

By the Committees on Rules; and 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; providing
18 legislative findings and intent regarding the
19 construction of a provision in the definition of the
20 term "sexual offender" relating to release from
21 sanction; amending s. 943.0435, F.S.; redefining the
22 term "sexual offender" to clarify a provision related
23 to release from sanction; authorizing reporting of
24 certain registration information through the
25 Department of Law Enforcement's online system;
26 authorizing reporting of certain registration
27 information through an authorized alternate method
28 provided by the Department of Highway Safety and Motor
29 Vehicles; requiring the reporting of certain

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30 additional vehicle information; clarifying a
31 requirement relating to the timing of reporting of
32 international travel or a change of residence to
33 another state or jurisdiction; specifying that failure
34 to report intended travel is punishable under certain
35 provisions; providing that certain sexual offenders
36 seeking removal of the requirement to register as a
37 sexual offender must comply with current registration-
38 removal requirements; creating a process for a person
39 to petition for relief from registration if the
40 person's requirement to register is based solely upon
41 a requirement to register in another state for an
42 offense that is not similar to an offense requiring
43 registration in this state and whose registration in
44 that other state is held confidential, not for public
45 release, and for criminal justice purposes only;
46 reenacting ss. 943.0435(1)(f), 944.606(1)(d),
47 944.609(4), 985.481(1)(d), and 985.4815(1)(f), F.S.,
48 relating to sexual offenders required to register with
49 the Department of Law Enforcement and penalties;
50 sexual offenders and notification upon release; career
51 offenders and notification upon release; sexual
52 offenders adjudicated delinquent and notification upon
53 release; and notification to the department of
54 information on juvenile sexual offenders,
55 respectively, to incorporate the amendment made to s.
56 775.21, F.S., in references thereto; reenacting ss.
57 61.13(9)(c), 68.07(3)(i), 98.0751(2)(b), 322.141(3),
58 394.9125(2), 397.487(10)(b), 435.07(4)(b),

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59 775.0862(2), 775.13(4), 775.21(5)(d) and (10)(d),
60 775.24(2), 775.261(3)(b), 900.05(2)(cc),
61 903.046(2)(m), 903.133, 907.043(4)(b), 943.0436(2),
62 943.0584(2), 944.607(4)(a) and (10)(c), 948.06(4),
63 948.063, 948.31, 985.4815(9) and (10)(c), and
64 1012.467(2)(g), F.S., relating to support of children,
65 parenting and time-sharing, and powers of court;
66 change of name; restoration of voting rights and
67 termination of ineligibility subsequent to a felony
68 conviction; color or markings of certain licenses or
69 identification cards; state attorneys and the
70 authority to refer a person for civil commitment;
71 voluntary certification of recovery residences;
72 exemptions from disqualification; sexual offenses
73 against students by authority figures and
74 reclassification; registration of convicted felons,
75 exemptions, and penalties; the Florida Sexual
76 Predators Act; the duty of the court to uphold laws
77 governing sexual predators and sexual offenders; the
78 Florida Career Offender Registration Act; criminal
79 justice data collection; the purpose of and criteria
80 for bail determination; bail on appeal and it being
81 prohibited for certain felony convictions; pretrial
82 release and citizens' right to know; the duty of the
83 court to uphold laws governing sexual predators and
84 sexual offenders; criminal history records ineligible
85 for court-ordered expunction or court-ordered sealing;
86 notification to the department of information on
87 sexual offenders; violation of probation or community

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

114
115 Be It Enacted by the Legislature of the State of Florida:
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117 Section 1. Paragraphs (k), (n), and (o) of subsection (2)
118 and paragraphs (a), (g), and (i) of subsection (6) of section
119 775.21, Florida Statutes, are amended to read:

120 775.21 The Florida Sexual Predators Act.—

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

122 (k) "Permanent residence" means a place where the person
123 abides, lodges, or resides for 3 or more consecutive days. In
124 calculating days for "permanent residence," the first day a
125 person abides, lodges, or resides at a place is excluded. Each
126 day following the first day is counted. A day includes any part
127 of a calendar day.

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

140 (o) "Transient residence" means a county where a person
141 lives, remains, or is located for a period of 3 or more days in
142 the aggregate during a calendar year and which is not the
143 person's permanent or temporary address. The term includes, but
144 is not limited to, a place where the person sleeps or seeks
145 shelter and a location that has no specific street address. In

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146 calculating days for "transient residence," the first day a
147 person lives, remains, or is located in a county is excluded.
148 Each day following the first day is counted. A day includes any
149 part of a calendar day.

150 (6) REGISTRATION.—

151 (a) A sexual predator shall register with the department
152 through the sheriff's office by providing the following
153 information to the department:

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

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175 status. The sexual predator shall also provide information about
176 any professional licenses he or she has.

177 a. Any change that occurs after the sexual predator
178 registers in person at the sheriff's office as provided in this
179 subparagraph in any of the following information related to the
180 sexual predator must be reported as provided in paragraphs (g),
181 (i), and (j): permanent, temporary, or transient residence;
182 name; electronic mail addresses; Internet identifiers and each
183 Internet identifier's corresponding website homepage or
184 application software name; home and cellular telephone numbers;
185 employment information; and status at an institution of higher
186 education.

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

201 c. If the sexual predator is enrolled or employed, whether
202 for compensation or as a volunteer, at an institution of higher
203 education in this state, the sexual predator shall also provide

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204 to the department the name, address, and county of each
205 institution, including each campus attended, and the sexual
206 predator's enrollment, volunteer, or employment status. The
207 sheriff, the Department of Corrections, or the Department of
208 Juvenile Justice shall promptly notify each institution of
209 higher education of the sexual predator's presence and any
210 change in the sexual predator's enrollment, volunteer, or
211 employment status.

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

216 2. Any other information determined necessary by the
217 department, including criminal and corrections records;
218 nonprivileged personnel and treatment records; and evidentiary
219 genetic markers when available.

220 (g)1. Each time a sexual predator's driver license or
221 identification card is subject to renewal, and, without regard
222 to the status of the predator's driver license or identification
223 card, within 48 hours after any change of the predator's
224 residence or change in the predator's name by reason of marriage
225 or other legal process, the predator shall report in person to a
226 driver license office, or through an authorized alternate method
227 as provided by the Department of Highway Safety and Motor
228 Vehicles, and is subject to the requirements specified in
229 paragraph (f). The Department of Highway Safety and Motor
230 Vehicles shall forward to the department and to the Department
231 of Corrections all photographs and information provided by
232 sexual predators. Notwithstanding the restrictions set forth in

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233 s. 322.142, the Department of Highway Safety and Motor Vehicles
234 may release a reproduction of a color-photograph or digital-
235 image license to the Department of Law Enforcement for purposes
236 of public notification of sexual predators as provided in this
237 section. A sexual predator who is unable to secure or update a
238 driver license or an identification card with the Department of
239 Highway Safety and Motor Vehicles as provided in paragraph (f)
240 and this paragraph shall also report any change of the
241 predator's residence or change in the predator's name by reason
242 of marriage or other legal process within 48 hours after the
243 change to the sheriff's office in the county where the predator
244 resides or is located and provide confirmation that he or she
245 reported such information to the Department of Highway Safety
246 and Motor Vehicles. The reporting requirements under this
247 subparagraph do not negate the requirement for a sexual predator
248 to obtain a Florida driver license or identification card as
249 required by this section.

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

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262 maintain a permanent or temporary residence.

263 b. A sexual predator shall report in person at the
264 sheriff's office in the county in which he or she is located
265 within 48 hours after establishing a transient residence and
266 thereafter must report in person every 30 days to the sheriff's
267 office in the county in which he or she is located while
268 maintaining a transient residence. The sexual predator must
269 provide the addresses and locations where he or she maintains a
270 transient residence. Each sheriff's office shall establish
271 procedures for reporting transient residence information and
272 provide notice to transient registrants to report transient
273 residence information as required in this sub-subparagraph.
274 Reporting to the sheriff's office as required by this sub-
275 subparagraph does not exempt registrants from any reregistration
276 requirement. The sheriff may coordinate and enter into
277 agreements with police departments and other governmental
278 entities to facilitate additional reporting sites for transient
279 residence registration required in this sub-subparagraph. The
280 sheriff's office shall, within 2 business days, electronically
281 submit and update all information provided by the sexual
282 predator to the department.

283 3. A sexual predator who remains at a permanent, temporary,
284 or transient residence after reporting his or her intent to
285 vacate such residence shall, within 48 hours after the date upon
286 which the predator indicated he or she would or did vacate such
287 residence, report in person to the sheriff's office to which he
288 or she reported pursuant to subparagraph 2. for the purpose of
289 reporting his or her address at such residence. When the sheriff
290 receives the report, the sheriff shall promptly convey the

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291 information to the department. An offender who makes a report as
292 required under subparagraph 2. but fails to make a report as
293 required under this subparagraph commits a felony of the second
294 degree, punishable as provided in s. 775.082, s. 775.083, or s.
295 775.084.

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

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

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320 b. A sexual predator shall register all changes to vehicles
321 owned, all changes to home telephone numbers and cellular
322 telephone numbers, including added and deleted numbers, all
323 changes to employment information, and all changes in status
324 related to enrollment, volunteering, or employment at
325 institutions of higher education, through the department's
326 online system; in person at the sheriff's office; in person at
327 the Department of Corrections if the sexual predator is in the
328 custody or control, or under the supervision, of the Department
329 of Corrections; or in person at the Department of Juvenile
330 Justice if the sexual predator is in the custody or control, or
331 under the supervision, of the Department of Juvenile Justice.
332 All changes required to be reported in this sub-subparagraph
333 shall be reported within 48 hours after the change.

