VIN), and license tag number of all
99 vehicles owned; date and place of each conviction; fingerprints;
100 palm prints; and a brief description of the crime or crimes
101 committed by the offender. A post office box may not be provided
102 in lieu of a physical residential address. The sexual predator
103 shall produce his or her passport, if he or she has a passport,
104 and, if he or she is an alien, shall produce or provide
105 information about documents establishing his or her immigration
106 status. The sexual predator shall also provide information about
107 any professional licenses he or she has.

108 a. Any change that occurs after the sexual predator
109 registers in person at the sheriff's office as provided in this
110 subparagraph in any of the following information related to the
111 sexual predator must be reported as provided in paragraphs (g),
112 (i), and (j): permanent, temporary, or transient residence;
113 name; electronic mail addresses; Internet identifiers and each
114 Internet identifier's corresponding website homepage or
115 application software name; home and cellular telephone numbers;
116 employment information; and status at an institution of higher

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117 education.

118 b. If the sexual predator's place of residence is a motor
119 vehicle, trailer, mobile home, or manufactured home, as defined
120 in chapter 320, the sexual predator shall also provide to the
121 department written notice of the vehicle identification number;
122 the license tag number; the registration number; and a
123 description, including color scheme, of the motor vehicle,
124 trailer, mobile home, or manufactured home. If a sexual
125 predator's place of residence is a vessel, live-aboard vessel,
126 or houseboat, as defined in chapter 327, the sexual predator
127 shall also provide to the department written notice of the hull
128 identification number; the manufacturer's serial number; the
129 name of the vessel, live-aboard vessel, or houseboat; the
130 registration number; and a description, including color scheme,
131 of the vessel, live-aboard vessel, or houseboat.

132 c. If the sexual predator is enrolled or employed, whether
133 for compensation or as a volunteer, at an institution of higher
134 education in this state, the sexual predator shall also provide
135 to the department the name, address, and county of each
136 institution, including each campus attended, and the sexual
137 predator's enrollment, volunteer, or employment status. The
138 sheriff, the Department of Corrections, or the Department of
139 Juvenile Justice shall promptly notify each institution of
140 higher education of the sexual predator's presence and any
141 change in the sexual predator's enrollment, volunteer, or
142 employment status.

143 d. A sexual predator shall report to the department through
144 the department's online system or in person to the sheriff's
145 office within 48 hours after any change in vehicles owned to

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146 report those vehicle information changes.

147 2. Any other information determined necessary by the
148 department, including criminal and corrections records;
149 nonprivileged personnel and treatment records; and evidentiary
150 genetic markers when available.

151 (g)1. Each time a sexual predator's driver license or
152 identification card is subject to renewal, and, without regard
153 to the status of the predator's driver license or identification
154 card, within 48 hours after any change of the predator's
155 residence or change in the predator's name by reason of marriage
156 or other legal process, the predator shall report in person to a
157 driver license office and is subject to the requirements
158 specified in paragraph (f). The Department of Highway Safety and
159 Motor Vehicles shall forward to the department and to the
160 Department of Corrections all photographs and information
161 provided by sexual predators. Notwithstanding the restrictions
162 set forth in s. 322.142, the Department of Highway Safety and
163 Motor Vehicles may release a reproduction of a color-photograph
164 or digital-image license to the Department of Law Enforcement
165 for purposes of public notification of sexual predators as
166 provided in this section. A sexual predator who is unable to
167 secure or update a driver license or an identification card with
168 the Department of Highway Safety and Motor Vehicles as provided
169 in paragraph (f) and this paragraph shall also report any change
170 of the predator's residence or change in the predator's name by
171 reason of marriage or other legal process within 48 hours after
172 the change to the sheriff's office in the county where the
173 predator resides or is located and provide confirmation that he
174 or she reported such information to the Department of Highway

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175 Safety and Motor Vehicles. The reporting requirements under this
176 subparagraph do not negate the requirement for a sexual predator
177 to obtain a Florida driver license or identification card as
178 required by this section.

