

By the Committee on Criminal Justice; and Senators Book and Bradley

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1 A bill to be entitled
2 An act relating to registration of sexual predators
3 and sexual offenders; amending s. 775.21, F.S.;
4 specifying how days are calculated for the purposes of
5 determining permanent residence, temporary residence,
6 and transient residence; authorizing reporting of
7 certain registration information through the
8 Department of Law Enforcement's online system;
9 authorizing reporting of certain registration
10 information through an authorized alternate method
11 provided by the Department of Highway Safety and Motor
12 Vehicles; requiring the reporting of certain vehicle
13 information; clarifying a requirement relating to the
14 timing of reporting of international travel or a
15 change of residence to another state or jurisdiction;
16 specifying that failure to report intended travel is
17 punishable under certain provisions; amending s.
18 943.0435, F.S.; redefining the term "sexual offender"
19 to clarify a provision related to release from
20 sanction; authorizing reporting of certain
21 registration information through the Department of Law
22 Enforcement's online system; authorizing reporting of
23 certain registration information through an authorized
24 alternate method provided by the Department of Highway
25 Safety and Motor Vehicles; requiring the reporting of
26 certain additional vehicle information; clarifying a
27 requirement relating to the timing of reporting of
28 international travel or a change of residence to
29 another state or jurisdiction; specifying that failure

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30 to report intended travel is punishable under certain
31 provisions; creating a process for a person to
32 petition for relief from registration if the person's
33 requirement to register is based solely upon a
34 requirement to register in another state for an
35 offense that is not similar to an offense requiring
36 registration in this state and whose registration in
37 that other state is held confidential, not for public
38 release, and for criminal justice purposes only;
39 reenacting ss. 943.0435(1)(f), 944.606(1)(d),
40 944.609(4), 985.481(1)(d), and 985.4815(1)(f), F.S.,
41 relating to sexual offenders required to register with
42 the Department of Law Enforcement and penalties;
43 sexual offenders and notification upon release; career
44 offenders and notification upon release; sexual
45 offenders adjudicated delinquent and notification upon
46 release; and notification to the department of
47 information on juvenile sexual offenders,
48 respectively, to incorporate the amendment made to s.
49 775.21, F.S., in references thereto; reenacting ss.
50 61.13(9)(c), 68.07(3)(i), 98.0751(2)(b), 322.141(3),
51 394.9125(2), 397.487(10)(b), 435.07(4)(b),
52 775.0862(2), 775.13(4), 775.21(5)(d) and (10)(d),
53 775.24(2), 775.261(3)(b), 900.05(2)(cc),
54 903.046(2)(m), 903.133, 907.043(4)(b), 943.0436(2),
55 943.0584(2), 944.607(4)(a) and (10)(c), 948.06(4),
56 948.063, 948.31, 985.4815(9) and (10)(c), and
57 1012.467(2)(g), F.S., relating to support of children,
58 parenting and time-sharing, and powers of court;

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59 change of name; restoration of voting rights and
60 termination of ineligibility subsequent to a felony
61 conviction; color or markings of certain licenses or
62 identification cards; state attorneys and the
63 authority to refer a person for civil commitment;
64 voluntary certification of recovery residences;
65 exemptions from disqualification; sexual offenses
66 against students by authority figures and
67 reclassification; registration of convicted felons,
68 exemptions, and penalties; the Florida Sexual
69 Predators Act; the duty of the court to uphold laws
70 governing sexual predators and sexual offenders; the
71 Florida Career Offender Registration Act; criminal
72 justice data collection; the purpose of and criteria
73 for bail determination; bail on appeal and it being
74 prohibited for certain felony convictions; pretrial
75 release and citizens' right to know; the duty of the
76 court to uphold laws governing sexual predators and
77 sexual offenders; criminal history records ineligible
78 for court-ordered expunction or court-ordered sealing;
79 notification to the department of information on
80 sexual offenders; violation of probation or community
81 control, revocation, modification, continuance, and
82 failure to pay restitution or cost of supervision;
83 violations of probation or community control by
84 designated sexual offenders and sexual predators;
85 evaluation and treatment of sexual predators and
86 offenders on probation or community control;
87 notification to the department of information on

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88 juvenile sexual offenders; and noninstructional
89 contractors who are permitted access to school grounds
90 when students are present and background screening
91 requirements, respectively, to incorporate the
92 amendment made to s. 943.0435, F.S., in references
93 thereto; reenacting ss. 68.07(6), 320.02(4), 322.19(1)
94 and (2), 775.25, 794.056(1), 938.085, 938.10(1),
95 944.607(4) (a) and (9), and 985.04(6) (b), F.S.,
96 relating to change of name; registration required,
97 application for registration, and forms; change of
98 address or name; prosecutions for acts or omissions;
99 the Rape Crisis Program Trust Fund; additional cost to
100 fund rape crisis centers; additional court cost
101 imposed in cases of certain crimes; notification to
102 Department of Law Enforcement of information on sexual
103 offenders; and oaths, records, and confidential
104 information, respectively, to incorporate the
105 amendments made to ss. 775.21 and 943.0435, F.S., in
106 references thereto; providing an effective date.

107
108 Be It Enacted by the Legislature of the State of Florida:

109
110 Section 1. Paragraphs (k), (n), and (o) of subsection (2)
111 and paragraphs (a), (g), and (i) of subsection (6) of section
112 775.21, Florida Statutes, are amended to read:

113 775.21 The Florida Sexual Predators Act.—

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

115 (k) "Permanent residence" means a place where the person
116 abides, lodges, or resides for 3 or more consecutive days. In

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117 calculating days for "permanent residence," the first day a
118 person abides, lodges, or resides at a place is excluded. Each
119 day following the first day is counted. A day includes any part
120 of a calendar day.

121 (n) "Temporary residence" means a place where the person
122 abides, lodges, or resides, including, but not limited to,
123 vacation, business, or personal travel destinations in or out of
124 this state, for a period of 3 or more days in the aggregate
125 during any calendar year and which is not the person's permanent
126 address or, for a person whose permanent residence is not in
127 this state, a place where the person is employed, practices a
128 vocation, or is enrolled as a student for any period of time in
129 this state. In calculating days for "temporary residence," the
130 first day a person abides, lodges, or resides at a place is
131 excluded. Each day following the first day is counted. A day
132 includes any part of a calendar day.

133 (o) "Transient residence" means a county where a person
134 lives, remains, or is located for a period of 3 or more days in
135 the aggregate during a calendar year and which is not the
136 person's permanent or temporary address. The term includes, but
137 is not limited to, a place where the person sleeps or seeks
138 shelter and a location that has no specific street address. In
139 calculating days for "transient residence," the first day a
140 person lives, remains, or is located in a county is excluded.
141 Each day following the first day is counted. A day includes any
142 part of a calendar day.

143 (6) REGISTRATION.—

144 (a) A sexual predator shall register with the department
145 through the sheriff's office by providing the following

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146 information to the department:

147 1. Name; social security number; age; race; sex; date of
148 birth; height; weight; tattoos or other identifying marks; hair
149 and eye color; photograph; address of legal residence and
150 address of any current temporary residence, within the state or
151 out of state, including a rural route address and a post office
152 box; if no permanent or temporary address, any transient
153 residence within the state; address, location or description,
154 and dates of any current or known future temporary residence
155 within the state or out of state; electronic mail addresses;
156 Internet identifiers and each Internet identifier's
157 corresponding website homepage or application software name;
158 home telephone numbers and cellular telephone numbers;
159 employment information; the make, model, color, vehicle
160 identification number (VIN), and license tag number of all
161 vehicles owned; date and place of each conviction; fingerprints;
162 palm prints; and a brief description of the crime or crimes
163 committed by the offender. A post office box may not be provided
164 in lieu of a physical residential address. The sexual predator
165 shall produce his or her passport, if he or she has a passport,
166 and, if he or she is an alien, shall produce or provide
167 information about documents establishing his or her immigration
168 status. The sexual predator shall also provide information about
169 any professional licenses he or she has.

170 a. Any change that occurs after the sexual predator
171 registers in person at the sheriff's office as provided in this
172 subparagraph in any of the following information related to the
173 sexual predator must be reported as provided in paragraphs (g),
174 (i), and (j): permanent, temporary, or transient residence;

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175 name; electronic mail addresses; Internet identifiers and each
176 Internet identifier's corresponding website homepage or
177 application software name; home and cellular telephone numbers;
178 employment information; and status at an institution of higher
179 education.

180 b. If the sexual predator's place of residence is a motor
181 vehicle, trailer, mobile home, or manufactured home, as defined
182 in chapter 320, the sexual predator shall also provide to the
183 department written notice of the vehicle identification number;
184 the license tag number; the registration number; and a
185 description, including color scheme, of the motor vehicle,
186 trailer, mobile home, or manufactured home. If a sexual
187 predator's place of residence is a vessel, live-aboard vessel,
188 or houseboat, as defined in chapter 327, the sexual predator
189 shall also provide to the department written notice of the hull
190 identification number; the manufacturer's serial number; the
191 name of the vessel, live-aboard vessel, or houseboat; the
192 registration number; and a description, including color scheme,
193 of the vessel, live-aboard vessel, or houseboat.

194 c. If the sexual predator is enrolled or employed, whether
195 for compensation or as a volunteer, at an institution of higher
196 education in this state, the sexual predator shall also provide
197 to the department the name, address, and county of each
198 institution, including each campus attended, and the sexual
199 predator's enrollment, volunteer, or employment status. The
200 sheriff, the Department of Corrections, or the Department of
201 Juvenile Justice shall promptly notify each institution of
202 higher education of the sexual predator's presence and any
203 change in the sexual predator's enrollment, volunteer, or

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204 employment status.

205 d. A sexual predator shall report to the department through
206 the department's online system or in person to the sheriff's
207 office within 48 hours after any change in vehicles owned to
208 report those vehicle information changes.

209 2. Any other information determined necessary by the
210 department, including criminal and corrections records;
211 nonprivileged personnel and treatment records; and evidentiary
212 genetic markers when available.