334 c. The department shall establish an online system through
335 which sexual predators may securely access, submit, and update
336 all vehicles owned; electronic mail addresses; Internet
337 identifiers and each Internet identifier's corresponding website
338 homepage or application software name; home telephone numbers
339 and cellular telephone numbers; employment information; and
340 institution of higher education information.

341 (i) A sexual predator who intends to establish a permanent,
342 temporary, or transient residence in another state or
343 jurisdiction other than the State of Florida shall report in
344 person to the sheriff of the county of current residence at
345 least ~~within~~ 48 hours before the date he or she intends to leave
346 this state to establish residence in another state or
347 jurisdiction or at least 21 days before the date he or she
348 intends to travel ~~if the intended residence of 5 days or more is~~

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349 outside of the United States. Any travel that is not known by
350 the sexual predator at least 48 hours before he or she intends
351 to establish a residence in another state or jurisdiction or 21
352 days before the departure date for travel outside of the United
353 States must be reported to the sheriff's office as soon as
354 possible before departure. The sexual predator shall provide to
355 the sheriff the address, municipality, county, state, and
356 country of intended residence. For international travel, the
357 sexual predator shall also provide travel information,
358 including, but not limited to, expected departure and return
359 dates, flight number, airport of departure, cruise port of
360 departure, or any other means of intended travel. The sheriff
361 shall promptly provide to the department the information
362 received from the sexual predator. The department shall notify
363 the statewide law enforcement agency, or a comparable agency, in
364 the intended state, jurisdiction, or country of residence, or
365 the intended country of travel, of the sexual predator's
366 intended residence or intended travel. The failure of a sexual
367 predator to provide his or her intended place of residence or
368 intended travel is punishable as provided in subsection (10).

369 Section 2. The Legislature finds that the opinion in *State*
370 *v. James*, 298 So.3d 90 (Fla. 2d DCA 2020), is contrary to
371 legislative intent and that a person's failure to pay a fine
372 does not relieve him or her of the requirement to register as a
373 sexual offender pursuant to s. 943.0435, Florida Statutes. The
374 Legislature intends that a person must register as a sexual
375 offender pursuant to s. 943.0435, Florida Statutes, when he or
376 she has been convicted of a qualifying offense and, on or after
377 October 1, 1997, has:

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378 (1) No sanction imposed upon conviction; or

379 (2) Been released from a sanction imposed upon conviction.

380 Section 3. Paragraph (h) of subsection (1), paragraph (b)
381 of subsection (2), paragraphs (a) and (e) of subsection (4), and
382 subsections (7) and (11) of section 943.0435, Florida Statutes,
383 are amended to read:

384 943.0435 Sexual offenders required to register with the
385 department; penalty.—

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

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

390 a.(I) Has been convicted of committing, or attempting,
391 soliciting, or conspiring to commit, any of the criminal
392 offenses proscribed in the following statutes in this state or
393 similar offenses in another jurisdiction: s. 393.135(2); s.
394 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
395 the victim is a minor; s. 787.06(3)(b), (d), (f), or (g); former
396 s. 787.06(3)(h); s. 794.011, excluding s. 794.011(10); s.
397 794.05; former s. 796.03; former s. 796.035; s. 800.04; s.
398 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
399 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
400 s. 895.03, if the court makes a written finding that the
401 racketeering activity involved at least one sexual offense
402 listed in this sub-sub-subparagraph or at least one offense
403 listed in this sub-sub-subparagraph with sexual intent or
404 motive; s. 916.1075(2); or s. 985.701(1); or any similar offense
405 committed in this state which has been redesignated from a
406 former statute number to one of those listed in this sub-sub-

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407 subparagraph; and

408 (II) Has been released on or after October 1, 1997, from a
409 ~~the~~ sanction imposed for any conviction of an offense described
410 in sub-sub-subparagraph (I) and does not otherwise meet the
411 criteria for registration as a sexual offender under chapter 944
412 or chapter 985. For purposes of this sub-sub-subparagraph ~~(I)~~, a
413 sanction imposed in this state or in any other jurisdiction
414 means includes, but is not limited to, a fine, probation,
415 community control, parole, conditional release, control release,
416 or incarceration in a state prison, federal prison, private
417 correctional facility, or local detention facility. If no
418 sanction is imposed the person is deemed to be released upon
419 conviction;

420 b. Establishes or maintains a residence in this state and
421 who has not been designated as a sexual predator by a court of
422 this state but who has been designated as a sexual predator, as
423 a sexually violent predator, or by another sexual offender
424 designation in another state or jurisdiction and was, as a
425 result of such designation, subjected to registration or
426 community or public notification, or both, or would be if the
427 person were a resident of that state or jurisdiction, without
428 regard to whether the person otherwise meets the criteria for
429 registration as a sexual offender;

430 c. Establishes or maintains a residence in this state who
431 is in the custody or control of, or under the supervision of,
432 any other state or jurisdiction as a result of a conviction for
433 committing, or attempting, soliciting, or conspiring to commit,
434 any of the criminal offenses proscribed in the following
435 statutes or similar offense in another jurisdiction: s.

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436 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
437 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),
438 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding
439 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;
440 s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133;
441 s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138;
442 s. 847.0145; s. 895.03, if the court makes a written finding
443 that the racketeering activity involved at least one sexual
444 offense listed in this sub-subparagraph or at least one offense
445 listed in this sub-subparagraph with sexual intent or motive; s.
446 916.1075(2); or s. 985.701(1); or any similar offense committed
447 in this state which has been redesignated from a former statute
448 number to one of those listed in this sub-subparagraph; or
449 d. On or after July 1, 2007, has been adjudicated
450 delinquent for committing, or attempting, soliciting, or
451 conspiring to commit, any of the criminal offenses proscribed in
452 the following statutes in this state or similar offenses in
453 another jurisdiction when the juvenile was 14 years of age or
454 older at the time of the offense:
455 (I) Section 794.011, excluding s. 794.011(10);
456 (II) Section 800.04(4)(a)2. where the victim is under 12
457 years of age or where the court finds sexual activity by the use
458 of force or coercion;
459 (III) Section 800.04(5)(c)1. where the court finds
460 molestation involving unclothed genitals;
461 (IV) Section 800.04(5)(d) where the court finds the use of
462 force or coercion and unclothed genitals; or
463 (V) Any similar offense committed in this state which has
464 been redesignated from a former statute number to one of those

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465 listed in this sub-subparagraph.

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

469

470 For each violation of a qualifying offense listed in this
471 subsection, except for a violation of s. 794.011, the court
472 shall make a written finding of the age of the victim at the
473 time of the offense. For a violation of s. 800.04(4), the court
474 shall also make a written finding indicating whether the offense
475 involved sexual activity and indicating whether the offense
476 involved force or coercion. For a violation of s. 800.04(5), the
477 court shall also make a written finding that the offense did or
478 did not involve unclothed genitals or genital area and that the
479 offense did or did not involve the use of force or coercion.

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

481 (b) Provide his or her name; date of birth; social security
482 number; race; sex; height; weight; hair and eye color; tattoos
483 or other identifying marks; fingerprints; palm prints;
484 photograph; employment information; address of permanent or
485 legal residence or address of any current temporary residence,
486 within the state or out of state, including a rural route
487 address and a post office box; if no permanent or temporary
488 address, any transient residence within the state, address,
489 location or description, and dates of any current or known
490 future temporary residence within the state or out of state; the
491 make, model, color, vehicle identification number (VIN), and
492 license tag number of all vehicles owned; home telephone numbers
493 and cellular telephone numbers; electronic mail addresses;

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494 Internet identifiers and each Internet identifier's
495 corresponding website homepage or application software name;
496 date and place of each conviction; and a brief description of
497 the crime or crimes committed by the offender. A post office box
498 may not be provided in lieu of a physical residential address.
499 The sexual offender shall also produce his or her passport, if
500 he or she has a passport, and, if he or she is an alien, shall
501 produce or provide information about documents establishing his
502 or her immigration status. The sexual offender shall also
503 provide information about any professional licenses he or she
504 has.

505 1. If the sexual offender's place of residence is a motor
506 vehicle, trailer, mobile home, or manufactured home, as defined
507 in chapter 320, the sexual offender shall also provide to the
508 department through the sheriff's office written notice of the
509 vehicle identification number; the license tag number; the
510 registration number; and a description, including color scheme,
511 of the motor vehicle, trailer, mobile home, or manufactured
512 home. If the sexual offender's place of residence is a vessel,
513 live-aboard vessel, or houseboat, as defined in chapter 327, the
514 sexual offender shall also provide to the department written
515 notice of the hull identification number; the manufacturer's
516 serial number; the name of the vessel, live-aboard vessel, or
517 houseboat; the registration number; and a description, including
518 color scheme, of the vessel, live-aboard vessel, or houseboat.

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

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523 institution, including each campus attended, and the sexual
524 offender's enrollment, volunteer, or employment status. The
525 sheriff, the Department of Corrections, or the Department of
526 Juvenile Justice shall promptly notify each institution of
527 higher education of the sexual offender's presence and any
528 change in the sexual offender's enrollment, volunteer, or
529 employment status.

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

534
535 When a sexual offender reports at the sheriff's office, the
536 sheriff shall take a photograph, a set of fingerprints, and palm
537 prints of the offender and forward the photographs, palm prints,
538 and fingerprints to the department, along with the information
539 provided by the sexual offender. The sheriff shall promptly
540 provide to the department the information received from the
541 sexual offender.