179 2.a. A sexual predator who vacates a permanent, temporary,
180 or transient residence and fails to establish or maintain
181 another permanent, temporary, or transient residence shall,
182 within 48 hours after vacating the permanent, temporary, or
183 transient residence, report in person to the sheriff's office of
184 the county in which he or she is located. The sexual predator
185 shall specify the date upon which he or she intends to or did
186 vacate such residence. The sexual predator shall provide or
187 update all of the registration information required under
188 paragraph (a). The sexual predator shall provide an address for
189 the residence or other place that he or she is or will be
190 located during the time in which he or she fails to establish or
191 maintain a permanent or temporary residence.

192 b. A sexual predator shall report in person at the
193 sheriff's office in the county in which he or she is located
194 within 48 hours after establishing a transient residence and
195 thereafter must report in person every 30 days to the sheriff's
196 office in the county in which he or she is located while
197 maintaining a transient residence. The sexual predator must
198 provide the addresses and locations where he or she maintains a
199 transient residence. Each sheriff's office shall establish
200 procedures for reporting transient residence information and
201 provide notice to transient registrants to report transient
202 residence information as required in this sub-subparagraph.
203 Reporting to the sheriff's office as required by this sub-

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204 subparagraph does not exempt registrants from any reregistration
205 requirement. The sheriff may coordinate and enter into
206 agreements with police departments and other governmental
207 entities to facilitate additional reporting sites for transient
208 residence registration required in this sub-subparagraph. The
209 sheriff's office shall, within 2 business days, electronically
210 submit and update all information provided by the sexual
211 predator to the department.

212 3. A sexual predator who remains at a permanent, temporary,
213 or transient residence after reporting his or her intent to
214 vacate such residence shall, within 48 hours after the date upon
215 which the predator indicated he or she would or did vacate such
216 residence, report in person to the sheriff's office to which he
217 or she reported pursuant to subparagraph 2. for the purpose of
218 reporting his or her address at such residence. When the sheriff
219 receives the report, the sheriff shall promptly convey the
220 information to the department. An offender who makes a report as
221 required under subparagraph 2. but fails to make a report as
222 required under this subparagraph commits a felony of the second
223 degree, punishable as provided in s. 775.082, s. 775.083, or s.
224 775.084.

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

229 5.a. A sexual predator shall register all electronic mail
230 addresses and Internet identifiers, and each Internet
231 identifier's corresponding website homepage or application
232 software name, with the department through the department's

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233 online system or in person at the sheriff's office within 48
234 hours after using such electronic mail addresses and Internet
235 identifiers. If the sexual predator is in the custody or
236 control, or under the supervision, of the Department of
237 Corrections, he or she must report all electronic mail addresses
238 and Internet identifiers, and each Internet identifier's
239 corresponding website homepage or application software name, to
240 the Department of Corrections before using such electronic mail
241 addresses or Internet identifiers. If the sexual predator is in
242 the custody or control, or under the supervision, of the
243 Department of Juvenile Justice, he or she must report all
244 electronic mail addresses and Internet identifiers, and each
245 Internet identifier's corresponding website homepage or
246 application software name, to the Department of Juvenile Justice
247 before using such electronic mail addresses or Internet
248 identifiers.

249 b. A sexual predator shall register all changes to vehicles
250 owned, all changes to home telephone numbers and cellular
251 telephone numbers, including added and deleted numbers, all
252 changes to employment information, and all changes in status
253 related to enrollment, volunteering, or employment at
254 institutions of higher education, through the department's
255 online system; in person at the sheriff's office; in person at
256 the Department of Corrections if the sexual predator is in the
257 custody or control, or under the supervision, of the Department
258 of Corrections; or in person at the Department of Juvenile
259 Justice if the sexual predator is in the custody or control, or
260 under the supervision, of the Department of Juvenile Justice.
261 All changes required to be reported in this sub-subparagraph

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262 shall be reported within 48 hours after the change.