213 (g)1. Each time a sexual predator's driver license or
214 identification card is subject to renewal, and, without regard
215 to the status of the predator's driver license or identification
216 card, within 48 hours after any change of the predator's
217 residence or change in the predator's name by reason of marriage
218 or other legal process, the predator shall report in person to a
219 driver license office, or through an authorized alternate method
220 as provided by the Department of Highway Safety and Motor
221 Vehicles, and is subject to the requirements specified in
222 paragraph (f). The Department of Highway Safety and Motor
223 Vehicles shall forward to the department and to the Department
224 of Corrections all photographs and information provided by
225 sexual predators. Notwithstanding the restrictions set forth in
226 s. 322.142, the Department of Highway Safety and Motor Vehicles
227 may release a reproduction of a color-photograph or digital-
228 image license to the Department of Law Enforcement for purposes
229 of public notification of sexual predators as provided in this
230 section. A sexual predator who is unable to secure or update a
231 driver license or an identification card with the Department of
232 Highway Safety and Motor Vehicles as provided in paragraph (f)

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233 and this paragraph shall also report any change of the
234 predator's residence or change in the predator's name by reason
235 of marriage or other legal process within 48 hours after the
236 change to the sheriff's office in the county where the predator
237 resides or is located and provide confirmation that he or she
238 reported such information to the Department of Highway Safety
239 and Motor Vehicles. The reporting requirements under this
240 subparagraph do not negate the requirement for a sexual predator
241 to obtain a Florida driver license or identification card as
242 required by this section.

243 2.a. A sexual predator who vacates a permanent, temporary,
244 or transient residence and fails to establish or maintain
245 another permanent, temporary, or transient residence shall,
246 within 48 hours after vacating the permanent, temporary, or
247 transient residence, report in person to the sheriff's office of
248 the county in which he or she is located. The sexual predator
249 shall specify the date upon which he or she intends to or did
250 vacate such residence. The sexual predator shall provide or
251 update all of the registration information required under
252 paragraph (a). The sexual predator shall provide an address for
253 the residence or other place that he or she is or will be
254 located during the time in which he or she fails to establish or
255 maintain a permanent or temporary residence.

256 b. A sexual predator shall report in person at the
257 sheriff's office in the county in which he or she is located
258 within 48 hours after establishing a transient residence and
259 thereafter must report in person every 30 days to the sheriff's
260 office in the county in which he or she is located while
261 maintaining a transient residence. The sexual predator must

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262 provide the addresses and locations where he or she maintains a
263 transient residence. Each sheriff's office shall establish
264 procedures for reporting transient residence information and
265 provide notice to transient registrants to report transient
266 residence information as required in this sub-subparagraph.
267 Reporting to the sheriff's office as required by this sub-
268 subparagraph does not exempt registrants from any reregistration
269 requirement. The sheriff may coordinate and enter into
270 agreements with police departments and other governmental
271 entities to facilitate additional reporting sites for transient
272 residence registration required in this sub-subparagraph. The
273 sheriff's office shall, within 2 business days, electronically
274 submit and update all information provided by the sexual
275 predator to the department.

276 3. A sexual predator who remains at a permanent, temporary,
277 or transient residence after reporting his or her intent to
278 vacate such residence shall, within 48 hours after the date upon
279 which the predator indicated he or she would or did vacate such
280 residence, report in person to the sheriff's office to which he
281 or she reported pursuant to subparagraph 2. for the purpose of
282 reporting his or her address at such residence. When the sheriff
283 receives the report, the sheriff shall promptly convey the
284 information to the department. An offender who makes a report as
285 required under subparagraph 2. but fails to make a report as
286 required under this subparagraph commits a felony of the second
287 degree, punishable as provided in s. 775.082, s. 775.083, or s.
288 775.084.

289 4. The failure of a sexual predator who maintains a
290 transient residence to report in person to the sheriff's office

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291 every 30 days as required by sub-subparagraph 2.b. is punishable
292 as provided in subsection (10).

293 5.a. A sexual predator shall register all electronic mail
294 addresses and Internet identifiers, and each Internet
295 identifier's corresponding website homepage or application
296 software name, with the department through the department's
297 online system or in person at the sheriff's office within 48
298 hours after using such electronic mail addresses and Internet
299 identifiers. If the sexual predator is in the custody or
300 control, or under the supervision, of the Department of
301 Corrections, he or she must report all electronic mail addresses
302 and Internet identifiers, and each Internet identifier's
303 corresponding website homepage or application software name, to
304 the Department of Corrections before using such electronic mail
305 addresses or Internet identifiers. If the sexual predator is in
306 the custody or control, or under the supervision, of the
307 Department of Juvenile Justice, he or she must report all
308 electronic mail addresses and Internet identifiers, and each
309 Internet identifier's corresponding website homepage or
310 application software name, to the Department of Juvenile Justice
311 before using such electronic mail addresses or Internet
312 identifiers.

313 b. A sexual predator shall register all changes to vehicles
314 owned, all changes to home telephone numbers and cellular
315 telephone numbers, including added and deleted numbers, all
316 changes to employment information, and all changes in status
317 related to enrollment, volunteering, or employment at
318 institutions of higher education, through the department's
319 online system; in person at the sheriff's office; in person at

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320 the Department of Corrections if the sexual predator is in the
321 custody or control, or under the supervision, of the Department
322 of Corrections; or in person at the Department of Juvenile
323 Justice if the sexual predator is in the custody or control, or
324 under the supervision, of the Department of Juvenile Justice.
325 All changes required to be reported in this sub-subparagraph
326 shall be reported within 48 hours after the change.

327 c. The department shall establish an online system through
328 which sexual predators may securely access, submit, and update
329 all vehicles owned; electronic mail addresses; Internet
330 identifiers and each Internet identifier's corresponding website
331 homepage or application software name; home telephone numbers
332 and cellular telephone numbers; employment information; and
333 institution of higher education information.

334 (i) A sexual predator who intends to establish a permanent,
335 temporary, or transient residence in another state or
336 jurisdiction other than the State of Florida shall report in
337 person to the sheriff of the county of current residence at
338 least ~~within~~ 48 hours before the date he or she intends to leave
339 this state to establish residence in another state or
340 jurisdiction or at least 21 days before the date he or she
341 intends to travel ~~if the intended residence of 5 days or more is~~
342 outside of the United States. Any travel that is not known by
343 the sexual predator at least 48 hours before he or she intends
344 to establish a residence in another state or jurisdiction or 21
345 days before the departure date for travel outside of the United
346 States must be reported to the sheriff's office as soon as
347 possible before departure. The sexual predator shall provide to
348 the sheriff the address, municipality, county, state, and

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349 country of intended residence. For international travel, the
350 sexual predator shall also provide travel information,
351 including, but not limited to, expected departure and return
352 dates, flight number, airport of departure, cruise port of
353 departure, or any other means of intended travel. The sheriff
354 shall promptly provide to the department the information
355 received from the sexual predator. The department shall notify
356 the statewide law enforcement agency, or a comparable agency, in
357 the intended state, jurisdiction, or country of residence, or
358 the intended country of travel, of the sexual predator's
359 intended residence or intended travel. The failure of a sexual
360 predator to provide his or her intended place of residence or
361 intended travel is punishable as provided in subsection (10).

362 Section 2. Paragraph (h) of subsection (1), paragraph (b)
363 of subsection (2), paragraphs (a) and (e) of subsection (4), and
364 subsections (7) and (11) of section 943.0435, Florida Statutes,
365 are amended to read:

366 943.0435 Sexual offenders required to register with the
367 department; penalty.—

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

369 (h)1. "Sexual offender" means a person who meets the
370 criteria in sub-subparagraph a., sub-subparagraph b., sub-
371 subparagraph c., or sub-subparagraph d., as follows:

372 a.(I) Has been convicted of committing, or attempting,
373 soliciting, or conspiring to commit, any of the criminal
374 offenses proscribed in the following statutes in this state or
375 similar offenses in another jurisdiction: s. 393.135(2); s.
376 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
377 the victim is a minor; s. 787.06(3)(b), (d), (f), or (g); former

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378 s. 787.06(3)(h); s. 794.011, excluding s. 794.011(10); s.
379 794.05; former s. 796.03; former s. 796.035; s. 800.04; s.
380 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
381 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
382 s. 895.03, if the court makes a written finding that the
383 racketeering activity involved at least one sexual offense
384 listed in this sub-sub-subparagraph or at least one offense
385 listed in this sub-sub-subparagraph with sexual intent or
386 motive; s. 916.1075(2); or s. 985.701(1); or any similar offense
387 committed in this state which has been redesignated from a
388 former statute number to one of those listed in this sub-sub-
389 subparagraph; and

390 (II) Has been released on or after October 1, 1997, from a
391 ~~the~~ sanction imposed for any conviction of an offense described
392 in sub-sub-subparagraph (I) and does not otherwise meet the
393 criteria for registration as a sexual offender under chapter 944
394 or chapter 985. For purposes of sub-sub-subparagraph (I), a
395 sanction imposed in this state or in any other jurisdiction
396 ~~includes, but is not limited to, a fine, probation, community~~
397 ~~control, parole, conditional release, control release, or~~
398 ~~incarceration in a state prison, federal prison, private~~
399 ~~correctional facility, or local detention facility.~~ If no
400 sanction is imposed the person is deemed to be released upon
401 conviction;

402 b. Establishes or maintains a residence in this state and
403 who has not been designated as a sexual predator by a court of
404 this state but who has been designated as a sexual predator, as
405 a sexually violent predator, or by another sexual offender
406 designation in another state or jurisdiction and was, as a

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407 result of such designation, subjected to registration or
408 community or public notification, or both, or would be if the
409 person were a resident of that state or jurisdiction, without
410 regard to whether the person otherwise meets the criteria for
411 registration as a sexual offender;

412 c. Establishes or maintains a residence in this state who
413 is in the custody or control of, or under the supervision of,
414 any other state or jurisdiction as a result of a conviction for
415 committing, or attempting, soliciting, or conspiring to commit,
416 any of the criminal offenses proscribed in the following
417 statutes or similar offense in another jurisdiction: s.
418 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
419 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),
420 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding
421 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;
422 s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133;
423 s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138;
424 s. 847.0145; s. 895.03, if the court makes a written finding
425 that the racketeering activity involved at least one sexual
426 offense listed in this sub-subparagraph or at least one offense
427 listed in this sub-subparagraph with sexual intent or motive; s.
428 916.1075(2); or s. 985.701(1); or any similar offense committed
429 in this state which has been redesignated from a former statute
430 number to one of those listed in this sub-subparagraph; or

431 d. On or after July 1, 2007, has been adjudicated
432 delinquent for committing, or attempting, soliciting, or
433 conspiring to commit, any of the criminal offenses proscribed in
434 the following statutes in this state or similar offenses in
435 another jurisdiction when the juvenile was 14 years of age or

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436 older at the time of the offense:

437 (I) Section 794.011, excluding s. 794.011(10);

438 (II) Section 800.04(4)(a)2. where the victim is under 12
439 years of age or where the court finds sexual activity by the use
440 of force or coercion;

441 (III) Section 800.04(5)(c)1. where the court finds
442 molestation involving unclothed genitals;

443 (IV) Section 800.04(5)(d) where the court finds the use of
444 force or coercion and unclothed genitals; or

445 (V) Any similar offense committed in this state which has
446 been redesignated from a former statute number to one of those
447 listed in this sub-subparagraph.