542 (4) (a) Each time a sexual offender's driver license or
543 identification card is subject to renewal, and, without regard
544 to the status of the offender's driver license or identification
545 card, within 48 hours after any change in the offender's
546 permanent, temporary, or transient residence or change in the
547 offender's name by reason of marriage or other legal process,
548 the offender shall report in person to a driver license office,
549 or through an authorized alternate method as provided by the
550 Department of Highway Safety and Motor Vehicles, and is subject
551 to the requirements specified in subsection (3). The Department

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552 of Highway Safety and Motor Vehicles shall forward to the
553 department all photographs and information provided by sexual
554 offenders. Notwithstanding the restrictions set forth in s.
555 322.142, the Department of Highway Safety and Motor Vehicles may
556 release a reproduction of a color-photograph or digital-image
557 license to the Department of Law Enforcement for purposes of
558 public notification of sexual offenders as provided in this
559 section and ss. 943.043 and 944.606. A sexual offender who is
560 unable to secure or update a driver license or an identification
561 card with the Department of Highway Safety and Motor Vehicles as
562 provided in subsection (3) and this subsection shall also report
563 any change in the sexual offender's permanent, temporary, or
564 transient residence or change in the offender's name by reason
565 of marriage or other legal process within 48 hours after the
566 change to the sheriff's office in the county where the offender
567 resides or is located and provide confirmation that he or she
568 reported such information to the Department of Highway Safety
569 and Motor Vehicles. The reporting requirements under this
570 paragraph do not negate the requirement for a sexual offender to
571 obtain a Florida driver license or an identification card as
572 required in this section.

573 (e)1. A sexual offender shall register all electronic mail
574 addresses and Internet identifiers, and each Internet
575 identifier's corresponding website homepage or application
576 software name, with the department through the department's
577 online system or in person at the sheriff's office within 48
578 hours after using such electronic mail addresses and Internet
579 identifiers. If the sexual offender is in the custody or
580 control, or under the supervision, of the Department of

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581 Corrections, he or she must report all electronic mail addresses
582 and Internet identifiers, and each Internet identifier's
583 corresponding website homepage or application software name, to
584 the Department of Corrections before using such electronic mail
585 addresses or Internet identifiers. If the sexual offender is in
586 the custody or control, or under the supervision, of the
587 Department of Juvenile Justice, he or she must report all
588 electronic mail addresses and Internet identifiers, and each
589 Internet identifier's corresponding website homepage or
590 application software name, to the Department of Juvenile Justice
591 before using such electronic mail addresses or Internet
592 identifiers.

593 2. A sexual offender shall register all changes to vehicles
594 owned, all changes to home telephone numbers and cellular
595 telephone numbers, including added and deleted numbers, all
596 changes to employment information, and all changes in status
597 related to enrollment, volunteering, or employment at
598 institutions of higher education, through the department's
599 online system; in person at the sheriff's office; in person at
600 the Department of Corrections if the sexual offender is in the
601 custody or control, or under the supervision, of the Department
602 of Corrections; or in person at the Department of Juvenile
603 Justice if the sexual offender is in the custody or control, or
604 under the supervision, of the Department of Juvenile Justice.
605 All changes required to be reported under this subparagraph must
606 be reported within 48 hours after the change.

607 3. The department shall establish an online system through
608 which sexual offenders may securely access, submit, and update
609 all changes in status to vehicles owned; electronic mail

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610 addresses; Internet identifiers and each Internet identifier's
611 corresponding website homepage or application software name;
612 home telephone numbers and cellular telephone numbers;
613 employment information; and institution of higher education
614 information.

615 (7) A sexual offender who intends to establish a permanent,
616 temporary, or transient residence in another state or
617 jurisdiction other than the State of Florida shall report in
618 person to the sheriff of the county of current residence at
619 least ~~within~~ 48 hours before the date he or she intends to leave
620 this state to establish residence in another state or
621 jurisdiction or at least 21 days before the date he or she
622 intends to travel ~~if the intended residence of 5 days or more is~~
623 outside of the United States. Any travel that is not known by
624 the sexual offender at least 48 hours before he or she intends
625 to establish a residence in another state or jurisdiction, or 21
626 days before the departure date for travel outside of the United
627 States, must be reported in person to the sheriff's office as
628 soon as possible before departure. The sexual offender shall
629 provide to the sheriff the address, municipality, county, state,
630 and country of intended residence. For international travel, the
631 sexual offender shall also provide travel information,
632 including, but not limited to, expected departure and return
633 dates, flight number, airport of departure, cruise port of
634 departure, or any other means of intended travel. The sheriff
635 shall promptly provide to the department the information
636 received from the sexual offender. The department shall notify
637 the statewide law enforcement agency, or a comparable agency, in
638 the intended state, jurisdiction, or country of residence, or

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639 the intended country of travel, of the sexual offender's
640 intended residence or intended travel. The failure of a sexual
641 offender to provide his or her intended place of residence or
642 intended travel is punishable as provided in subsection (9).

643 (11) Except as provided in s. 943.04354, a sexual offender
644 shall maintain registration with the department for the duration
645 of his or her life unless the sexual offender has received a
646 full pardon or has had a conviction set aside in a
647 postconviction proceeding for any offense that meets the
648 criteria for classifying the person as a sexual offender for
649 purposes of registration. However, a sexual offender shall be
650 considered for removal of the requirement to register as a
651 sexual offender only if the person:

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

- 657 a. For a violation of s. 787.01 or s. 787.02;
658 b. For a violation of s. 794.011, excluding s. 794.011(10);
659 c. For a violation of s. 800.04(4)(a)2. where the court
660 finds the offense involved a victim under 12 years of age or
661 sexual activity by the use of force or coercion;
662 d. For a violation of s. 800.04(5)(b);
663 e. For a violation of s. 800.04(5)(c)2. where the court
664 finds the offense involved the use of force or coercion and
665 unclothed genitals or genital area;
666 f. For a violation of s. 825.1025(2)(a);
667 g. For any attempt or conspiracy to commit any such

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668 offense;

669 h. For a violation of similar law of another jurisdiction;
670 or

671 i. For a violation of a similar offense committed in this
672 state which has been redesignated from a former statute number
673 to one of those listed in this subparagraph.

674 2. If the sexual offender meets the criteria in
675 subparagraph 1., the sexual offender may, for the purpose of
676 removing the requirement for registration as a sexual offender,
677 petition the criminal division of the circuit court of the
678 circuit:

679 a. Where the conviction or adjudication occurred, for a
680 conviction in this state;

681 b. Where the sexual offender resides, for a conviction of a
682 violation of similar law of another jurisdiction; or

683 c. Where the sexual offender last resided, for a sexual
684 offender with a conviction of a violation of similar law of
685 another jurisdiction who no longer resides in this state.

686 3. The court may grant or deny relief if the offender
687 demonstrates to the court that he or she has not been arrested
688 for any crime since release; the requested relief complies with
689 the federal Adam Walsh Child Protection and Safety Act of 2006
690 and any other federal standards applicable to the removal of
691 registration requirements for a sexual offender or required to
692 be met as a condition for the receipt of federal funds by the
693 state; and the court is otherwise satisfied that the offender is
694 not a current or potential threat to public safety. The state
695 attorney in the circuit in which the petition is filed must be
696 given notice of the petition at least 3 weeks before the hearing

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697 on the matter. The state attorney may present evidence in
698 opposition to the requested relief or may otherwise demonstrate
699 the reasons why the petition should be denied. If the court
700 denies the petition, the court may set a future date at which
701 the sexual offender may again petition the court for relief,
702 subject to the standards for relief provided in this subsection.

703 4. The department shall remove an offender from
704 classification as a sexual offender for purposes of registration
705 if the offender provides to the department a certified copy of
706 the court's written findings or order that indicates that the
707 offender is no longer required to comply with the requirements
708 for registration as a sexual offender.

709 (b) Maintains ~~As defined in sub-subparagraph (1)(h)1.b.~~
710 ~~must maintain~~ registration with the department as described in
711 sub-subparagraph (1)(h)1.b. for the duration of his or her life
712 until the person provides the department with an order issued by
713 the court that designated the person as a sexual predator, as a
714 sexually violent predator, or as any other ~~by another~~ sexual
715 offender designation in the state or jurisdiction in which the
716 order was issued which states that such designation has been
717 removed or demonstrates to the department that such designation,
718 if not imposed by a court, has been removed by operation of law
719 or court order in the state or jurisdiction in which the
720 designation was made, ~~and~~ provided that such person no longer
721 meets the criteria for registration as a sexual offender under
722 the laws of this state. To qualify for removal, all sexual
723 offenders as described in sub-subparagraph (1)(h)1.b. must not
724 only establish that their designation has been removed but also
725 satisfy the requirements set forth in paragraph (11)(a).

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726 (c)1. Is required to register as a sexual offender solely
727 under the requirements of sub-subparagraph (1)(h)1.b. and files
728 a petition in the circuit court in the jurisdiction in which the
729 person resides or, for a person who no longer resides in this
730 state, the court in the jurisdiction in which the person last
731 resided in this state. The petition must assert that his or her
732 designation as a sexual predator or sexually violent predator or
733 any other sexual offender designation in the state or
734 jurisdiction in which the designation was made is confidential
735 from public disclosure or that such designation, if not imposed
736 by a court, is considered confidential from public disclosure by
737 operation of law or court order in the state or jurisdiction
738 requiring registration, provided that such person does not meet
739 the criteria for registration as a sexual offender under the
740 laws of this state.

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

744 3. A petition filed under this paragraph must document the
745 person's conviction and include a copy of the order issued by
746 the court in the state or jurisdiction which made the
747 designation confidential from public disclosure. If the
748 confidential status was not granted by court order, the person
749 must demonstrate to the court that his or her registration
750 requirement has been made confidential by operation of law in
751 the state or jurisdiction requiring registration. The state
752 attorney and the department must be given notice at least 21
753 days before the date of the hearing on the petition and may
754 present evidence in opposition to the requested relief or may

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755 otherwise demonstrate why it should be denied.