263 c. The department shall establish an online system through
264 which sexual predators may securely access, submit, and update
265 all vehicles owned; electronic mail addresses; Internet
266 identifiers and each Internet identifier's corresponding website
267 homepage or application software name; home telephone numbers
268 and cellular telephone numbers; employment information; and
269 institution of higher education information.

270 (i) A sexual predator who intends to establish a permanent,
271 temporary, or transient residence in another state or
272 jurisdiction other than the State of Florida or intends to
273 travel outside of the United States shall report in person to
274 the sheriff of the county of current residence at least ~~within~~
275 48 hours before the date he or she intends to leave this state
276 to establish residence in another state or jurisdiction or at
277 least 21 days before the date he or she intends to travel ~~if the~~
278 ~~intended residence of 5 days or more is~~ outside of the United
279 States. Any travel that is not known by the sexual predator 48
280 hours before he or she intends to establish a residence in
281 another state or jurisdiction or 21 days before the departure
282 date for travel outside of the United States must be reported to
283 the sheriff's office as soon as possible before departure. The
284 sexual predator shall provide to the sheriff the address,
285 municipality, county, state, and country of intended residence.
286 For international travel, the sexual predator shall also provide
287 travel information, including, but not limited to, expected
288 departure and return dates, flight numbers ~~number~~, airports
289 ~~airport~~ of departure and return, cruise ports ~~port~~ of departure
290 and return, or any other means of intended travel. The sheriff

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291 shall promptly provide to the department the information
292 received from the sexual predator. The department shall notify
293 the statewide law enforcement agency, or a comparable agency, in
294 the intended state, jurisdiction, or country of residence or the
295 intended country of travel of the sexual predator's intended
296 residence or intended travel. The failure of a sexual predator
297 to provide his or her intended place of residence or intended
298 travel is punishable as provided in subsection (10).

299 Section 3. Paragraph (b) of subsection (2), paragraph (e)
300 of subsection (4), subsection (7), and paragraph (b) of
301 subsection (11) of section 943.0435, Florida Statutes, are
302 amended, and paragraph (c) is added to subsection (11) of that
303 section, to read:

304 943.0435 Sexual offenders required to register with the
305 department; penalty.—

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

307 (b) Provide his or her name; date of birth; social security
308 number; race; sex; height; weight; hair and eye color; tattoos
309 or other identifying marks; fingerprints; palm prints;
310 photograph; employment information; address of permanent or
311 legal residence or address of any current temporary residence,
312 within the state or out of state, including a rural route
313 address and a post office box; if no permanent or temporary
314 address, any transient residence within the state, address,
315 location or description, and dates of any current or known
316 future temporary residence within the state or out of state; the
317 make, model, color, vehicle identification number (VIN), and
318 license tag number of all vehicles owned; home telephone numbers
319 and cellular telephone numbers; electronic mail addresses;

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320 Internet identifiers and each Internet identifier's
321 corresponding website homepage or application software name;
322 date and place of each conviction; and a brief description of
323 the crime or crimes committed by the offender. A post office box
324 may not be provided in lieu of a physical residential address.
325 The sexual offender shall also produce his or her passport, if
326 he or she has a passport, and, if he or she is an alien, shall
327 produce or provide information about documents establishing his
328 or her immigration status. The sexual offender shall also
329 provide information about any professional licenses he or she
330 has.

331 1. If the sexual offender's place of residence is a motor
332 vehicle, trailer, mobile home, or manufactured home, as defined
333 in chapter 320, the sexual offender shall also provide to the
334 department through the sheriff's office written notice of the
335 vehicle identification number; the license tag number; the
336 registration number; and a description, including color scheme,
337 of the motor vehicle, trailer, mobile home, or manufactured
338 home. If the sexual offender's place of residence is a vessel,
339 live-aboard vessel, or houseboat, as defined in chapter 327, the
340 sexual offender shall also provide to the department written
341 notice of the hull identification number; the manufacturer's
342 serial number; the name of the vessel, live-aboard vessel, or
343 houseboat; the registration number; and a description, including
344 color scheme, of the vessel, live-aboard vessel, or houseboat.