448 2. For all qualifying offenses listed in sub-subparagraph
449 1.d., the court shall make a written finding of the age of the
450 offender at the time of the offense.

451
452 For each violation of a qualifying offense listed in this
453 subsection, except for a violation of s. 794.011, the court
454 shall make a written finding of the age of the victim at the
455 time of the offense. For a violation of s. 800.04(4), the court
456 shall also make a written finding indicating whether the offense
457 involved sexual activity and indicating whether the offense
458 involved force or coercion. For a violation of s. 800.04(5), the
459 court shall also make a written finding that the offense did or
460 did not involve unclothed genitals or genital area and that the
461 offense did or did not involve the use of force or coercion.

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

463 (b) Provide his or her name; date of birth; social security
464 number; race; sex; height; weight; hair and eye color; tattoos

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465 or other identifying marks; fingerprints; palm prints;
466 photograph; employment information; address of permanent or
467 legal residence or address of any current temporary residence,
468 within the state or out of state, including a rural route
469 address and a post office box; if no permanent or temporary
470 address, any transient residence within the state, address,
471 location or description, and dates of any current or known
472 future temporary residence within the state or out of state; the
473 make, model, color, vehicle identification number (VIN), and
474 license tag number of all vehicles owned; home telephone numbers
475 and cellular telephone numbers; electronic mail addresses;
476 Internet identifiers and each Internet identifier's
477 corresponding website homepage or application software name;
478 date and place of each conviction; and a brief description of
479 the crime or crimes committed by the offender. A post office box
480 may not be provided in lieu of a physical residential address.
481 The sexual offender shall also produce his or her passport, if
482 he or she has a passport, and, if he or she is an alien, shall
483 produce or provide information about documents establishing his
484 or her immigration status. The sexual offender shall also
485 provide information about any professional licenses he or she
486 has.

487 1. If the sexual offender's place of residence is a motor
488 vehicle, trailer, mobile home, or manufactured home, as defined
489 in chapter 320, the sexual offender shall also provide to the
490 department through the sheriff's office written notice of the
491 vehicle identification number; the license tag number; the
492 registration number; and a description, including color scheme,
493 of the motor vehicle, trailer, mobile home, or manufactured

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494 home. If the sexual offender's place of residence is a vessel,
495 live-aboard vessel, or houseboat, as defined in chapter 327, the
496 sexual offender shall also provide to the department written
497 notice of the hull identification number; the manufacturer's
498 serial number; the name of the vessel, live-aboard vessel, or
499 houseboat; the registration number; and a description, including
500 color scheme, of the vessel, live-aboard vessel, or houseboat.

501 2. If the sexual offender is enrolled or employed, whether
502 for compensation or as a volunteer, at an institution of higher
503 education in this state, the sexual offender shall also provide
504 to the department the name, address, and county of each
505 institution, including each campus attended, and the sexual
506 offender's enrollment, volunteer, or employment status. The
507 sheriff, the Department of Corrections, or the Department of
508 Juvenile Justice shall promptly notify each institution of
509 higher education of the sexual offender's presence and any
510 change in the sexual offender's enrollment, volunteer, or
511 employment status.

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

516
517 When a sexual offender reports at the sheriff's office, the
518 sheriff shall take a photograph, a set of fingerprints, and palm
519 prints of the offender and forward the photographs, palm prints,
520 and fingerprints to the department, along with the information
521 provided by the sexual offender. The sheriff shall promptly
522 provide to the department the information received from the

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523 sexual offender.

524 (4) (a) Each time a sexual offender's driver license or
525 identification card is subject to renewal, and, without regard
526 to the status of the offender's driver license or identification
527 card, within 48 hours after any change in the offender's
528 permanent, temporary, or transient residence or change in the
529 offender's name by reason of marriage or other legal process,
530 the offender shall report in person to a driver license office,
531 or through an authorized alternate method as provided by the
532 Department of Highway Safety and Motor Vehicles, and is subject
533 to the requirements specified in subsection (3). The Department
534 of Highway Safety and Motor Vehicles shall forward to the
535 department all photographs and information provided by sexual
536 offenders. Notwithstanding the restrictions set forth in s.
537 322.142, the Department of Highway Safety and Motor Vehicles may
538 release a reproduction of a color-photograph or digital-image
539 license to the Department of Law Enforcement for purposes of
540 public notification of sexual offenders as provided in this
541 section and ss. 943.043 and 944.606. A sexual offender who is
542 unable to secure or update a driver license or an identification
543 card with the Department of Highway Safety and Motor Vehicles as
544 provided in subsection (3) and this subsection shall also report
545 any change in the sexual offender's permanent, temporary, or
546 transient residence or change in the offender's name by reason
547 of marriage or other legal process within 48 hours after the
548 change to the sheriff's office in the county where the offender
549 resides or is located and provide confirmation that he or she
550 reported such information to the Department of Highway Safety
551 and Motor Vehicles. The reporting requirements under this

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552 paragraph do not negate the requirement for a sexual offender to
553 obtain a Florida driver license or an identification card as
554 required in this section.

555 (e)1. A sexual offender shall register all electronic mail
556 addresses and Internet identifiers, and each Internet
557 identifier's corresponding website homepage or application
558 software name, with the department through the department's
559 online system or in person at the sheriff's office within 48
560 hours after using such electronic mail addresses and Internet
561 identifiers. If the sexual offender is in the custody or
562 control, or under the supervision, of the Department of
563 Corrections, he or she must report all electronic mail addresses
564 and Internet identifiers, and each Internet identifier's
565 corresponding website homepage or application software name, to
566 the Department of Corrections before using such electronic mail
567 addresses or Internet identifiers. If the sexual offender is in
568 the custody or control, or under the supervision, of the
569 Department of Juvenile Justice, he or she must report all
570 electronic mail addresses and Internet identifiers, and each
571 Internet identifier's corresponding website homepage or
572 application software name, to the Department of Juvenile Justice
573 before using such electronic mail addresses or Internet
574 identifiers.

575 2. A sexual offender shall register all changes to vehicles
576 owned, all changes to home telephone numbers and cellular
577 telephone numbers, including added and deleted numbers, all
578 changes to employment information, and all changes in status
579 related to enrollment, volunteering, or employment at
580 institutions of higher education, through the department's

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581 online system; in person at the sheriff's office; in person at
582 the Department of Corrections if the sexual offender is in the
583 custody or control, or under the supervision, of the Department
584 of Corrections; or in person at the Department of Juvenile
585 Justice if the sexual offender is in the custody or control, or
586 under the supervision, of the Department of Juvenile Justice.
587 All changes required to be reported under this subparagraph must
588 be reported within 48 hours after the change.

589 3. The department shall establish an online system through
590 which sexual offenders may securely access, submit, and update
591 all changes in status to vehicles owned; electronic mail
592 addresses; Internet identifiers and each Internet identifier's
593 corresponding website homepage or application software name;
594 home telephone numbers and cellular telephone numbers;
595 employment information; and institution of higher education
596 information.

597 (7) A sexual offender who intends to establish a permanent,
598 temporary, or transient residence in another state or
599 jurisdiction other than the State of Florida shall report in
600 person to the sheriff of the county of current residence at
601 least ~~within~~ 48 hours before the date he or she intends to leave
602 this state to establish residence in another state or
603 jurisdiction or at least 21 days before the date he or she
604 intends to travel ~~if the intended residence of 5 days or more is~~
605 outside of the United States. Any travel that is not known by
606 the sexual offender at least 48 hours before he or she intends
607 to establish a residence in another state or jurisdiction, or 21
608 days before the departure date for travel outside of the United
609 States, must be reported in person to the sheriff's office as

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610 soon as possible before departure. The sexual offender shall
611 provide to the sheriff the address, municipality, county, state,
612 and country of intended residence. For international travel, the
613 sexual offender shall also provide travel information,
614 including, but not limited to, expected departure and return
615 dates, flight number, airport of departure, cruise port of
616 departure, or any other means of intended travel. The sheriff
617 shall promptly provide to the department the information
618 received from the sexual offender. The department shall notify
619 the statewide law enforcement agency, or a comparable agency, in
620 the intended state, jurisdiction, or country of residence, or
621 the intended country of travel, of the sexual offender's
622 intended residence or intended travel. The failure of a sexual
623 offender to provide his or her intended place of residence or
624 intended travel is punishable as provided in subsection (9).

625 (11) Except as provided in s. 943.04354, a sexual offender
626 shall maintain registration with the department for the duration
627 of his or her life unless the sexual offender has received a
628 full pardon or has had a conviction set aside in a
629 postconviction proceeding for any offense that meets the
630 criteria for classifying the person as a sexual offender for
631 purposes of registration. However, a sexual offender shall be
632 considered for removal of the requirement to register as a
633 sexual offender only if the person:

634 (a)1. Has been lawfully released from confinement,
635 supervision, or sanction, whichever is later, for at least 25
636 years and has not been arrested for any felony or misdemeanor
637 offense since release, provided that the sexual offender's
638 requirement to register was not based upon an adult conviction:

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- 639 a. For a violation of s. 787.01 or s. 787.02;
- 640 b. For a violation of s. 794.011, excluding s. 794.011(10);
- 641 c. For a violation of s. 800.04(4)(a)2. where the court
- 642 finds the offense involved a victim under 12 years of age or
- 643 sexual activity by the use of force or coercion;
- 644 d. For a violation of s. 800.04(5)(b);
- 645 e. For a violation of s. 800.04(5)(c)2. where the court
- 646 finds the offense involved the use of force or coercion and
- 647 unclothed genitals or genital area;
- 648 f. For a violation of s. 825.1025(2)(a);
- 649 g. For any attempt or conspiracy to commit any such
- 650 offense;
- 651 h. For a violation of similar law of another jurisdiction;
- 652 or
- 653 i. For a violation of a similar offense committed in this
- 654 state which has been redesignated from a former statute number
- 655 to one of those listed in this subparagraph.
- 656 2. If the sexual offender meets the criteria in
- 657 subparagraph 1., the sexual offender may, for the purpose of
- 658 removing the requirement for registration as a sexual offender,
- 659 petition the criminal division of the circuit court of the
- 660 circuit:
- 661 a. Where the conviction or adjudication occurred, for a
- 662 conviction in this state;
- 663 b. Where the sexual offender resides, for a conviction of a
- 664 violation of similar law of another jurisdiction; or
- 665 c. Where the sexual offender last resided, for a sexual
- 666 offender with a conviction of a violation of similar law of
- 667 another jurisdiction who no longer resides in this state.