756 4. If a person provides to the department a certified copy
757 of the circuit court's order granting the person's removal of
758 the requirement to register as a sexual offender in this state
759 in accordance with this paragraph, the registration requirement
760 does not apply to the person and the department must remove all
761 information about the person from the public registry of sexual
762 offenders and sexual predators maintained by the department.

763 Section 4. For the purpose of incorporating the amendment
764 made by this act to section 775.21, Florida Statutes, in a
765 reference thereto, paragraph (f) of subsection (1) of section
766 943.0435, Florida Statutes, is reenacted to read:

767 943.0435 Sexual offenders required to register with the
768 department; penalty.—

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

770 (f) "Permanent residence," "temporary residence," and
771 "transient residence" have the same meaning as provided in s.
772 775.21.

773 Section 5. 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
776 944.606, Florida Statutes, is reenacted to read:

777 944.606 Sexual offenders; notification upon release.—

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

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

782 Section 6. For the purpose of incorporating the amendment
783 made by this act to section 775.21, Florida Statutes, in a

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784 reference thereto, subsection (4) of section 944.609, Florida
785 Statutes, is reenacted to read:

786 944.609 Career offenders; notification upon release.—

787 (4) The department or any law enforcement agency may notify
788 the community and the public of a career offender's presence in
789 the community. However, with respect to a career offender who
790 has been found to be a sexual predator under s. 775.21, the
791 Department of Law Enforcement or any other law enforcement
792 agency must inform the community and the public of the career
793 offender's presence in the community, as provided in s. 775.21.

794 Section 7. For the purpose of incorporating the amendment
795 made by this act to section 775.21, Florida Statutes, in a
796 reference thereto, paragraph (d) of subsection (1) of section
797 985.481, Florida Statutes, is reenacted to read:

798 985.481 Sexual offenders adjudicated delinquent;
799 notification upon release.—

800 (1) As used in this section:

801 (d) "Permanent residence," "temporary residence," and
802 "transient residence" have the same meaning as provided in s.
803 775.21.

804 Section 8. For the purpose of incorporating the amendment
805 made by this act to section 775.21, Florida Statutes, in a
806 reference thereto, paragraph (f) of subsection (1) of section
807 985.4815, Florida Statutes, is reenacted to read:

808 985.4815 Notification to Department of Law Enforcement of
809 information on juvenile sexual offenders.—

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

811 (f) "Permanent residence," "temporary residence," and
812 "transient residence" have the same meaning as provided in s.

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813 775.21.

814 Section 9. For the purpose of incorporating the amendment
815 made by this act to section 943.0435, Florida Statutes, in a
816 reference thereto, paragraph (c) of subsection (9) of section
817 61.13, Florida Statutes, is reenacted to read:

818 61.13 Support of children; parenting and time-sharing;
819 powers of court.—

820 (9)

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

825 Section 10. For the purpose of incorporating the amendment
826 made by this act to section 943.0435, Florida Statutes, in a
827 reference thereto, paragraph (i) of subsection (3) of section
828 68.07, Florida Statutes, is reenacted to read:

829 68.07 Change of name.—

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

831 (i) Whether the petitioner has ever been required to
832 register as a sexual predator under s. 775.21 or as a sexual
833 offender under s. 943.0435.

834 Section 11. For the purpose of incorporating the amendment
835 made by this act to section 943.0435, Florida Statutes, in a
836 reference thereto, paragraph (b) of subsection (2) of section
837 98.0751, Florida Statutes, is reenacted to read:

838 98.0751 Restoration of voting rights; termination of
839 ineligibility subsequent to a felony conviction.—

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

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

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- 842 1. Any felony offense that serves as a predicate to
843 registration as a sexual offender in accordance with s.
844 943.0435;
- 845 2. Section 491.0112;
- 846 3. Section 784.049(3)(b);
- 847 4. Section 794.08;
- 848 5. Section 796.08;
- 849 6. Section 800.101;
- 850 7. Section 826.04;
- 851 8. Section 847.012;
- 852 9. Section 872.06(2);
- 853 10. Section 944.35(3)(b)2.;
- 854 11. Section 951.221(1); or
- 855 12. Any similar offense committed in another jurisdiction
856 which would be an offense listed in this paragraph if it had
857 been committed in violation of the laws of this state.

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 (3) of section 322.141, Florida
861 Statutes, is reenacted to read:

862 322.141 Color or markings of certain licenses or
863 identification cards.—

864 (3) All licenses for the operation of motor vehicles or
865 identification cards originally issued or reissued by the
866 department to persons who are designated as sexual predators
867 under s. 775.21 or subject to registration as sexual offenders
868 under s. 943.0435 or s. 944.607, or who have a similar
869 designation or are subject to a similar registration under the
870 laws of another jurisdiction, shall have on the front of the

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871 license or identification card the following:

872 (a) For a person designated as a sexual predator under s.
873 775.21 or who has a similar designation under the laws of
874 another jurisdiction, the marking "SEXUAL PREDATOR."

875 (b) For a person subject to registration as a sexual
876 offender under s. 943.0435 or s. 944.607, or subject to a
877 similar registration under the laws of another jurisdiction, the
878 marking "943.0435, F.S."

879 Section 13. For the purpose of incorporating the amendment
880 made by this act to section 943.0435, Florida Statutes, in a
881 reference thereto, subsection (2) of section 394.9125, Florida
882 Statutes, is reenacted to read:

883 394.9125 State attorney; authority to refer a person for
884 civil commitment.—

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

887 (a) Is required to register as a sexual offender pursuant
888 to s. 943.0435;

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

891 (c) Has been sentenced to a term of imprisonment in a
892 county or municipal jail for any criminal offense.

893 Section 14. For the purpose of incorporating the amendment
894 made by this act to section 943.0435, Florida Statutes, in a
895 reference thereto, paragraph (b) of subsection (10) of section
896 397.487, Florida Statutes, is reenacted to read:

897 397.487 Voluntary certification of recovery residences.—

898 (10)

899 (b) A certified recovery residence may not allow a minor

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900 child to visit a parent who is a resident of the recovery
901 residence at any time if any resident of the recovery residence
902 is currently required to register as a sexual predator under s.
903 775.21 or as a sexual offender under s. 943.0435.

904 Section 15. For the purpose of incorporating the amendment
905 made by this act to section 943.0435, Florida Statutes, in a
906 reference thereto, paragraph (b) of subsection (4) of section
907 435.07, Florida Statutes, is reenacted to read:

908 435.07 Exemptions from disqualification.—Unless otherwise
909 provided by law, the provisions of this section apply to
910 exemptions from disqualification for disqualifying offenses
911 revealed pursuant to background screenings required under this
912 chapter, regardless of whether those disqualifying offenses are
913 listed in this chapter or other laws.

914 (4)

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

- 918 1. Sexual predator as designated pursuant to s. 775.21;
- 919 2. Career offender pursuant to s. 775.261; or
- 920 3. Sexual offender pursuant to s. 943.0435, unless the
921 requirement to register as a sexual offender has been removed
922 pursuant to s. 943.04354.

923 Section 16. For the purpose of incorporating the amendment
924 made by this act to section 943.0435, Florida Statutes, in a
925 reference thereto, subsection (2) of section 775.0862, Florida
926 Statutes, is reenacted to read:

927 775.0862 Sexual offenses against students by authority
928 figures; reclassification.—

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

934 Section 17. For the purpose of incorporating the amendment
935 made by this act to section 943.0435, Florida Statutes, in a
936 reference thereto, subsection (4) of section 775.13, Florida
937 Statutes, is reenacted to read:

938 775.13 Registration of convicted felons, exemptions;
939 penalties.—

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

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

942 (b) Who has received a full pardon for the offense for
943 which convicted;

944 (c) Who has been lawfully released from incarceration or
945 other sentence or supervision for a felony conviction for more
946 than 5 years prior to such time for registration, unless the
947 offender is a fugitive from justice on a felony charge or has
948 been convicted of any offense since release from such
949 incarceration or other sentence or supervision;

950 (d) Who is a parolee or probationer under the supervision
951 of the United States Parole Commission if the commission knows
952 of and consents to the presence of the offender in Florida or is
953 a probationer under the supervision of any federal probation
954 officer in the state or who has been lawfully discharged from
955 such parole or probation;

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

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

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

962 Section 18. For the purpose of incorporating the amendment
963 made by this act to section 943.0435, Florida Statutes, in
964 references thereto, paragraph (d) of subsection (5) and
965 paragraph (d) of subsection (10) of section 775.21, Florida
966 Statutes, are reenacted to read:

967 775.21 The Florida Sexual Predators Act.—

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

970 (d) A person who establishes or maintains a residence in
971 this state and who has not been designated as a sexual predator
972 by a court of this state but who has been designated as a sexual
973 predator, as a sexually violent predator, or by another sexual
974 offender designation in another state or jurisdiction and was,
975 as a result of such designation, subjected to registration or
976 community or public notification, or both, or would be if the
977 person was a resident of that state or jurisdiction, without
978 regard to whether the person otherwise meets the criteria for
979 registration as a sexual offender, shall register in the manner
980 provided in s. 943.0435 or s. 944.607 and shall be subject to
981 community and public notification as provided in s. 943.0435 or
982 s. 944.607. A person who meets the criteria of this section is
983 subject to the requirements and penalty provisions of s.
984 943.0435 or s. 944.607 until the person provides the department
985 with an order issued by the court that designated the person as
986 a sexual predator, as a sexually violent predator, or by another

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987 sexual offender designation in the state or jurisdiction in
988 which the order was issued which states that such designation
989 has been removed or demonstrates to the department that such
990 designation, if not imposed by a court, has been removed by
991 operation of law or court order in the state or jurisdiction in
992 which the designation was made, and provided such person no
993 longer meets the criteria for registration as a sexual offender
994 under the laws of this state.