345 2. If the sexual offender is enrolled or employed, whether
346 for compensation or as a volunteer, at an institution of higher
347 education in this state, the sexual offender shall also provide
348 to the department the name, address, and county of each

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349 institution, including each campus attended, and the sexual
350 offender's enrollment, volunteer, or employment status. The
351 sheriff, the Department of Corrections, or the Department of
352 Juvenile Justice shall promptly notify each institution of
353 higher education of the sexual offender's presence and any
354 change in the sexual offender's enrollment, volunteer, or
355 employment status.

356 3. A sexual offender shall report to the department through
357 the department's online system or in person to the sheriff's
358 office within 48 hours after any change in vehicles owned to
359 report those vehicle information changes.

360
361 When a sexual offender reports at the sheriff's office, the
362 sheriff shall take a photograph, a set of fingerprints, and palm
363 prints of the offender and forward the photographs, palm prints,
364 and fingerprints to the department, along with the information
365 provided by the sexual offender. The sheriff shall promptly
366 provide to the department the information received from the
367 sexual offender.

368 (4)

369 (e)1. A sexual offender shall register all changes in
370 vehicles owned, all electronic mail addresses and Internet
371 identifiers, and each Internet identifier's corresponding
372 website homepage or application software name, with the
373 department through the department's online system or in person
374 at the sheriff's office within 48 hours after using such
375 electronic mail addresses and Internet identifiers. If the
376 sexual offender is in the custody or control, or under the
377 supervision, of the Department of Corrections, he or she must

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378 report all electronic mail addresses and Internet identifiers,
379 and each Internet identifier's corresponding website homepage or
380 application software name, to the Department of Corrections
381 before using such electronic mail addresses or Internet
382 identifiers. If the sexual offender is in the custody or
383 control, or under the supervision, of the Department of Juvenile
384 Justice, he or she must report all electronic mail addresses and
385 Internet identifiers, and each Internet identifier's
386 corresponding website homepage or application software name, to
387 the Department of Juvenile Justice before using such electronic
388 mail addresses or Internet identifiers.

389 2. A sexual offender shall register all changes to home
390 telephone numbers and cellular telephone numbers, including
391 added and deleted numbers, all changes to employment
392 information, and all changes in status related to enrollment,
393 volunteering, or employment at institutions of higher education,
394 through the department's online system; in person at the
395 sheriff's office; in person at the Department of Corrections if
396 the sexual offender is in the custody or control, or under the
397 supervision, of the Department of Corrections; or in person at
398 the Department of Juvenile Justice if the sexual offender is in
399 the custody or control, or under the supervision, of the
400 Department of Juvenile Justice. All changes required to be
401 reported under this subparagraph must be reported within 48
402 hours after the change.

403 3. The department shall establish an online system through
404 which sexual offenders may securely access, submit, and update
405 all changes in status to vehicles owned; electronic mail
406 addresses; Internet identifiers and each Internet identifier's

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407 corresponding website homepage or application software name;
408 home telephone numbers and cellular telephone numbers;
409 employment information; and institution of higher education
410 information.