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668 3. The court may grant or deny relief if the offender
669 demonstrates to the court that he or she has not been arrested
670 for any crime since release; the requested relief complies with
671 the federal Adam Walsh Child Protection and Safety Act of 2006
672 and any other federal standards applicable to the removal of
673 registration requirements for a sexual offender or required to
674 be met as a condition for the receipt of federal funds by the
675 state; and the court is otherwise satisfied that the offender is
676 not a current or potential threat to public safety. The state
677 attorney in the circuit in which the petition is filed must be
678 given notice of the petition at least 3 weeks before the hearing
679 on the matter. The state attorney may present evidence in
680 opposition to the requested relief or may otherwise demonstrate
681 the reasons why the petition should be denied. If the court
682 denies the petition, the court may set a future date at which
683 the sexual offender may again petition the court for relief,
684 subject to the standards for relief provided in this subsection.

685 4. The department shall remove an offender from
686 classification as a sexual offender for purposes of registration
687 if the offender provides to the department a certified copy of
688 the court's written findings or order that indicates that the
689 offender is no longer required to comply with the requirements
690 for registration as a sexual offender.

691 (b) Maintains ~~As defined in sub-subparagraph (1)(h)1.b.~~
692 ~~must maintain~~ registration with the department as described in
693 sub-subparagraph (1)(h)1.b. for the duration of his or her life
694 until the person provides the department with an order issued by
695 the court that designated the person as a sexual predator, as a
696 sexually violent predator, or as any other ~~by another~~ sexual

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697 offender designation in the state or jurisdiction in which the
698 order was issued which states that such designation has been
699 removed or demonstrates to the department that such designation,
700 if not imposed by a court, has been removed by operation of law
701 or court order in the state or jurisdiction in which the
702 designation was made, ~~and~~ provided that such person no longer
703 meets the criteria for registration as a sexual offender under
704 the laws of this state.

705 (c)1. Is required to register as a sexual offender solely
706 under the requirements of sub-subparagraph (1)(h)1.b. and files
707 a petition in the circuit court in the jurisdiction in which the
708 person resides or, for a person who no longer resides in this
709 state, the court in the jurisdiction in which the person last
710 resided in this state. The petition must assert that his or her
711 designation as a sexual predator or sexually violent predator or
712 any other sexual offender designation in the state or
713 jurisdiction in which the designation was made is confidential
714 from public disclosure or that such designation, if not imposed
715 by a court, is considered confidential from public disclosure by
716 operation of law or court order in the state or jurisdiction
717 requiring registration, provided that such person does not meet
718 the criteria for registration as a sexual offender under the
719 laws of this state.

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

723 3. A petition filed under this paragraph must document the
724 person's conviction and include a copy of the order issued by
725 the court in the state or jurisdiction which made the

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726 designation confidential from public disclosure. If the
727 confidential status was not granted by court order, the person
728 must demonstrate to the court that his or her registration
729 requirement has been made confidential by operation of law in
730 the state or jurisdiction requiring registration. The state
731 attorney and the department must be given notice at least 21
732 days before the date of the hearing on the petition and may
733 present evidence in opposition to the requested relief or may
734 otherwise demonstrate why it should be denied.

735 4. If a person provides to the department a certified copy
736 of the circuit court's order granting the person's removal of
737 the requirement to register as a sexual offender in this state
738 in accordance with this paragraph, the registration requirement
739 does not apply to the person and the department must remove all
740 information about the person from the public registry of sexual
741 offenders and sexual predators maintained by the department.

742 Section 3. For the purpose of incorporating the amendment
743 made by this act to section 775.21, Florida Statutes, in a
744 reference thereto, paragraph (f) of subsection (1) of section
745 943.0435, Florida Statutes, is reenacted to read:

746 943.0435 Sexual offenders required to register with the
747 department; penalty.—

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

749 (f) "Permanent residence," "temporary residence," and
750 "transient residence" have the same meaning as provided in s.
751 775.21.

752 Section 4. For the purpose of incorporating the amendment
753 made by this act to section 775.21, Florida Statutes, in a
754 reference thereto, paragraph (d) of subsection (1) of section

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755 944.606, Florida Statutes, is reenacted to read:

756 944.606 Sexual offenders; notification upon release.—

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

758 (d) "Permanent residence," "temporary residence," and
759 "transient residence" have the same meaning as provided in s.
760 775.21.

761 Section 5. For the purpose of incorporating the amendment
762 made by this act to section 775.21, Florida Statutes, in a
763 reference thereto, subsection (4) of section 944.609, Florida
764 Statutes, is reenacted to read:

765 944.609 Career offenders; notification upon release.—

766 (4) The department or any law enforcement agency may notify
767 the community and the public of a career offender's presence in
768 the community. However, with respect to a career offender who
769 has been found to be a sexual predator under s. 775.21, the
770 Department of Law Enforcement or any other law enforcement
771 agency must inform the community and the public of the career
772 offender's presence in the community, as provided in s. 775.21.

773 Section 6. For the purpose of incorporating the amendment
774 made by this act to section 775.21, Florida Statutes, in a
775 reference thereto, paragraph (d) of subsection (1) of section
776 985.481, Florida Statutes, is reenacted to read:

777 985.481 Sexual offenders adjudicated delinquent;
778 notification upon release.—

779 (1) As used in this section:

780 (d) "Permanent residence," "temporary residence," and
781 "transient residence" have the same meaning as provided in s.
782 775.21.

783 Section 7. For the purpose of incorporating the amendment

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784 made by this act to section 775.21, Florida Statutes, in a
785 reference thereto, paragraph (f) of subsection (1) of section
786 985.4815, Florida Statutes, is reenacted to read:

787 985.4815 Notification to Department of Law Enforcement of
788 information on juvenile sexual offenders.—

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

790 (f) "Permanent residence," "temporary residence," and
791 "transient residence" have the same meaning as provided in s.
792 775.21.

793 Section 8. For the purpose of incorporating the amendment
794 made by this act to section 943.0435, Florida Statutes, in a
795 reference thereto, paragraph (c) of subsection (9) of section
796 61.13, Florida Statutes, is reenacted to read:

797 61.13 Support of children; parenting and time-sharing;
798 powers of court.—

799 (9)

800 (c) A court may not order visitation at a recovery
801 residence if any resident of the recovery residence is currently
802 required to register as a sexual predator under s. 775.21 or as
803 a sexual offender under s. 943.0435.

804 Section 9. For the purpose of incorporating the amendment
805 made by this act to section 943.0435, Florida Statutes, in a
806 reference thereto, paragraph (i) of subsection (3) of section
807 68.07, Florida Statutes, is reenacted to read:

808 68.07 Change of name.—

809 (3) Each petition shall be verified and show:

810 (i) Whether the petitioner has ever been required to
811 register as a sexual predator under s. 775.21 or as a sexual
812 offender under s. 943.0435.

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813 Section 10. For the purpose of incorporating the amendment
814 made by this act to section 943.0435, Florida Statutes, in a
815 reference thereto, paragraph (b) of subsection (2) of section
816 98.0751, Florida Statutes, is reenacted to read:

817 98.0751 Restoration of voting rights; termination of
818 ineligibility subsequent to a felony conviction.—

819 (2) For purposes of this section, the term:

820 (b) "Felony sexual offense" means any of the following:

821 1. Any felony offense that serves as a predicate to
822 registration as a sexual offender in accordance with s.

823 943.0435;

824 2. Section 491.0112;

825 3. Section 784.049(3)(b);

826 4. Section 794.08;

827 5. Section 796.08;

828 6. Section 800.101;

829 7. Section 826.04;

830 8. Section 847.012;

831 9. Section 872.06(2);

832 10. Section 944.35(3)(b)2.;

833 11. Section 951.221(1); or

834 12. Any similar offense committed in another jurisdiction
835 which would be an offense listed in this paragraph if it had
836 been committed in violation of the laws of this state.

837 Section 11. For the purpose of incorporating the amendment
838 made by this act to section 943.0435, Florida Statutes, in a
839 reference thereto, subsection (3) of section 322.141, Florida
840 Statutes, is reenacted to read:

841 322.141 Color or markings of certain licenses or

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842 identification cards.—

843 (3) All licenses for the operation of motor vehicles or
844 identification cards originally issued or reissued by the
845 department to persons who are designated as sexual predators
846 under s. 775.21 or subject to registration as sexual offenders
847 under s. 943.0435 or s. 944.607, or who have a similar
848 designation or are subject to a similar registration under the
849 laws of another jurisdiction, shall have on the front of the
850 license or identification card the following:

851 (a) For a person designated as a sexual predator under s.
852 775.21 or who has a similar designation under the laws of
853 another jurisdiction, the marking "SEXUAL PREDATOR."

854 (b) For a person subject to registration as a sexual
855 offender under s. 943.0435 or s. 944.607, or subject to a
856 similar registration under the laws of another jurisdiction, the
857 marking "943.0435, F.S."

858 Section 12. For the purpose of incorporating the amendment
859 made by this act to section 943.0435, Florida Statutes, in a
860 reference thereto, subsection (2) of section 394.9125, Florida
861 Statutes, is reenacted to read:

862 394.9125 State attorney; authority to refer a person for
863 civil commitment.—

864 (2) A state attorney may refer a person to the department
865 for civil commitment proceedings if the person:

866 (a) Is required to register as a sexual offender pursuant
867 to s. 943.0435;

868 (b) Has previously been convicted of a sexually violent
869 offense as defined in s. 394.912(9)(a)-(h); and

870 (c) Has been sentenced to a term of imprisonment in a

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871 county or municipal jail for any criminal offense.

872 Section 13. For the purpose of incorporating the amendment
873 made by this act to section 943.0435, Florida Statutes, in a
874 reference thereto, paragraph (b) of subsection (10) of section
875 397.487, Florida Statutes, is reenacted to read:

876 397.487 Voluntary certification of recovery residences.—
877 (10)

878 (b) A certified recovery residence may not allow a minor
879 child to visit a parent who is a resident of the recovery
880 residence at any time if any resident of the recovery residence
881 is currently required to register as a sexual predator under s.
882 775.21 or as a sexual offender under s. 943.0435.

883 Section 14. For the purpose of incorporating the amendment
884 made by this act to section 943.0435, Florida Statutes, in a
885 reference thereto, paragraph (b) of subsection (4) of section
886 435.07, Florida Statutes, is reenacted to read:

887 435.07 Exemptions from disqualification.—Unless otherwise
888 provided by law, the provisions of this section apply to
889 exemptions from disqualification for disqualifying offenses
890 revealed pursuant to background screenings required under this
891 chapter, regardless of whether those disqualifying offenses are
892 listed in this chapter or other laws.