995 (10) PENALTIES.—

996 (d) Any person who misuses public records information
997 relating to a sexual predator, as defined in this section, or a
998 sexual offender, as defined in s. 943.0435 or s. 944.607, to
999 secure a payment from such a predator or offender; who knowingly
1000 distributes or publishes false information relating to such a
1001 predator or offender which the person misrepresents as being
1002 public records information; or who materially alters public
1003 records information with the intent to misrepresent the
1004 information, including documents, summaries of public records
1005 information provided by law enforcement agencies, or public
1006 records information displayed by law enforcement agencies on
1007 websites or provided through other means of communication,
1008 commits a misdemeanor of the first degree, punishable as
1009 provided in s. 775.082 or s. 775.083.

1010 Section 19. For the purpose of incorporating the amendment
1011 made by this act to section 943.0435, Florida Statutes, in a
1012 reference thereto, subsection (2) of section 775.24, Florida
1013 Statutes, is reenacted to read:

1014 775.24 Duty of the court to uphold laws governing sexual
1015 predators and sexual offenders.—

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1016 (2) If a person meets the criteria in this chapter for
1017 designation as a sexual predator or meets the criteria in s.
1018 943.0435, s. 944.606, s. 944.607, or any other law for
1019 classification as a sexual offender, the court may not enter an
1020 order, for the purpose of approving a plea agreement or for any
1021 other reason, which:

1022 (a) Exempts a person who meets the criteria for designation
1023 as a sexual predator or classification as a sexual offender from
1024 such designation or classification, or exempts such person from
1025 the requirements for registration or community and public
1026 notification imposed upon sexual predators and sexual offenders;

1027 (b) Restricts the compiling, reporting, or release of
1028 public records information that relates to sexual predators or
1029 sexual offenders; or

1030 (c) Prevents any person or entity from performing its
1031 duties or operating within its statutorily conferred authority
1032 as such duty or authority relates to sexual predators or sexual
1033 offenders.

1034 Section 20. For the purpose of incorporating the amendment
1035 made by this act to section 943.0435, Florida Statutes, in a
1036 reference thereto, paragraph (b) of subsection (3) of section
1037 775.261, Florida Statutes, is reenacted to read:

1038 775.261 The Florida Career Offender Registration Act.—

1039 (3) CRITERIA FOR REGISTRATION AS A CAREER OFFENDER.—

1040 (b) This section does not apply to any person who has been
1041 designated as a sexual predator and required to register under
1042 s. 775.21 or who is required to register as a sexual offender
1043 under s. 943.0435 or s. 944.607. However, if a person is no
1044 longer required to register as a sexual predator under s. 775.21

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1045 or as a sexual offender under s. 943.0435 or s. 944.607, the
1046 person must register as a career offender under this section if
1047 the person is otherwise designated as a career offender as
1048 provided in this section.

1049 Section 21. For the purpose of incorporating the amendment
1050 made by this act to section 943.0435, Florida Statutes, in a
1051 reference thereto, paragraph (cc) of subsection (2) of section
1052 900.05, Florida Statutes, is reenacted to read:

1053 900.05 Criminal justice data collection.—

1054 (2) DEFINITIONS.—As used in this section, the term:

1055 (cc) "Sexual offender flag" means an indication that a
1056 defendant was required to register as a sexual predator as
1057 defined in s. 775.21 or as a sexual offender as defined in s.
1058 943.0435.

1059 Section 22. For the purpose of incorporating the amendment
1060 made by this act to section 943.0435, Florida Statutes, in a
1061 reference thereto, paragraph (m) of subsection (2) of section
1062 903.046, Florida Statutes, is reenacted to read:

1063 903.046 Purpose of and criteria for bail determination.—

1064 (2) When determining whether to release a defendant on bail
1065 or other conditions, and what that bail or those conditions may
1066 be, the court shall consider:

1067 (m) Whether the defendant, other than a defendant whose
1068 only criminal charge is a misdemeanor offense under chapter 316,
1069 is required to register as a sexual offender under s. 943.0435
1070 or a sexual predator under s. 775.21; and, if so, he or she is
1071 not eligible for release on bail or surety bond until the first
1072 appearance on the case in order to ensure the full participation
1073 of the prosecutor and the protection of the public.

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1074 Section 23. For the purpose of incorporating the amendment
1075 made by this act to section 943.0435, Florida Statutes, in a
1076 reference thereto, section 903.133, Florida Statutes, is
1077 reenacted to read:

1078 903.133 Bail on appeal; prohibited for certain felony
1079 convictions.—Notwithstanding s. 903.132, no person shall be
1080 admitted to bail pending review either by posttrial motion or
1081 appeal if he or she was adjudged guilty of:

1082 (1) A felony of the first degree for a violation of s.
1083 782.04(2) or (3), s. 787.01, s. 794.011(4), s. 806.01, s.
1084 893.13, or s. 893.135;

1085 (2) A violation of s. 794.011(2) or (3); or

1086 (3) Any other offense requiring sexual offender
1087 registration under s. 943.0435(1)(h) or sexual predator
1088 registration under s. 775.21(4) when, at the time of the
1089 offense, the offender was 18 years of age or older and the
1090 victim was a minor.

1091 Section 24. For the purpose of incorporating the amendment
1092 made by this act to section 943.0435, Florida Statutes, in a
1093 reference thereto, paragraph (b) of subsection (4) of section
1094 907.043, Florida Statutes, is reenacted to read:

1095 907.043 Pretrial release; citizens' right to know.—

1096 (4)

1097 (b) The annual report must contain, but need not be limited
1098 to:

1099 1. The name, location, and funding sources of the pretrial
1100 release program, including the amount of public funds, if any,
1101 received by the pretrial release program.

1102 2. The operating and capital budget of each pretrial

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1103 release program receiving public funds.

1104 3.a. The percentage of the pretrial release program's total
1105 budget representing receipt of public funds.

1106 b. The percentage of the total budget which is allocated to
1107 assisting defendants obtain release through a nonpublicly funded
1108 program.

1109 c. The amount of fees paid by defendants to the pretrial
1110 release program.

1111 4. The number of persons employed by the pretrial release
1112 program.

1113 5. The number of defendants assessed and interviewed for
1114 pretrial release.

1115 6. The number of defendants recommended for pretrial
1116 release.

1117 7. The number of defendants for whom the pretrial release
1118 program recommended against nonsecured release.

1119 8. The number of defendants granted nonsecured release
1120 after the pretrial release program recommended nonsecured
1121 release.

1122 9. The number of defendants assessed and interviewed for
1123 pretrial release who were declared indigent by the court.

1124 10. The number of defendants accepted into a pretrial
1125 release program who paid a surety or cash bail or bond.

1126 11. The number of defendants for whom a risk assessment
1127 tool was used in determining whether the defendant should be
1128 released pending the disposition of the case and the number of
1129 defendants for whom a risk assessment tool was not used.

1130 12. The specific statutory citation for each criminal
1131 charge related to a defendant whose case is accepted into a

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1132 pretrial release program, including, at a minimum, the number of
1133 defendants charged with dangerous crimes as defined in s.
1134 907.041; nonviolent felonies; or misdemeanors only. A
1135 "nonviolent felony" for purposes of this subparagraph excludes
1136 the commission of, an attempt to commit, or a conspiracy to
1137 commit any of the following:

1138 a. An offense enumerated in s. 775.084(1)(c);

1139 b. An offense that requires a person to register as a
1140 sexual predator in accordance with s. 775.21 or as a sexual
1141 offender in accordance with s. 943.0435;

1142 c. Failure to register as a sexual predator in violation of
1143 s. 775.21 or as a sexual offender in violation of s. 943.0435;

1144 d. Facilitating or furthering terrorism in violation of s.
1145 775.31;

1146 e. A forcible felony as described in s. 776.08;

1147 f. False imprisonment in violation of s. 787.02;

1148 g. Burglary of a dwelling or residence in violation of s.
1149 810.02(3);

1150 h. Abuse, aggravated abuse, and neglect of an elderly
1151 person or disabled adult in violation of s. 825.102;

1152 i. Abuse, aggravated abuse, and neglect of a child in
1153 violation of s. 827.03;

1154 j. Poisoning of food or water in violation of s. 859.01;

1155 k. Abuse of a dead human body in violation of s. 872.06;

1156 l. A capital offense in violation of chapter 893;

1157 m. An offense that results in serious bodily injury or
1158 death to another human; or

1159 n. A felony offense in which the defendant used a weapon or
1160 firearm in the commission of the offense.

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1161 13. The number of defendants accepted into a pretrial
1162 release program with no prior criminal conviction.

1163 14. The name and case number of each person granted
1164 nonsecured release who:

1165 a. Failed to attend a scheduled court appearance.

1166 b. Was issued a warrant for failing to appear.

1167 c. Was arrested for any offense while on release through
1168 the pretrial release program.

1169 15. Any additional information deemed necessary by the
1170 governing body to assess the performance and cost efficiency of
1171 the pretrial release program.