411 (7) A sexual offender who intends to establish a permanent,
412 temporary, or transient residence in another state or
413 jurisdiction other than the State of Florida or intends to
414 travel outside of the United States shall report in person to
415 the sheriff of the county of current residence at least ~~within~~
416 48 hours before the date he or she intends to leave this state
417 to establish residence in another state or jurisdiction or at
418 least 21 days before the date he or she intends to travel ~~if the~~
419 ~~intended residence of 5 days or more is~~ outside of the United
420 States. Any travel that is not known by the sexual offender 48
421 hours before he or she intends to establish a residence in
422 another state or jurisdiction or 21 days before the departure
423 date for travel outside of the United States must be reported in
424 person to the sheriff's office as soon as possible before
425 departure. The sexual offender shall provide to the sheriff the
426 address, municipality, county, state, and country of intended
427 residence. For international travel, the sexual offender shall
428 also provide travel information, including, but not limited to,
429 expected departure and return dates, flight numbers ~~number~~,
430 airports ~~airport~~ of departure and return, cruise ports ~~port~~ of
431 departure and return, or any other means of intended travel. The
432 sheriff shall promptly provide to the department the information
433 received from the sexual offender. The department shall notify
434 the statewide law enforcement agency, or a comparable agency, in
435 the intended state, jurisdiction, or country of residence or the

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436 intended country of travel of the sexual offender's intended
437 residence or intended travel. The failure of a sexual offender
438 to provide his or her intended place of residence or intended
439 travel is punishable as provided in subsection (9).

440 (11) Except as provided in s. 943.04354, a sexual offender
441 shall maintain registration with the department for the duration
442 of his or her life unless the sexual offender has received a
443 full pardon or has had a conviction set aside in a
444 postconviction proceeding for any offense that meets the
445 criteria for classifying the person as a sexual offender for
446 purposes of registration. However, a sexual offender shall be
447 considered for removal of the requirement to register as a
448 sexual offender only if the person:

449 (b) Maintains ~~As defined in sub-subparagraph (1)(h)1.b.~~
450 ~~must maintain~~ registration with the department as described in
451 sub-subparagraph (1)(h)1.b. for the duration of his or her life
452 until the person provides the department with an order issued by
453 the court that designated the person as a sexual predator or, ~~as~~
454 ~~a sexually violent predator,~~ or any other ~~by another~~ sexual
455 offender designation in the state or jurisdiction in which the
456 order was issued which states that such designation has been
457 removed or demonstrates to the department that such designation,
458 if not imposed by a court, has been removed by operation of law
459 or court order in the state or jurisdiction in which the
460 designation was made, ~~and~~ provided that such person no longer
461 meets the criteria for registration as a sexual offender under
462 the laws of this state.

463 (c)1. Is required to register as a sexual offender solely
464 under the requirements of sub-subparagraph (1)(h)1.b. and files

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465 a petition in the circuit court in the jurisdiction in which the
466 person resides or, for a person who no longer resides in this
467 state, the court in the jurisdiction in which the person last
468 resided in this state. The petition must assert that his or her
469 designation as a sexual predator or sexually violent predator or
470 any other sexual offender designation in the state or
471 jurisdiction in which the designation was made is confidential
472 from public disclosure or that such designation, if not imposed
473 by a court, is considered confidential from public disclosure by
474 operation of law or court order in the state or jurisdiction in
475 which the designation was made, provided that such person does
476 not meet the criteria for registration as a sexual offender
477 under the laws of this state.

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

481 3. A petition under this paragraph must document the
482 person's conviction and include a copy of the order issued by
483 the court in the state or jurisdiction which made the
484 designation confidential from public disclosure. If such relief
485 was not granted by court order, the person must demonstrate to
486 the court that the designation has been made confidential by
487 operation of law in the state or jurisdiction in which the
488 designation was made. The state attorney and the department must
489 be given notice at least 21 days before the date of the hearing
490 on the petition and may present evidence in opposition to the
491 requested relief or may otherwise demonstrate why it should be
492 denied.

493 4. If a person provides to the department a certified copy

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494 of the circuit court's order granting the person removal of the
495 requirement to register as a sexual offender, the registration
496 requirement does not apply to the person and the department must
497 remove all information about the person from the public registry
498 of sexual offenders and sexual predators maintained by the
499 department.

500 Section 4. This act shall take effect July 1, 2020.