893 (4)

894 (b) Disqualification from employment under this chapter may
895 not be removed from, nor may an exemption be granted to, any
896 person who is a:

- 897 1. Sexual predator as designated pursuant to s. 775.21;
- 898 2. Career offender pursuant to s. 775.261; or
- 899 3. Sexual offender pursuant to s. 943.0435, unless the

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900 requirement to register as a sexual offender has been removed
901 pursuant to s. 943.04354.

902 Section 15. For the purpose of incorporating the amendment
903 made by this act to section 943.0435, Florida Statutes, in a
904 reference thereto, subsection (2) of section 775.0862, Florida
905 Statutes, is reenacted to read:

906 775.0862 Sexual offenses against students by authority
907 figures; reclassification.—

908 (2) The felony degree of a violation of an offense listed
909 in s. 943.0435(1)(h)1.a., unless the offense is a violation of
910 s. 794.011(4)(e)7. or s. 810.145(8)(a)2., shall be reclassified
911 as provided in this section if the offense is committed by an
912 authority figure of a school against a student of the school.

913 Section 16. For the purpose of incorporating the amendment
914 made by this act to section 943.0435, Florida Statutes, in a
915 reference thereto, subsection (4) of section 775.13, Florida
916 Statutes, is reenacted to read:

917 775.13 Registration of convicted felons, exemptions;
918 penalties.—

919 (4) This section does not apply to an offender:

920 (a) Who has had his or her civil rights restored;

921 (b) Who has received a full pardon for the offense for
922 which convicted;

923 (c) Who has been lawfully released from incarceration or
924 other sentence or supervision for a felony conviction for more
925 than 5 years prior to such time for registration, unless the
926 offender is a fugitive from justice on a felony charge or has
927 been convicted of any offense since release from such
928 incarceration or other sentence or supervision;

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929 (d) Who is a parolee or probationer under the supervision
930 of the United States Parole Commission if the commission knows
931 of and consents to the presence of the offender in Florida or is
932 a probationer under the supervision of any federal probation
933 officer in the state or who has been lawfully discharged from
934 such parole or probation;

935 (e) Who is a sexual predator and has registered as required
936 under s. 775.21;

937 (f) Who is a sexual offender and has registered as required
938 in s. 943.0435 or s. 944.607; or

939 (g) Who is a career offender who has registered as required
940 in s. 775.261 or s. 944.609.

941 Section 17. For the purpose of incorporating the amendment
942 made by this act to section 943.0435, Florida Statutes, in
943 references thereto, paragraph (d) of subsection (5) and
944 paragraph (d) of subsection (10) of section 775.21, Florida
945 Statutes, are reenacted to read:

946 775.21 The Florida Sexual Predators Act.—

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

949 (d) A person who establishes or maintains a residence in
950 this state and who has not been designated as a sexual predator
951 by a court of this state but who has been designated as a sexual
952 predator, as a sexually violent predator, or by another sexual
953 offender designation in another state or jurisdiction and was,
954 as a result of such designation, subjected to registration or
955 community or public notification, or both, or would be if the
956 person was a resident of that state or jurisdiction, without
957 regard to whether the person otherwise meets the criteria for

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958 registration as a sexual offender, shall register in the manner
959 provided in s. 943.0435 or s. 944.607 and shall be subject to
960 community and public notification as provided in s. 943.0435 or
961 s. 944.607. A person who meets the criteria of this section is
962 subject to the requirements and penalty provisions of s.
963 943.0435 or s. 944.607 until the person provides the department
964 with an order issued by the court that designated the person as
965 a sexual predator, as a sexually violent predator, or by another
966 sexual offender designation in the state or jurisdiction in
967 which the order was issued which states that such designation
968 has been removed or demonstrates to the department that such
969 designation, if not imposed by a court, has been removed by
970 operation of law or court order in the state or jurisdiction in
971 which the designation was made, and provided such person no
972 longer meets the criteria for registration as a sexual offender
973 under the laws of this state.

974 (10) PENALTIES.—

975 (d) Any person who misuses public records information
976 relating to a sexual predator, as defined in this section, or a
977 sexual offender, as defined in s. 943.0435 or s. 944.607, to
978 secure a payment from such a predator or offender; who knowingly
979 distributes or publishes false information relating to such a
980 predator or offender which the person misrepresents as being
981 public records information; or who materially alters public
982 records information with the intent to misrepresent the
983 information, including documents, summaries of public records
984 information provided by law enforcement agencies, or public
985 records information displayed by law enforcement agencies on
986 websites or provided through other means of communication,

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987 commits a misdemeanor of the first degree, punishable as
988 provided in s. 775.082 or s. 775.083.

989 Section 18. For the purpose of incorporating the amendment
990 made by this act to section 943.0435, Florida Statutes, in a
991 reference thereto, subsection (2) of section 775.24, Florida
992 Statutes, is reenacted to read:

993 775.24 Duty of the court to uphold laws governing sexual
994 predators and sexual offenders.—

995 (2) If a person meets the criteria in this chapter for
996 designation as a sexual predator or meets the criteria in s.
997 943.0435, s. 944.606, s. 944.607, or any other law for
998 classification as a sexual offender, the court may not enter an
999 order, for the purpose of approving a plea agreement or for any
1000 other reason, which:

1001 (a) Exempts a person who meets the criteria for designation
1002 as a sexual predator or classification as a sexual offender from
1003 such designation or classification, or exempts such person from
1004 the requirements for registration or community and public
1005 notification imposed upon sexual predators and sexual offenders;

1006 (b) Restricts the compiling, reporting, or release of
1007 public records information that relates to sexual predators or
1008 sexual offenders; or

1009 (c) Prevents any person or entity from performing its
1010 duties or operating within its statutorily conferred authority
1011 as such duty or authority relates to sexual predators or sexual
1012 offenders.

1013 Section 19. For the purpose of incorporating the amendment
1014 made by this act to section 943.0435, Florida Statutes, in a
1015 reference thereto, paragraph (b) of subsection (3) of section

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1016 775.261, Florida Statutes, is reenacted to read:

1017 775.261 The Florida Career Offender Registration Act.—

1018 (3) CRITERIA FOR REGISTRATION AS A CAREER OFFENDER.—

1019 (b) This section does not apply to any person who has been
1020 designated as a sexual predator and required to register under
1021 s. 775.21 or who is required to register as a sexual offender
1022 under s. 943.0435 or s. 944.607. However, if a person is no
1023 longer required to register as a sexual predator under s. 775.21
1024 or as a sexual offender under s. 943.0435 or s. 944.607, the
1025 person must register as a career offender under this section if
1026 the person is otherwise designated as a career offender as
1027 provided in this section.

1028 Section 20. For the purpose of incorporating the amendment
1029 made by this act to section 943.0435, Florida Statutes, in a
1030 reference thereto, paragraph (cc) of subsection (2) of section
1031 900.05, Florida Statutes, is reenacted to read:

1032 900.05 Criminal justice data collection.—

1033 (2) DEFINITIONS.—As used in this section, the term:

1034 (cc) "Sexual offender flag" means an indication that a
1035 defendant was required to register as a sexual predator as
1036 defined in s. 775.21 or as a sexual offender as defined in s.
1037 943.0435.

1038 Section 21. For the purpose of incorporating the amendment
1039 made by this act to section 943.0435, Florida Statutes, in a
1040 reference thereto, paragraph (m) of subsection (2) of section
1041 903.046, Florida Statutes, is reenacted to read:

1042 903.046 Purpose of and criteria for bail determination.—

1043 (2) When determining whether to release a defendant on bail
1044 or other conditions, and what that bail or those conditions may

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1045 be, the court shall consider:

1046 (m) Whether the defendant, other than a defendant whose
1047 only criminal charge is a misdemeanor offense under chapter 316,
1048 is required to register as a sexual offender under s. 943.0435
1049 or a sexual predator under s. 775.21; and, if so, he or she is
1050 not eligible for release on bail or surety bond until the first
1051 appearance on the case in order to ensure the full participation
1052 of the prosecutor and the protection of the public.

1053 Section 22. For the purpose of incorporating the amendment
1054 made by this act to section 943.0435, Florida Statutes, in a
1055 reference thereto, section 903.133, Florida Statutes, is
1056 reenacted to read:

1057 903.133 Bail on appeal; prohibited for certain felony
1058 convictions.—Notwithstanding s. 903.132, no person shall be
1059 admitted to bail pending review either by posttrial motion or
1060 appeal if he or she was adjudged guilty of:

1061 (1) A felony of the first degree for a violation of s.
1062 782.04(2) or (3), s. 787.01, s. 794.011(4), s. 806.01, s.
1063 893.13, or s. 893.135;

1064 (2) A violation of s. 794.011(2) or (3); or

1065 (3) Any other offense requiring sexual offender
1066 registration under s. 943.0435(1)(h) or sexual predator
1067 registration under s. 775.21(4) when, at the time of the
1068 offense, the offender was 18 years of age or older and the
1069 victim was a minor.

1070 Section 23. For the purpose of incorporating the amendment
1071 made by this act to section 943.0435, Florida Statutes, in a
1072 reference thereto, paragraph (b) of subsection (4) of section
1073 907.043, Florida Statutes, is reenacted to read:

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- 1074 907.043 Pretrial release; citizens' right to know.-
1075 (4)
1076 (b) The annual report must contain, but need not be limited
1077 to:
- 1078 1. The name, location, and funding sources of the pretrial
1079 release program, including the amount of public funds, if any,
1080 received by the pretrial release program.
 - 1081 2. The operating and capital budget of each pretrial
1082 release program receiving public funds.
 - 1083 3.a. The percentage of the pretrial release program's total
1084 budget representing receipt of public funds.
1085 b. The percentage of the total budget which is allocated to
1086 assisting defendants obtain release through a nonpublicly funded
1087 program.
 - 1088 c. The amount of fees paid by defendants to the pretrial
1089 release program.
 - 1090 4. The number of persons employed by the pretrial release
1091 program.
 - 1092 5. The number of defendants assessed and interviewed for
1093 pretrial release.
 - 1094 6. The number of defendants recommended for pretrial
1095 release.
 - 1096 7. The number of defendants for whom the pretrial release
1097 program recommended against nonsecured release.
 - 1098 8. The number of defendants granted nonsecured release
1099 after the pretrial release program recommended nonsecured
1100 release.
 - 1101 9. The number of defendants assessed and interviewed for
1102 pretrial release who were declared indigent by the court.