1172 Section 25. For the purpose of incorporating the amendment
1173 made by this act to section 943.0435, Florida Statutes, in a
1174 reference thereto, subsection (2) of section 943.0436, Florida
1175 Statutes, is reenacted to read:

1176 943.0436 Duty of the court to uphold laws governing sexual
1177 predators and sexual offenders.—

1178 (2) If a person meets the criteria in chapter 775 for
1179 designation as a sexual predator or meets the criteria in s.
1180 943.0435, s. 944.606, s. 944.607, or any other law for
1181 classification as a sexual offender, the court may not enter an
1182 order, for the purpose of approving a plea agreement or for any
1183 other reason, which:

1184 (a) Exempts a person who meets the criteria for designation
1185 as a sexual predator or classification as a sexual offender from
1186 such designation or classification, or exempts such person from
1187 the requirements for registration or community and public
1188 notification imposed upon sexual predators and sexual offenders;

1189 (b) Restricts the compiling, reporting, or release of

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1190 public records information that relates to sexual predators or
1191 sexual offenders; or

1192 (c) Prevents any person or entity from performing its
1193 duties or operating within its statutorily conferred authority
1194 as such duty or authority relates to sexual predators or sexual
1195 offenders.

1196 Section 26. For the purpose of incorporating the amendment
1197 made by this act to section 943.0435, Florida Statutes, in a
1198 reference thereto, subsection (2) of section 943.0584, Florida
1199 Statutes, is reenacted to read:

1200 943.0584 Criminal history records ineligible for court-
1201 ordered expunction or court-ordered sealing.—

1202 (2) A criminal history record is ineligible for a
1203 certificate of eligibility for expunction or a court-ordered
1204 expunction pursuant to s. 943.0585 or a certificate of
1205 eligibility for sealing or a court-ordered sealing pursuant to
1206 s. 943.059 if the record is a conviction for any of the
1207 following offenses:

1208 (a) Sexual misconduct, as defined in s. 393.135, s.
1209 394.4593, or s. 916.1075;

1210 (b) Illegal use of explosives, as defined in chapter 552;

1211 (c) Terrorism, as defined in s. 775.30;

1212 (d) Murder, as defined in s. 782.04, s. 782.065, or s.
1213 782.09;

1214 (e) Manslaughter or homicide, as defined in s. 782.07, s.
1215 782.071, or s. 782.072;

1216 (f) Assault or battery, as defined in ss. 784.011 and
1217 784.03, respectively, of one family or household member by
1218 another family or household member, as defined in s. 741.28(3);

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- 1219 (g) Aggravated assault, as defined in s. 784.021;
- 1220 (h) Felony battery, domestic battery by strangulation, or
1221 aggravated battery, as defined in ss. 784.03, 784.041, and
1222 784.045, respectively;
- 1223 (i) Stalking or aggravated stalking, as defined in s.
1224 784.048;
- 1225 (j) Luring or enticing a child, as defined in s. 787.025;
- 1226 (k) Human trafficking, as defined in s. 787.06;
- 1227 (l) Kidnapping or false imprisonment, as defined in s.
1228 787.01 or s. 787.02;
- 1229 (m) Any offense defined in chapter 794;
- 1230 (n) Procuring a person less than 18 years of age for
1231 prostitution, as defined in former s. 796.03;
- 1232 (o) Lewd or lascivious offenses committed upon or in the
1233 presence of persons less than 16 years of age, as defined in s.
1234 800.04;
- 1235 (p) Arson, as defined in s. 806.01;
- 1236 (q) Burglary of a dwelling, as defined in s. 810.02;
- 1237 (r) Voyeurism or video voyeurism, as defined in ss. 810.14
1238 and 810.145, respectively;
- 1239 (s) Robbery or robbery by sudden snatching, as defined in
1240 ss. 812.13 and 812.131, respectively;
- 1241 (t) Carjacking, as defined in s. 812.133;
- 1242 (u) Home-invasion robbery, as defined in s. 812.135;
- 1243 (v) A violation of the Florida Communications Fraud Act, as
1244 provided in s. 817.034;
- 1245 (w) Abuse of an elderly person or disabled adult, or
1246 aggravated abuse of an elderly person or disabled adult, as
1247 defined in s. 825.102;

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1248 (x) Lewd or lascivious offenses committed upon or in the
1249 presence of an elderly person or disabled person, as defined in
1250 s. 825.1025;

1251 (y) Child abuse or aggravated child abuse, as defined in s.
1252 827.03;

1253 (z) Sexual performance by a child, as defined in s.
1254 827.071;

1255 (aa) Any offense defined in chapter 839;

1256 (bb) Certain acts in connection with obscenity, as defined
1257 in s. 847.0133;

1258 (cc) Any offense defined in s. 847.0135;

1259 (dd) Selling or buying of minors, as defined in s.
1260 847.0145;

1261 (ee) Aircraft piracy, as defined in s. 860.16;

1262 (ff) Manufacturing a controlled substance in violation of
1263 chapter 893;

1264 (gg) Drug trafficking, as defined in s. 893.135; or
1265 (hh) Any violation specified as a predicate offense for
1266 registration as a sexual predator pursuant to s. 775.21, or
1267 sexual offender pursuant to s. 943.0435, without regard to
1268 whether that offense alone is sufficient to require such
1269 registration.

1270 Section 27. For the purpose of incorporating the amendment
1271 made by this act to section 943.0435, Florida Statutes, in
1272 references thereto, paragraph (a) of subsection (4) and
1273 paragraph (c) of subsection (10) of section 944.607, Florida
1274 Statutes, are reenacted to read:

1275 944.607 Notification to Department of Law Enforcement of
1276 information on sexual offenders.-

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1277 (4) A sexual offender, as described in this section, who is
1278 under the supervision of the Department of Corrections but is
1279 not incarcerated shall register with the Department of
1280 Corrections within 3 business days after sentencing for a
1281 registrable offense and otherwise provide information as
1282 required by this subsection.

1283 (a) The sexual offender shall provide his or her name; date
1284 of birth; social security number; race; sex; height; weight;
1285 hair and eye color; tattoos or other identifying marks; all
1286 electronic mail addresses and Internet identifiers required to
1287 be provided pursuant to s. 943.0435(4) (e); employment
1288 information required to be provided pursuant to s.
1289 943.0435(4) (e); all home telephone numbers and cellular
1290 telephone numbers required to be provided pursuant to s.
1291 943.0435(4) (e); the make, model, color, vehicle identification
1292 number (VIN), and license tag number of all vehicles owned;
1293 permanent or legal residence and address of temporary residence
1294 within the state or out of state while the sexual offender is
1295 under supervision in this state, including any rural route
1296 address or post office box; if no permanent or temporary
1297 address, any transient residence within the state; and address,
1298 location or description, and dates of any current or known
1299 future temporary residence within the state or out of state. The
1300 sexual offender shall also produce his or her passport, if he or
1301 she has a passport, and, if he or she is an alien, shall produce
1302 or provide information about documents establishing his or her
1303 immigration status. The sexual offender shall also provide
1304 information about any professional licenses he or she has. The
1305 Department of Corrections shall verify the address of each

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1306 sexual offender in the manner described in ss. 775.21 and
1307 943.0435. The department shall report to the Department of Law
1308 Enforcement any failure by a sexual predator or sexual offender
1309 to comply with registration requirements.

1310 (10)

1311 (c) An arrest on charges of failure to register when the
1312 offender has been provided and advised of his or her statutory
1313 obligations to register under s. 943.0435(2), the service of an
1314 information or a complaint for a violation of this section, or
1315 an arraignment on charges for a violation of this section
1316 constitutes actual notice of the duty to register. A sexual
1317 offender's failure to immediately register as required by this
1318 section following such arrest, service, or arraignment
1319 constitutes grounds for a subsequent charge of failure to
1320 register. A sexual offender charged with the crime of failure to
1321 register who asserts, or intends to assert, a lack of notice of
1322 the duty to register as a defense to a charge of failure to
1323 register shall immediately register as required by this section.
1324 A sexual offender who is charged with a subsequent failure to
1325 register may not assert the defense of a lack of notice of the
1326 duty to register.

1327 Section 28. For the purpose of incorporating the amendment
1328 made by this act to section 943.0435, Florida Statutes, in a
1329 reference thereto, subsection (4) of section 948.06, Florida
1330 Statutes, is reenacted to read:

1331 948.06 Violation of probation or community control;
1332 revocation; modification; continuance; failure to pay
1333 restitution or cost of supervision.—

1334 (4) Notwithstanding any other provision of this section, a

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1335 felony probationer or an offender in community control who is
1336 arrested for violating his or her probation or community control
1337 in a material respect may be taken before the court in the
1338 county or circuit in which the probationer or offender was
1339 arrested. That court shall advise him or her of the charge of a
1340 violation and, if such charge is admitted, shall cause him or
1341 her to be brought before the court that granted the probation or
1342 community control. If the violation is not admitted by the
1343 probationer or offender, the court may commit him or her or
1344 release him or her with or without bail to await further
1345 hearing. However, if the probationer or offender is under
1346 supervision for any criminal offense proscribed in chapter 794,
1347 s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a
1348 registered sexual predator or a registered sexual offender, or
1349 is under supervision for a criminal offense for which he or she
1350 would meet the registration criteria in s. 775.21, s. 943.0435,
1351 or s. 944.607 but for the effective date of those sections, the
1352 court must make a finding that the probationer or offender is
1353 not a danger to the public prior to release with or without
1354 bail. In determining the danger posed by the offender's or
1355 probationer's release, the court may consider the nature and
1356 circumstances of the violation and any new offenses charged; the
1357 offender's or probationer's past and present conduct, including
1358 convictions of crimes; any record of arrests without conviction
1359 for crimes involving violence or sexual crimes; any other
1360 evidence of allegations of unlawful sexual conduct or the use of
1361 violence by the offender or probationer; the offender's or
1362 probationer's family ties, length of residence in the community,
1363 employment history, and mental condition; his or her history and