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- 1103 10. The number of defendants accepted into a pretrial
1104 release program who paid a surety or cash bail or bond.
- 1105 11. The number of defendants for whom a risk assessment
1106 tool was used in determining whether the defendant should be
1107 released pending the disposition of the case and the number of
1108 defendants for whom a risk assessment tool was not used.
- 1109 12. The specific statutory citation for each criminal
1110 charge related to a defendant whose case is accepted into a
1111 pretrial release program, including, at a minimum, the number of
1112 defendants charged with dangerous crimes as defined in s.
1113 907.041; nonviolent felonies; or misdemeanors only. A
1114 "nonviolent felony" for purposes of this subparagraph excludes
1115 the commission of, an attempt to commit, or a conspiracy to
1116 commit any of the following:
- 1117 a. An offense enumerated in s. 775.084(1)(c);
- 1118 b. An offense that requires a person to register as a
1119 sexual predator in accordance with s. 775.21 or as a sexual
1120 offender in accordance with s. 943.0435;
- 1121 c. Failure to register as a sexual predator in violation of
1122 s. 775.21 or as a sexual offender in violation of s. 943.0435;
- 1123 d. Facilitating or furthering terrorism in violation of s.
1124 775.31;
- 1125 e. A forcible felony as described in s. 776.08;
- 1126 f. False imprisonment in violation of s. 787.02;
- 1127 g. Burglary of a dwelling or residence in violation of s.
1128 810.02(3);
- 1129 h. Abuse, aggravated abuse, and neglect of an elderly
1130 person or disabled adult in violation of s. 825.102;
- 1131 i. Abuse, aggravated abuse, and neglect of a child in

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1132 violation of s. 827.03;

1133 j. Poisoning of food or water in violation of s. 859.01;

1134 k. Abuse of a dead human body in violation of s. 872.06;

1135 l. A capital offense in violation of chapter 893;

1136 m. An offense that results in serious bodily injury or

1137 death to another human; or

1138 n. A felony offense in which the defendant used a weapon or

1139 firearm in the commission of the offense.

1140 13. The number of defendants accepted into a pretrial

1141 release program with no prior criminal conviction.

1142 14. The name and case number of each person granted

1143 nonsecured release who:

1144 a. Failed to attend a scheduled court appearance.

1145 b. Was issued a warrant for failing to appear.

1146 c. Was arrested for any offense while on release through

1147 the pretrial release program.

1148 15. Any additional information deemed necessary by the

1149 governing body to assess the performance and cost efficiency of

1150 the pretrial release program.

1151 Section 24. For the purpose of incorporating the amendment

1152 made by this act to section 943.0435, Florida Statutes, in a

1153 reference thereto, subsection (2) of section 943.0436, Florida

1154 Statutes, is reenacted to read:

1155 943.0436 Duty of the court to uphold laws governing sexual

1156 predators and sexual offenders.—

1157 (2) If a person meets the criteria in chapter 775 for

1158 designation as a sexual predator or meets the criteria in s.

1159 943.0435, s. 944.606, s. 944.607, or any other law for

1160 classification as a sexual offender, the court may not enter an

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1161 order, for the purpose of approving a plea agreement or for any
1162 other reason, which:

1163 (a) Exempts a person who meets the criteria for designation
1164 as a sexual predator or classification as a sexual offender from
1165 such designation or classification, or exempts such person from
1166 the requirements for registration or community and public
1167 notification imposed upon sexual predators and sexual offenders;

1168 (b) Restricts the compiling, reporting, or release of
1169 public records information that relates to sexual predators or
1170 sexual offenders; or

1171 (c) Prevents any person or entity from performing its
1172 duties or operating within its statutorily conferred authority
1173 as such duty or authority relates to sexual predators or sexual
1174 offenders.

1175 Section 25. For the purpose of incorporating the amendment
1176 made by this act to section 943.0435, Florida Statutes, in a
1177 reference thereto, subsection (2) of section 943.0584, Florida
1178 Statutes, is reenacted to read:

1179 943.0584 Criminal history records ineligible for court-
1180 ordered expunction or court-ordered sealing.—

1181 (2) A criminal history record is ineligible for a
1182 certificate of eligibility for expunction or a court-ordered
1183 expunction pursuant to s. 943.0585 or a certificate of
1184 eligibility for sealing or a court-ordered sealing pursuant to
1185 s. 943.059 if the record is a conviction for any of the
1186 following offenses:

1187 (a) Sexual misconduct, as defined in s. 393.135, s.
1188 394.4593, or s. 916.1075;

1189 (b) Illegal use of explosives, as defined in chapter 552;

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- 1190 (c) Terrorism, as defined in s. 775.30;
- 1191 (d) Murder, as defined in s. 782.04, s. 782.065, or s.
1192 782.09;
- 1193 (e) Manslaughter or homicide, as defined in s. 782.07, s.
1194 782.071, or s. 782.072;
- 1195 (f) Assault or battery, as defined in ss. 784.011 and
1196 784.03, respectively, of one family or household member by
1197 another family or household member, as defined in s. 741.28(3);
- 1198 (g) Aggravated assault, as defined in s. 784.021;
- 1199 (h) Felony battery, domestic battery by strangulation, or
1200 aggravated battery, as defined in ss. 784.03, 784.041, and
1201 784.045, respectively;
- 1202 (i) Stalking or aggravated stalking, as defined in s.
1203 784.048;
- 1204 (j) Luring or enticing a child, as defined in s. 787.025;
- 1205 (k) Human trafficking, as defined in s. 787.06;
- 1206 (l) Kidnapping or false imprisonment, as defined in s.
1207 787.01 or s. 787.02;
- 1208 (m) Any offense defined in chapter 794;
- 1209 (n) Procuring a person less than 18 years of age for
1210 prostitution, as defined in former s. 796.03;
- 1211 (o) Lewd or lascivious offenses committed upon or in the
1212 presence of persons less than 16 years of age, as defined in s.
1213 800.04;
- 1214 (p) Arson, as defined in s. 806.01;
- 1215 (q) Burglary of a dwelling, as defined in s. 810.02;
- 1216 (r) Voyeurism or video voyeurism, as defined in ss. 810.14
1217 and 810.145, respectively;
- 1218 (s) Robbery or robbery by sudden snatching, as defined in

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1219 ss. 812.13 and 812.131, respectively;

1220 (t) Carjacking, as defined in s. 812.133;

1221 (u) Home-invasion robbery, as defined in s. 812.135;

1222 (v) A violation of the Florida Communications Fraud Act, as

1223 provided in s. 817.034;

1224 (w) Abuse of an elderly person or disabled adult, or

1225 aggravated abuse of an elderly person or disabled adult, as

1226 defined in s. 825.102;

1227 (x) Lewd or lascivious offenses committed upon or in the

1228 presence of an elderly person or disabled person, as defined in

1229 s. 825.1025;

1230 (y) Child abuse or aggravated child abuse, as defined in s.

1231 827.03;

1232 (z) Sexual performance by a child, as defined in s.

1233 827.071;

1234 (aa) Any offense defined in chapter 839;

1235 (bb) Certain acts in connection with obscenity, as defined

1236 in s. 847.0133;

1237 (cc) Any offense defined in s. 847.0135;

1238 (dd) Selling or buying of minors, as defined in s.

1239 847.0145;

1240 (ee) Aircraft piracy, as defined in s. 860.16;

1241 (ff) Manufacturing a controlled substance in violation of

1242 chapter 893;

1243 (gg) Drug trafficking, as defined in s. 893.135; or

1244 (hh) Any violation specified as a predicate offense for

1245 registration as a sexual predator pursuant to s. 775.21, or

1246 sexual offender pursuant to s. 943.0435, without regard to

1247 whether that offense alone is sufficient to require such

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1248 registration.

1249 Section 26. For the purpose of incorporating the amendment
1250 made by this act to section 943.0435, Florida Statutes, in
1251 references thereto, paragraph (a) of subsection (4) and
1252 paragraph (c) of subsection (10) of section 944.607, Florida
1253 Statutes, are reenacted to read:

1254 944.607 Notification to Department of Law Enforcement of
1255 information on sexual offenders.—

1256 (4) A sexual offender, as described in this section, who is
1257 under the supervision of the Department of Corrections but is
1258 not incarcerated shall register with the Department of
1259 Corrections within 3 business days after sentencing for a
1260 registrable offense and otherwise provide information as
1261 required by this subsection.

1262 (a) The sexual offender shall provide his or her name; date
1263 of birth; social security number; race; sex; height; weight;
1264 hair and eye color; tattoos or other identifying marks; all
1265 electronic mail addresses and Internet identifiers required to
1266 be provided pursuant to s. 943.0435(4) (e); employment
1267 information required to be provided pursuant to s.
1268 943.0435(4) (e); all home telephone numbers and cellular
1269 telephone numbers required to be provided pursuant to s.
1270 943.0435(4) (e); the make, model, color, vehicle identification
1271 number (VIN), and license tag number of all vehicles owned;
1272 permanent or legal residence and address of temporary residence
1273 within the state or out of state while the sexual offender is
1274 under supervision in this state, including any rural route
1275 address or post office box; if no permanent or temporary
1276 address, any transient residence within the state; and address,

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1277 location or description, and dates of any current or known
1278 future temporary residence within the state or out of state. The
1279 sexual offender shall also produce his or her passport, if he or
1280 she has a passport, and, if he or she is an alien, shall produce
1281 or provide information about documents establishing his or her
1282 immigration status. The sexual offender shall also provide
1283 information about any professional licenses he or she has. The
1284 Department of Corrections shall verify the address of each
1285 sexual offender in the manner described in ss. 775.21 and
1286 943.0435. The department shall report to the Department of Law
1287 Enforcement any failure by a sexual predator or sexual offender
1288 to comply with registration requirements.

1289 (10)

1290 (c) An arrest on charges of failure to register when the
1291 offender has been provided and advised of his or her statutory
1292 obligations to register under s. 943.0435(2), the service of an
1293 information or a complaint for a violation of this section, or
1294 an arraignment on charges for a violation of this section
1295 constitutes actual notice of the duty to register. A sexual
1296 offender's failure to immediately register as required by this
1297 section following such arrest, service, or arraignment
1298 constitutes grounds for a subsequent charge of failure to
1299 register. A sexual offender charged with the crime of failure to
1300 register who asserts, or intends to assert, a lack of notice of
1301 the duty to register as a defense to a charge of failure to
1302 register shall immediately register as required by this section.
1303 A sexual offender who is charged with a subsequent failure to
1304 register may not assert the defense of a lack of notice of the
1305 duty to register.