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1364 conduct during the probation or community control supervision
1365 from which the violation arises and any other previous
1366 supervisions, including disciplinary records of previous
1367 incarcerations; the likelihood that the offender or probationer
1368 will engage again in a criminal course of conduct; the weight of
1369 the evidence against the offender or probationer; and any other
1370 facts the court considers relevant. The court, as soon as is
1371 practicable, shall give the probationer or offender an
1372 opportunity to be fully heard on his or her behalf in person or
1373 by counsel. After the hearing, the court shall make findings of
1374 fact and forward the findings to the court that granted the
1375 probation or community control and to the probationer or
1376 offender or his or her attorney. The findings of fact by the
1377 hearing court are binding on the court that granted the
1378 probation or community control. Upon the probationer or offender
1379 being brought before it, the court that granted the probation or
1380 community control may revoke, modify, or continue the probation
1381 or community control or may place the probationer into community
1382 control as provided in this section. However, the probationer or
1383 offender shall not be released and shall not be admitted to
1384 bail, but shall be brought before the court that granted the
1385 probation or community control if any violation of felony
1386 probation or community control other than a failure to pay costs
1387 or fines or make restitution payments is alleged to have been
1388 committed by:

1389 (a) A violent felony offender of special concern, as
1390 defined in this section;

1391 (b) A person who is on felony probation or community
1392 control for any offense committed on or after the effective date

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1393 of this act and who is arrested for a qualifying offense as
1394 defined in this section; or

1395 (c) A person who is on felony probation or community
1396 control and has previously been found by a court to be a
1397 habitual violent felony offender as defined in s. 775.084(1)(b),
1398 a three-time violent felony offender as defined in s.
1399 775.084(1)(c), or a sexual predator under s. 775.21, and who is
1400 arrested for committing a qualifying offense as defined in this
1401 section on or after the effective date of this act.

1402 Section 29. For the purpose of incorporating the amendment
1403 made by this act to section 943.0435, Florida Statutes, in a
1404 reference thereto, section 948.063, Florida Statutes, is
1405 reenacted to read:

1406 948.063 Violations of probation or community control by
1407 designated sexual offenders and sexual predators.—

1408 (1) If probation or community control for any felony
1409 offense is revoked by the court pursuant to s. 948.06(2)(e) and
1410 the offender is designated as a sexual offender pursuant to s.
1411 943.0435 or s. 944.607 or as a sexual predator pursuant to s.
1412 775.21 for unlawful sexual activity involving a victim 15 years
1413 of age or younger and the offender is 18 years of age or older,
1414 and if the court imposes a subsequent term of supervision
1415 following the revocation of probation or community control, the
1416 court must order electronic monitoring as a condition of the
1417 subsequent term of probation or community control.

1418 (2) If the probationer or offender is required to register
1419 as a sexual predator under s. 775.21 or as a sexual offender
1420 under s. 943.0435 or s. 944.607 for unlawful sexual activity
1421 involving a victim 15 years of age or younger and the

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1422 probationer or offender is 18 years of age or older and has
1423 violated the conditions of his or her probation or community
1424 control, but the court does not revoke the probation or
1425 community control, the court shall nevertheless modify the
1426 probation or community control to include electronic monitoring
1427 for any probationer or offender not then subject to electronic
1428 monitoring.

1429 Section 30. For the purpose of incorporating the amendment
1430 made by this act to section 943.0435, Florida Statutes, in a
1431 reference thereto, section 948.31, Florida Statutes, is
1432 reenacted to read:

1433 948.31 Evaluation and treatment of sexual predators and
1434 offenders on probation or community control.—The court may
1435 require any probationer or community controllee who is required
1436 to register as a sexual predator under s. 775.21 or sexual
1437 offender under s. 943.0435, s. 944.606, or s. 944.607 to undergo
1438 an evaluation, at the probationer or community controllee's
1439 expense, by a qualified practitioner to determine whether such
1440 probationer or community controllee needs sexual offender
1441 treatment. If the qualified practitioner determines that sexual
1442 offender treatment is needed and recommends treatment, the
1443 probationer or community controllee must successfully complete
1444 and pay for the treatment. Such treatment must be obtained from
1445 a qualified practitioner as defined in s. 948.001. Treatment may
1446 not be administered by a qualified practitioner who has been
1447 convicted or adjudicated delinquent of committing, or
1448 attempting, soliciting, or conspiring to commit, any offense
1449 that is listed in s. 943.0435(1)(h)1.a.(I).

1450 Section 31. For the purpose of incorporating the amendment

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1451 made by this act to section 943.0435, Florida Statutes, in
1452 references thereto, subsection (9) and paragraph (c) of
1453 subsection (10) of section 985.4815, Florida Statutes, are
1454 reenacted to read:

1455 985.4815 Notification to Department of Law Enforcement of
1456 information on juvenile sexual offenders.—

1457 (9) A sexual offender, as described in this section, who is
1458 under the care, jurisdiction, or supervision of the department
1459 but who is not incarcerated shall, in addition to the
1460 registration requirements provided in subsection (4), register
1461 in the manner provided in s. 943.0435(3), (4), and (5), unless
1462 the sexual offender is a sexual predator, in which case he or
1463 she shall register as required under s. 775.21. A sexual
1464 offender who fails to comply with the requirements of s.
1465 943.0435 is subject to the penalties provided in s. 943.0435(9).

1466 (10)

1467 (c) An arrest on charges of failure to register when the
1468 offender has been provided and advised of his or her statutory
1469 obligations to register under s. 943.0435(2), the service of an
1470 information or a complaint for a violation of this section, or
1471 an arraignment on charges for a violation of this section
1472 constitutes actual notice of the duty to register. A sexual
1473 offender's failure to immediately register as required by this
1474 section following such arrest, service, or arraignment
1475 constitutes grounds for a subsequent charge of failure to
1476 register. A sexual offender charged with the crime of failure to
1477 register who asserts, or intends to assert, a lack of notice of
1478 the duty to register as a defense to a charge of failure to
1479 register shall immediately register as required by this section.

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1480 A sexual offender who is charged with a subsequent failure to
1481 register may not assert the defense of a lack of notice of the
1482 duty to register.

1483 Section 32. For the purpose of incorporating the amendment
1484 made by this act to section 943.0435, Florida Statutes, in a
1485 reference thereto, paragraph (g) of subsection (2) of section
1486 1012.467, Florida Statutes, is reenacted to read:

1487 1012.467 Noninstructional contractors who are permitted
1488 access to school grounds when students are present; background
1489 screening requirements.—

1490 (2)

1491 (g) A noninstructional contractor for whom a criminal
1492 history check is required under this section may not have been
1493 convicted of any of the following offenses designated in the
1494 Florida Statutes, any similar offense in another jurisdiction,
1495 or any similar offense committed in this state which has been
1496 redesignated from a former provision of the Florida Statutes to
1497 one of the following offenses:

1498 1. Any offense listed in s. 943.0435(1)(h)1., relating to
1499 the registration of an individual as a sexual offender.

1500 2. Section 393.135, relating to sexual misconduct with
1501 certain developmentally disabled clients and the reporting of
1502 such sexual misconduct.

1503 3. Section 394.4593, relating to sexual misconduct with
1504 certain mental health patients and the reporting of such sexual
1505 misconduct.

1506 4. Section 775.30, relating to terrorism.

1507 5. Section 782.04, relating to murder.

1508 6. Section 787.01, relating to kidnapping.

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1509 7. Any offense under chapter 800, relating to lewdness and
1510 indecent exposure.

1511 8. Section 826.04, relating to incest.

1512 9. Section 827.03, relating to child abuse, aggravated
1513 child abuse, or neglect of a child.

1514 Section 33. For the purpose of incorporating the amendments
1515 made by this act to sections 775.21 and 943.0435, Florida
1516 Statutes, in references thereto, subsection (6) of section
1517 68.07, Florida Statutes, is reenacted to read:

1518 68.07 Change of name.—

1519 (6) The clerk of the court must, within 5 business days
1520 after the filing of the final judgment, send a report of the
1521 judgment to the Department of Law Enforcement on a form to be
1522 furnished by that department. If the petitioner is required to
1523 register as a sexual predator or a sexual offender pursuant to
1524 s. 775.21 or s. 943.0435, the clerk of court shall
1525 electronically notify the Department of Law Enforcement of the
1526 name change, in a manner prescribed by that department, within 2
1527 business days after the filing of the final judgment. The
1528 Department of Law Enforcement must send a copy of the report to
1529 the Department of Highway Safety and Motor Vehicles, which may
1530 be delivered by electronic transmission. The report must contain
1531 sufficient information to identify the petitioner, including the
1532 results of the criminal history records check if applicable, the
1533 new name of the petitioner, and the file number of the judgment.
1534 The Department of Highway Safety and Motor Vehicles shall
1535 monitor the records of any sexual predator or sexual offender
1536 whose name has been provided to it by the Department of Law
1537 Enforcement. If the sexual predator or sexual offender does not

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1538 obtain a replacement driver license or identification card
1539 within the required time as specified in s. 775.21 or s.
1540 943.0435, the Department of Highway Safety and Motor Vehicles
1541 shall notify the Department of Law Enforcement. The Department
1542 of Law Enforcement shall notify applicable law enforcement
1543 agencies of the predator's or offender's failure to comply with
1544 registration requirements. Any information retained by the
1545 Department of Law Enforcement and the Department of Highway
1546 Safety and Motor Vehicles may be revised or supplemented by said
1547 departments to reflect changes made by the final judgment. With
1548 respect to a person convicted of a felony in another state or of
1549 a federal offense, the Department of Law Enforcement must send
1550 the report to the respective state's office of law enforcement
1551 records or to the office of the Federal Bureau of Investigation.
1552 The Department of Law Enforcement may forward the report to any
1553 other law enforcement agency it believes may retain information
1554 related to the petitioner.