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1306 Section 27. For the purpose of incorporating the amendment
1307 made by this act to section 943.0435, Florida Statutes, in a
1308 reference thereto, subsection (4) of section 948.06, Florida
1309 Statutes, is reenacted to read:

1310 948.06 Violation of probation or community control;
1311 revocation; modification; continuance; failure to pay
1312 restitution or cost of supervision.—

1313 (4) Notwithstanding any other provision of this section, a
1314 felony probationer or an offender in community control who is
1315 arrested for violating his or her probation or community control
1316 in a material respect may be taken before the court in the
1317 county or circuit in which the probationer or offender was
1318 arrested. That court shall advise him or her of the charge of a
1319 violation and, if such charge is admitted, shall cause him or
1320 her to be brought before the court that granted the probation or
1321 community control. If the violation is not admitted by the
1322 probationer or offender, the court may commit him or her or
1323 release him or her with or without bail to await further
1324 hearing. However, if the probationer or offender is under
1325 supervision for any criminal offense proscribed in chapter 794,
1326 s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a
1327 registered sexual predator or a registered sexual offender, or
1328 is under supervision for a criminal offense for which he or she
1329 would meet the registration criteria in s. 775.21, s. 943.0435,
1330 or s. 944.607 but for the effective date of those sections, the
1331 court must make a finding that the probationer or offender is
1332 not a danger to the public prior to release with or without
1333 bail. In determining the danger posed by the offender's or
1334 probationer's release, the court may consider the nature and

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1335 circumstances of the violation and any new offenses charged; the
1336 offender's or probationer's past and present conduct, including
1337 convictions of crimes; any record of arrests without conviction
1338 for crimes involving violence or sexual crimes; any other
1339 evidence of allegations of unlawful sexual conduct or the use of
1340 violence by the offender or probationer; the offender's or
1341 probationer's family ties, length of residence in the community,
1342 employment history, and mental condition; his or her history and
1343 conduct during the probation or community control supervision
1344 from which the violation arises and any other previous
1345 supervisions, including disciplinary records of previous
1346 incarcerations; the likelihood that the offender or probationer
1347 will engage again in a criminal course of conduct; the weight of
1348 the evidence against the offender or probationer; and any other
1349 facts the court considers relevant. The court, as soon as is
1350 practicable, shall give the probationer or offender an
1351 opportunity to be fully heard on his or her behalf in person or
1352 by counsel. After the hearing, the court shall make findings of
1353 fact and forward the findings to the court that granted the
1354 probation or community control and to the probationer or
1355 offender or his or her attorney. The findings of fact by the
1356 hearing court are binding on the court that granted the
1357 probation or community control. Upon the probationer or offender
1358 being brought before it, the court that granted the probation or
1359 community control may revoke, modify, or continue the probation
1360 or community control or may place the probationer into community
1361 control as provided in this section. However, the probationer or
1362 offender shall not be released and shall not be admitted to
1363 bail, but shall be brought before the court that granted the

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1364 probation or community control if any violation of felony
1365 probation or community control other than a failure to pay costs
1366 or fines or make restitution payments is alleged to have been
1367 committed by:

1368 (a) A violent felony offender of special concern, as
1369 defined in this section;

1370 (b) A person who is on felony probation or community
1371 control for any offense committed on or after the effective date
1372 of this act and who is arrested for a qualifying offense as
1373 defined in this section; or

1374 (c) A person who is on felony probation or community
1375 control and has previously been found by a court to be a
1376 habitual violent felony offender as defined in s. 775.084(1)(b),
1377 a three-time violent felony offender as defined in s.
1378 775.084(1)(c), or a sexual predator under s. 775.21, and who is
1379 arrested for committing a qualifying offense as defined in this
1380 section on or after the effective date of this act.

1381 Section 28. For the purpose of incorporating the amendment
1382 made by this act to section 943.0435, Florida Statutes, in a
1383 reference thereto, section 948.063, Florida Statutes, is
1384 reenacted to read:

1385 948.063 Violations of probation or community control by
1386 designated sexual offenders and sexual predators.—

1387 (1) If probation or community control for any felony
1388 offense is revoked by the court pursuant to s. 948.06(2)(e) and
1389 the offender is designated as a sexual offender pursuant to s.
1390 943.0435 or s. 944.607 or as a sexual predator pursuant to s.
1391 775.21 for unlawful sexual activity involving a victim 15 years
1392 of age or younger and the offender is 18 years of age or older,

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1393 and if the court imposes a subsequent term of supervision
1394 following the revocation of probation or community control, the
1395 court must order electronic monitoring as a condition of the
1396 subsequent term of probation or community control.

1397 (2) If the probationer or offender is required to register
1398 as a sexual predator under s. 775.21 or as a sexual offender
1399 under s. 943.0435 or s. 944.607 for unlawful sexual activity
1400 involving a victim 15 years of age or younger and the
1401 probationer or offender is 18 years of age or older and has
1402 violated the conditions of his or her probation or community
1403 control, but the court does not revoke the probation or
1404 community control, the court shall nevertheless modify the
1405 probation or community control to include electronic monitoring
1406 for any probationer or offender not then subject to electronic
1407 monitoring.

1408 Section 29. For the purpose of incorporating the amendment
1409 made by this act to section 943.0435, Florida Statutes, in a
1410 reference thereto, section 948.31, Florida Statutes, is
1411 reenacted to read:

1412 948.31 Evaluation and treatment of sexual predators and
1413 offenders on probation or community control.—The court may
1414 require any probationer or community controllee who is required
1415 to register as a sexual predator under s. 775.21 or sexual
1416 offender under s. 943.0435, s. 944.606, or s. 944.607 to undergo
1417 an evaluation, at the probationer or community controllee's
1418 expense, by a qualified practitioner to determine whether such
1419 probationer or community controllee needs sexual offender
1420 treatment. If the qualified practitioner determines that sexual
1421 offender treatment is needed and recommends treatment, the

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1422 probationer or community controllee must successfully complete
1423 and pay for the treatment. Such treatment must be obtained from
1424 a qualified practitioner as defined in s. 948.001. Treatment may
1425 not be administered by a qualified practitioner who has been
1426 convicted or adjudicated delinquent of committing, or
1427 attempting, soliciting, or conspiring to commit, any offense
1428 that is listed in s. 943.0435(1)(h)1.a.(I).

1429 Section 30. For the purpose of incorporating the amendment
1430 made by this act to section 943.0435, Florida Statutes, in
1431 references thereto, subsection (9) and paragraph (c) of
1432 subsection (10) of section 985.4815, Florida Statutes, are
1433 reenacted to read:

1434 985.4815 Notification to Department of Law Enforcement of
1435 information on juvenile sexual offenders.—

1436 (9) A sexual offender, as described in this section, who is
1437 under the care, jurisdiction, or supervision of the department
1438 but who is not incarcerated shall, in addition to the
1439 registration requirements provided in subsection (4), register
1440 in the manner provided in s. 943.0435(3), (4), and (5), unless
1441 the sexual offender is a sexual predator, in which case he or
1442 she shall register as required under s. 775.21. A sexual
1443 offender who fails to comply with the requirements of s.
1444 943.0435 is subject to the penalties provided in s. 943.0435(9).

1445 (10)

1446 (c) An arrest on charges of failure to register when the
1447 offender has been provided and advised of his or her statutory
1448 obligations to register under s. 943.0435(2), the service of an
1449 information or a complaint for a violation of this section, or
1450 an arraignment on charges for a violation of this section

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1451 constitutes actual notice of the duty to register. A sexual
1452 offender's failure to immediately register as required by this
1453 section following such arrest, service, or arraignment
1454 constitutes grounds for a subsequent charge of failure to
1455 register. A sexual offender charged with the crime of failure to
1456 register who asserts, or intends to assert, a lack of notice of
1457 the duty to register as a defense to a charge of failure to
1458 register shall immediately register as required by this section.
1459 A sexual offender who is charged with a subsequent failure to
1460 register may not assert the defense of a lack of notice of the
1461 duty to register.

1462 Section 31. For the purpose of incorporating the amendment
1463 made by this act to section 943.0435, Florida Statutes, in a
1464 reference thereto, paragraph (g) of subsection (2) of section
1465 1012.467, Florida Statutes, is reenacted to read:

1466 1012.467 Noninstructional contractors who are permitted
1467 access to school grounds when students are present; background
1468 screening requirements.—

1469 (2)

1470 (g) A noninstructional contractor for whom a criminal
1471 history check is required under this section may not have been
1472 convicted of any of the following offenses designated in the
1473 Florida Statutes, any similar offense in another jurisdiction,
1474 or any similar offense committed in this state which has been
1475 redesignated from a former provision of the Florida Statutes to
1476 one of the following offenses:

1477 1. Any offense listed in s. 943.0435(1)(h)1., relating to
1478 the registration of an individual as a sexual offender.

1479 2. Section 393.135, relating to sexual misconduct with

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1480 certain developmentally disabled clients and the reporting of
1481 such sexual misconduct.

1482 3. Section 394.4593, relating to sexual misconduct with
1483 certain mental health patients and the reporting of such sexual
1484 misconduct.

1485 4. Section 775.30, relating to terrorism.

1486 5. Section 782.04, relating to murder.

1487 6. Section 787.01, relating to kidnapping.

1488 7. Any offense under chapter 800, relating to lewdness and
1489 indecent exposure.

1490 8. Section 826.04, relating to incest.

1491 9. Section 827.03, relating to child abuse, aggravated
1492 child abuse, or neglect of a child.

1493 Section 32. For the purpose of incorporating the amendments
1494 made by this act to sections 775.21 and 943.0435, Florida
1495 Statutes, in references thereto, subsection (6) of section
1496 68.07, Florida Statutes, is reenacted to read:

1497 68.07 Change of name.—

1498 (6) The clerk of the court must, within 5 business days
1499 after the filing of the final judgment, send a report of the
1500 judgment to the Department of Law Enforcement on a form to be
1501 furnished by that department. If the petitioner is required to
1502 register as a sexual predator or a sexual offender pursuant to
1503 s. 775.21 or s. 943.0435, the clerk of court shall
1504 electronically notify the Department of Law Enforcement of the
1505 name change, in a manner prescribed by that department, within 2
1506 business days after the filing of the final judgment. The
1507 Department of Law Enforcement must send a copy of the report to
1508 the Department of Highway Safety and Motor Vehicles, which may

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1509 be delivered by electronic transmission. The report must contain
1510 sufficient information to identify the petitioner, including the
1511 results of the criminal history records check if applicable, the
1512 new name of the petitioner, and the file number of the judgment.
1513 The Department of Highway Safety and Motor Vehicles shall
1514 monitor the records of any sexual predator or sexual offender
1515 whose name has been provided to it by the Department of Law
1516 Enforcement. If the sexual predator or sexual offender does not
1517 obtain a replacement driver license or identification card
1518 within the required time as specified in s. 775.21 or s.
1519 943.0435, the Department of Highway Safety and Motor Vehicles
1520 shall notify the Department of Law Enforcement. The Department
1521 of Law Enforcement shall notify applicable law enforcement
1522 agencies of the predator's or offender's failure to comply with
1523 registration requirements. Any information retained by the
1524 Department of Law Enforcement and the Department of Highway
1525 Safety and Motor Vehicles may be revised or supplemented by said
1526 departments to reflect changes made by the final judgment. With
1527 respect to a person convicted of a felony in another state or of
1528 a federal offense, the Department of Law Enforcement must send
1529 the report to the respective state's office of law enforcement
1530 records or to the office of the Federal Bureau of Investigation.
1531 The Department of Law Enforcement may forward the report to any
1532 other law enforcement agency it believes may retain information
1533 related to the petitioner.

1534 Section 33. For the purpose of incorporating the amendments
1535 made by this act to sections 775.21 and 943.0435, Florida
1536 Statutes, in references thereto, subsection (4) of section
1537 320.02, Florida Statutes, is reenacted to read:

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1538 320.02 Registration required; application for registration;
1539 forms.—

1540 (4) Except as provided in ss. 775.21, 775.261, 943.0435,
1541 944.607, and 985.4815, the owner of any motor vehicle registered
1542 in the state shall notify the department in writing of any
1543 change of address within 30 days of such change. The
1544 notification shall include the registration license plate
1545 number, the vehicle identification number (VIN) or title
1546 certificate number, year of vehicle make, and the owner's full
1547 name.

1548 Section 34. For the purpose of incorporating the amendments
1549 made by this act to sections 775.21 and 943.0435, Florida
1550 Statutes, in references thereto, subsections (1) and (2) of
1551 section 322.19, Florida Statutes, are reenacted to read:

1552 322.19 Change of address or name.—

1553 (1) Except as provided in ss. 775.21, 775.261, 943.0435,
1554 944.607, and 985.4815, whenever any person, after applying for
1555 or receiving a driver license or identification card, changes
1556 his or her legal name, that person must within 30 days
1557 thereafter obtain a replacement license or card that reflects
1558 the change.

1559 (2) If a person, after applying for or receiving a driver
1560 license or identification card, changes the legal residence or
1561 mailing address in the application, license, or card, the person
1562 must, within 30 calendar days after making the change, obtain a
1563 replacement license or card that reflects the change. A written
1564 request to the department must include the old and new addresses
1565 and the driver license or identification card number. Any person
1566 who has a valid, current student identification card issued by

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1567 an educational institution in this state is presumed not to have
1568 changed his or her legal residence or mailing address. This
1569 subsection does not affect any person required to register a
1570 permanent or temporary address change pursuant to s. 775.13, s.
1571 775.21, s. 775.25, or s. 943.0435.

1572 Section 35. For the purpose of incorporating the amendments
1573 made by this act to section 775.21 and 943.0435, Florida
1574 Statutes, in references thereto, section 775.25, Florida
1575 Statutes, is reenacted to read:

1576 775.25 Prosecutions for acts or omissions.—A sexual
1577 predator or sexual offender who commits any act or omission in
1578 violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s.
1579 944.607, or former s. 947.177 may be prosecuted for the act or
1580 omission in the county in which the act or omission was
1581 committed, in the county of the last registered address of the
1582 sexual predator or sexual offender, in the county in which the
1583 conviction occurred for the offense or offenses that meet the
1584 criteria for designating a person as a sexual predator or sexual
1585 offender, in the county where the sexual predator or sexual
1586 offender was released from incarceration, or in the county of
1587 the intended address of the sexual predator or sexual offender
1588 as reported by the predator or offender prior to his or her
1589 release from incarceration. In addition, a sexual predator may
1590 be prosecuted for any such act or omission in the county in
1591 which he or she was designated a sexual predator.

1592 Section 36. For the purpose of incorporating the amendments
1593 made by this act to section 775.21 and 943.0435, Florida
1594 Statutes, in references thereto, subsection (1) of section
1595 794.056, Florida Statutes, is reenacted to read:

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1596 794.056 Rape Crisis Program Trust Fund.—

1597 (1) The Rape Crisis Program Trust Fund is created within
1598 the Department of Health for the purpose of providing funds for
1599 rape crisis centers in this state. Trust fund moneys shall be
1600 used exclusively for the purpose of providing services for
1601 victims of sexual assault. Funds credited to the trust fund
1602 consist of those funds collected as an additional court
1603 assessment in each case in which a defendant pleads guilty or
1604 nolo contendere to, or is found guilty of, regardless of
1605 adjudication, an offense provided in s. 775.21(6) and (10)(a),
1606 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
1607 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
1608 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
1609 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
1610 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
1611 796.06; s. 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s.
1612 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
1613 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
1614 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),
1615 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust
1616 fund also shall include revenues provided by law, moneys
1617 appropriated by the Legislature, and grants from public or
1618 private entities.

1619 Section 37. For the purpose of incorporating the amendments
1620 made by this act to sections 775.21 and 943.0435, Florida
1621 Statutes, in references thereto, section 938.085, Florida
1622 Statutes, is reenacted to read:

1623 938.085 Additional cost to fund rape crisis centers.—In
1624 addition to any sanction imposed when a person pleads guilty or

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1625 nolo contendere to, or is found guilty of, regardless of
 1626 adjudication, a violation of s. 775.21(6) and (10) (a), (b), and
 1627 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
 1628 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
 1629 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
 1630 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
 1631 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
 1632 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
 1633 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
 1634 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
 1635 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a), (13), and
 1636 (14) (c); or s. 985.701(1), the court shall impose a surcharge of
 1637 \$151. Payment of the surcharge shall be a condition of
 1638 probation, community control, or any other court-ordered
 1639 supervision. The sum of \$150 of the surcharge shall be deposited
 1640 into the Rape Crisis Program Trust Fund established within the
 1641 Department of Health by chapter 2003-140, Laws of Florida. The
 1642 clerk of the court shall retain \$1 of each surcharge that the
 1643 clerk of the court collects as a service charge of the clerk's
 1644 office.

1645 Section 38. For the purpose of incorporating the amendments
 1646 made by this act to sections 775.21 and 943.0435, Florida
 1647 Statutes, in references thereto, subsection (1) of section
 1648 938.10, Florida Statutes, is reenacted to read:

1649 938.10 Additional court cost imposed in cases of certain
 1650 crimes.—

1651 (1) If a person pleads guilty or nolo contendere to, or is
 1652 found guilty of, regardless of adjudication, any offense against
 1653 a minor in violation of s. 784.085, chapter 787, chapter 794,

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1654 former s. 796.03, former s. 796.035, s. 800.04, chapter 827, s.
1655 847.012, s. 847.0133, s. 847.0135(5), s. 847.0138, s. 847.0145,
1656 s. 893.147(3), or s. 985.701, or any offense in violation of s.
1657 775.21, s. 823.07, s. 847.0125, s. 847.0134, or s. 943.0435, the
1658 court shall impose a court cost of \$151 against the offender in
1659 addition to any other cost or penalty required by law.

1660 Section 39. For the purpose of incorporating the amendments
1661 made by this act to sections 775.21 and 943.0435, Florida
1662 Statutes, in references thereto, paragraph (a) of subsection (4)
1663 and subsection (9) of section 944.607, Florida Statutes, are
1664 reenacted to read:

1665 944.607 Notification to Department of Law Enforcement of
1666 information on sexual offenders.—

1667 (4) A sexual offender, as described in this section, who is
1668 under the supervision of the Department of Corrections but is
1669 not incarcerated shall register with the Department of
1670 Corrections within 3 business days after sentencing for a
1671 registrable offense and otherwise provide information as
1672 required by this subsection.

1673 (a) The sexual offender shall provide his or her name; date
1674 of birth; social security number; race; sex; height; weight;
1675 hair and eye color; tattoos or other identifying marks; all
1676 electronic mail addresses and Internet identifiers required to
1677 be provided pursuant to s. 943.0435(4)(e); employment
1678 information required to be provided pursuant to s.
1679 943.0435(4)(e); all home telephone numbers and cellular
1680 telephone numbers required to be provided pursuant to s.
1681 943.0435(4)(e); the make, model, color, vehicle identification
1682 number (VIN), and license tag number of all vehicles owned;

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1683 permanent or legal residence and address of temporary residence
1684 within the state or out of state while the sexual offender is
1685 under supervision in this state, including any rural route
1686 address or post office box; if no permanent or temporary
1687 address, any transient residence within the state; and address,
1688 location or description, and dates of any current or known
1689 future temporary residence within the state or out of state. The
1690 sexual offender shall also produce his or her passport, if he or
1691 she has a passport, and, if he or she is an alien, shall produce
1692 or provide information about documents establishing his or her
1693 immigration status. The sexual offender shall also provide
1694 information about any professional licenses he or she has. The
1695 Department of Corrections shall verify the address of each
1696 sexual offender in the manner described in ss. 775.21 and
1697 943.0435. The department shall report to the Department of Law
1698 Enforcement any failure by a sexual predator or sexual offender
1699 to comply with registration requirements.

1700 (9) A sexual offender, as described in this section, who is
1701 under the supervision of the Department of Corrections but who
1702 is not incarcerated shall, in addition to the registration
1703 requirements provided in subsection (4), register and obtain a
1704 distinctive driver license or identification card in the manner
1705 provided in s. 943.0435(3), (4), and (5), unless the sexual
1706 offender is a sexual predator, in which case he or she shall
1707 register and obtain a distinctive driver license or
1708 identification card as required under s. 775.21. A sexual
1709 offender who fails to comply with the requirements of s.
1710 943.0435 is subject to the penalties provided in s. 943.0435(9).

1711 Section 40. For the purpose of incorporating the amendments

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1712 made by this act to sections 775.21 and 943.0435, Florida
1713 Statutes, in references thereto, paragraph (b) of subsection (6)
1714 of section 985.04, Florida Statutes, is reenacted to read:

1715 985.04 Oaths; records; confidential information.—

1716 (6)

1717 (b) Sexual offender and predator registration information
1718 as required in ss. 775.21, 943.0435, 944.606, 944.607, 985.481,
1719 and 985.4815 is a public record pursuant to s. 119.07(1) and as
1720 otherwise provided by law.

1721 Section 41. This act shall take effect October 1, 2021.