1555 Section 34. For the purpose of incorporating the amendments
1556 made by this act to sections 775.21 and 943.0435, Florida
1557 Statutes, in references thereto, subsection (4) of section
1558 320.02, Florida Statutes, is reenacted to read:

1559 320.02 Registration required; application for registration;
1560 forms.—

1561 (4) Except as provided in ss. 775.21, 775.261, 943.0435,
1562 944.607, and 985.4815, the owner of any motor vehicle registered
1563 in the state shall notify the department in writing of any
1564 change of address within 30 days of such change. The
1565 notification shall include the registration license plate
1566 number, the vehicle identification number (VIN) or title

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1567 certificate number, year of vehicle make, and the owner's full
1568 name.

1569 Section 35. For the purpose of incorporating the amendments
1570 made by this act to sections 775.21 and 943.0435, Florida
1571 Statutes, in references thereto, subsections (1) and (2) of
1572 section 322.19, Florida Statutes, are reenacted to read:

1573 322.19 Change of address or name.—

1574 (1) Except as provided in ss. 775.21, 775.261, 943.0435,
1575 944.607, and 985.4815, whenever any person, after applying for
1576 or receiving a driver license or identification card, changes
1577 his or her legal name, that person must within 30 days
1578 thereafter obtain a replacement license or card that reflects
1579 the change.

1580 (2) If a person, after applying for or receiving a driver
1581 license or identification card, changes the legal residence or
1582 mailing address in the application, license, or card, the person
1583 must, within 30 calendar days after making the change, obtain a
1584 replacement license or card that reflects the change. A written
1585 request to the department must include the old and new addresses
1586 and the driver license or identification card number. Any person
1587 who has a valid, current student identification card issued by
1588 an educational institution in this state is presumed not to have
1589 changed his or her legal residence or mailing address. This
1590 subsection does not affect any person required to register a
1591 permanent or temporary address change pursuant to s. 775.13, s.
1592 775.21, s. 775.25, or s. 943.0435.

1593 Section 36. For the purpose of incorporating the amendments
1594 made by this act to section 775.21 and 943.0435, Florida
1595 Statutes, in references thereto, section 775.25, Florida

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1596 Statutes, is reenacted to read:

1597 775.25 Prosecutions for acts or omissions.—A sexual
1598 predator or sexual offender who commits any act or omission in
1599 violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s.
1600 944.607, or former s. 947.177 may be prosecuted for the act or
1601 omission in the county in which the act or omission was
1602 committed, in the county of the last registered address of the
1603 sexual predator or sexual offender, in the county in which the
1604 conviction occurred for the offense or offenses that meet the
1605 criteria for designating a person as a sexual predator or sexual
1606 offender, in the county where the sexual predator or sexual
1607 offender was released from incarceration, or in the county of
1608 the intended address of the sexual predator or sexual offender
1609 as reported by the predator or offender prior to his or her
1610 release from incarceration. In addition, a sexual predator may
1611 be prosecuted for any such act or omission in the county in
1612 which he or she was designated a sexual predator.

1613 Section 37. For the purpose of incorporating the amendments
1614 made by this act to section 775.21 and 943.0435, Florida
1615 Statutes, in references thereto, subsection (1) of section
1616 794.056, Florida Statutes, is reenacted to read:

1617 794.056 Rape Crisis Program Trust Fund.—

1618 (1) The Rape Crisis Program Trust Fund is created within
1619 the Department of Health for the purpose of providing funds for
1620 rape crisis centers in this state. Trust fund moneys shall be
1621 used exclusively for the purpose of providing services for
1622 victims of sexual assault. Funds credited to the trust fund
1623 consist of those funds collected as an additional court
1624 assessment in each case in which a defendant pleads guilty or

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1625 nolo contendere to, or is found guilty of, regardless of
 1626 adjudication, an offense provided in s. 775.21(6) and (10) (a),
 1627 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
 1628 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
 1629 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
 1630 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
 1631 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
 1632 796.06; s. 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s.
 1633 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
 1634 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
 1635 847.0137; s. 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a),
 1636 (13), and (14) (c); or s. 985.701(1). Funds credited to the trust
 1637 fund also shall include revenues provided by law, moneys
 1638 appropriated by the Legislature, and grants from public or
 1639 private entities.

1640 Section 38. For the purpose of incorporating the amendments
 1641 made by this act to sections 775.21 and 943.0435, Florida
 1642 Statutes, in references thereto, section 938.085, Florida
 1643 Statutes, is reenacted to read:

1644 938.085 Additional cost to fund rape crisis centers.—In
 1645 addition to any sanction imposed when a person pleads guilty or
 1646 nolo contendere to, or is found guilty of, regardless of
 1647 adjudication, a violation of s. 775.21(6) and (10) (a), (b), and
 1648 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
 1649 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
 1650 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
 1651 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
 1652 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
 1653 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.

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1654 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
1655 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
1656 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a), (13), and
1657 (14)(c); or s. 985.701(1), the court shall impose a surcharge of
1658 \$151. Payment of the surcharge shall be a condition of
1659 probation, community control, or any other court-ordered
1660 supervision. The sum of \$150 of the surcharge shall be deposited
1661 into the Rape Crisis Program Trust Fund established within the
1662 Department of Health by chapter 2003-140, Laws of Florida. The
1663 clerk of the court shall retain \$1 of each surcharge that the
1664 clerk of the court collects as a service charge of the clerk's
1665 office.

1666 Section 39. For the purpose of incorporating the amendments
1667 made by this act to sections 775.21 and 943.0435, Florida
1668 Statutes, in references thereto, subsection (1) of section
1669 938.10, Florida Statutes, is reenacted to read:

1670 938.10 Additional court cost imposed in cases of certain
1671 crimes.—

1672 (1) If a person pleads guilty or nolo contendere to, or is
1673 found guilty of, regardless of adjudication, any offense against
1674 a minor in violation of s. 784.085, chapter 787, chapter 794,
1675 former s. 796.03, former s. 796.035, s. 800.04, chapter 827, s.
1676 847.012, s. 847.0133, s. 847.0135(5), s. 847.0138, s. 847.0145,
1677 s. 893.147(3), or s. 985.701, or any offense in violation of s.
1678 775.21, s. 823.07, s. 847.0125, s. 847.0134, or s. 943.0435, the
1679 court shall impose a court cost of \$151 against the offender in
1680 addition to any other cost or penalty required by law.

1681 Section 40. For the purpose of incorporating the amendments
1682 made by this act to sections 775.21 and 943.0435, Florida

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1683 Statutes, in references thereto, paragraph (a) of subsection (4)
1684 and subsection (9) of section 944.607, Florida Statutes, are
1685 reenacted to read:

1686 944.607 Notification to Department of Law Enforcement of
1687 information on sexual offenders.—

1688 (4) A sexual offender, as described in this section, who is
1689 under the supervision of the Department of Corrections but is
1690 not incarcerated shall register with the Department of
1691 Corrections within 3 business days after sentencing for a
1692 registrable offense and otherwise provide information as
1693 required by this subsection.

1694 (a) The sexual offender shall provide his or her name; date
1695 of birth; social security number; race; sex; height; weight;
1696 hair and eye color; tattoos or other identifying marks; all
1697 electronic mail addresses and Internet identifiers required to
1698 be provided pursuant to s. 943.0435(4) (e); employment
1699 information required to be provided pursuant to s.
1700 943.0435(4) (e); all home telephone numbers and cellular
1701 telephone numbers required to be provided pursuant to s.
1702 943.0435(4) (e); the make, model, color, vehicle identification
1703 number (VIN), and license tag number of all vehicles owned;
1704 permanent or legal residence and address of temporary residence
1705 within the state or out of state while the sexual offender is
1706 under supervision in this state, including any rural route
1707 address or post office box; if no permanent or temporary
1708 address, any transient residence within the state; and address,
1709 location or description, and dates of any current or known
1710 future temporary residence within the state or out of state. The
1711 sexual offender shall also produce his or her passport, if he or

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1712 she has a passport, and, if he or she is an alien, shall produce
1713 or provide information about documents establishing his or her
1714 immigration status. The sexual offender shall also provide
1715 information about any professional licenses he or she has. The
1716 Department of Corrections shall verify the address of each
1717 sexual offender in the manner described in ss. 775.21 and
1718 943.0435. The department shall report to the Department of Law
1719 Enforcement any failure by a sexual predator or sexual offender
1720 to comply with registration requirements.

1721 (9) A sexual offender, as described in this section, who is
1722 under the supervision of the Department of Corrections but who
1723 is not incarcerated shall, in addition to the registration
1724 requirements provided in subsection (4), register and obtain a
1725 distinctive driver license or identification card in the manner
1726 provided in s. 943.0435(3), (4), and (5), unless the sexual
1727 offender is a sexual predator, in which case he or she shall
1728 register and obtain a distinctive driver license or
1729 identification card as required under s. 775.21. A sexual
1730 offender who fails to comply with the requirements of s.
1731 943.0435 is subject to the penalties provided in s. 943.0435(9).

1732 Section 41. For the purpose of incorporating the amendments
1733 made by this act to sections 775.21 and 943.0435, Florida
1734 Statutes, in references thereto, paragraph (b) of subsection (6)
1735 of section 985.04, Florida Statutes, is reenacted to read:

1736 985.04 Oaths; records; confidential information.—

1737 (6)

1738 (b) Sexual offender and predator registration information
1739 as required in ss. 775.21, 943.0435, 944.606, 944.607, 985.481,
1740 and 985.4815 is a public record pursuant to s. 119.07(1) and as

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1741 otherwise provided by law.

1742 Section 42. This act shall take effect upon becoming a law.