

1                                    A bill to be entitled  
 2                    An act relating to offenses involving children;  
 3                    amending s. 90.803, F.S.; increasing the maximum age  
 4                    of a child victim of specified acts whose out of court  
 5                    statements may be admissible in certain circumstances;  
 6                    amending s. 775.21, F.S.; providing that a first  
 7                    offense of specified sex trafficking offenses  
 8                    involving minors requires designation of the defendant  
 9                    as a sexual predator; reenacting ss. 16.713(1)(c),  
 10                    39.0139(3)(a), 39.509(6)(b), 39.806(1)(d) and (n),  
 11                    61.13(9)(c), 63.089(4)(b), 63.092(3), 68.07(3)(i) and  
 12                    (6), 92.55(1)(b), 320.02(4), 322.141(3), 322.19(1) and  
 13                    (2), 397.487(10)(b), 455.213(3)(b), 489.553(7), and  
 14                    507.07(9), F.S., relating to the Florida Gaming  
 15                    Control Commission's appointment and employment  
 16                    restrictions, child visitation or other contact,  
 17                    grandparents rights, grounds for termination of  
 18                    parental rights, support of children, proceedings to  
 19                    terminate parental rights pending adoption, report to  
 20                    the court of intended placement by an adoption entity,  
 21                    change of name, special protections in proceedings  
 22                    involving victim or witness under 18, person with  
 23                    intellectual disability, or sexual offense victim,  
 24                    registration required, color or markings of certain  
 25                    licenses or identification cards, change of address or

26 name, voluntary certification of recovery residences,  
 27 general licensing provisions, administration of part  
 28 III of ch. 489, F.S., and violations of ch. 507, F.S.,  
 29 respectively, to incorporate amendments made by the  
 30 act; providing an effective date.

31

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

33

34 Section 1. Paragraph (a) of subsection (23) of section  
 35 90.803, Florida Statutes, is amended to read:

36 90.803 Hearsay exceptions; availability of declarant  
 37 immaterial.—The provision of s. 90.802 to the contrary  
 38 notwithstanding, the following are not inadmissible as evidence,  
 39 even though the declarant is available as a witness:

40 (23) HEARSAY EXCEPTION; STATEMENT OF CHILD VICTIM.—

41 (a) Unless the source of information or the method or  
 42 circumstances by which the statement is reported indicates a  
 43 lack of trustworthiness, an out-of-court statement made by a  
 44 child victim with a physical, mental, emotional, or  
 45 developmental age of 17 ~~16~~ or less describing any act of child  
 46 abuse or neglect, any act of sexual abuse against a child, the  
 47 offense of child abuse, the offense of aggravated child abuse,  
 48 or any offense involving an unlawful sexual act, contact,  
 49 intrusion, or penetration performed in the presence of, with,  
 50 by, or on the declarant child, not otherwise admissible, is

51 | admissible in evidence in any civil or criminal proceeding if:

52 |       1. The court finds in a hearing conducted outside the  
53 | presence of the jury that the time, content, and circumstances  
54 | of the statement provide sufficient safeguards of reliability.  
55 | In making its determination, the court may consider the mental  
56 | and physical age and maturity of the child, the nature and  
57 | duration of the abuse or offense, the relationship of the child  
58 | to the offender, the reliability of the assertion, the  
59 | reliability of the child victim, and any other factor deemed  
60 | appropriate; and

61 |       2. The child either:

62 |       a. Testifies; or

63 |       b. Is unavailable as a witness, provided that there is  
64 | other corroborative evidence of the abuse or offense.

65 | Unavailability shall include a finding by the court that the  
66 | child's participation in the trial or proceeding would result in  
67 | a substantial likelihood of severe emotional or mental harm, in  
68 | addition to findings pursuant to s. 90.804(1).

69 |       Section 2. Paragraph (a) of subsection (4) of section  
70 | 775.21, Florida Statutes, is amended to read:

71 |       775.21 The Florida Sexual Predators Act.—

72 |       (4) SEXUAL PREDATOR CRITERIA.—

73 |       (a) For a current offense committed on or after October 1,  
74 | 1993, upon conviction, an offender shall be designated as a  
75 | "sexual predator" under subsection (5), and subject to

76 registration under subsection (6) and community and public  
 77 notification under subsection (7) if:

78 1. The felony is:

79 a. A capital, life, or first degree felony violation, or  
 80 any attempt thereof, of s. 787.01 or s. 787.02, where the victim  
 81 is a minor, or s. 787.06(3)(f) or (g), where the victim is a  
 82 minor; s. 794.011, s. 800.04, or s. 847.0145, or a violation of  
 83 a similar law of another jurisdiction; or

84 b. Any felony violation, or any attempt thereof, of s.  
 85 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
 86 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),  
 87 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding  
 88 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;  
 89 s. 800.04; s. 810.145(8)(b); s. 825.1025; s. 827.071; s.  
 90 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 895.03, if  
 91 the court makes a written finding that the racketeering activity  
 92 involved at least one sexual offense listed in this sub-  
 93 subparagraph or at least one offense listed in this sub-  
 94 subparagraph with sexual intent or motive; s. 916.1075(2); or s.  
 95 985.701(1); or a violation of a similar law of another  
 96 jurisdiction, and the offender has previously been convicted of  
 97 or found to have committed, or has pled nolo contendere or  
 98 guilty to, regardless of adjudication, any violation of s.  
 99 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
 100 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),

101 (d), (f), or (g); former s. 787.06(3) (h); s. 794.011, excluding  
 102 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;  
 103 s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
 104 excluding s. 847.0135(6); s. 847.0145; s. 895.03, if the court  
 105 makes a written finding that the racketeering activity involved  
 106 at least one sexual offense listed in this sub-subparagraph or  
 107 at least one offense listed in this sub-subparagraph with sexual  
 108 intent or motive; s. 916.1075(2); or s. 985.701(1); or a  
 109 violation of a similar law of another jurisdiction;

110 2. The offender has not received a pardon for any felony  
 111 or similar law of another jurisdiction that is necessary for the  
 112 operation of this paragraph; and

113 3. A conviction of a felony or similar law of another  
 114 jurisdiction necessary to the operation of this paragraph has  
 115 not been set aside in any postconviction proceeding.

116 Section 3. For the purpose of incorporating the amendment  
 117 made by this act to section 775.21, Florida Statutes, in a  
 118 reference thereto, paragraph (c) of subsection (1) of section  
 119 16.713, Florida Statutes, is reenacted to read:

120 16.713 Florida Gaming Control Commission; appointment and  
 121 employment restrictions.—

122 (1) PERSONS INELIGIBLE FOR APPOINTMENT TO THE COMMISSION.—  
 123 The following persons are ineligible for appointment to the  
 124 commission:

125 (c) A person who has been convicted of or found guilty of

126 or pled nolo contendere to, regardless of adjudication, in any  
 127 jurisdiction, a crime listed in s. 775.21(4)(a)1. or s. 776.08.

128 Section 4. For the purpose of incorporating the amendment  
 129 made by this act to section 775.21, Florida Statutes, in a  
 130 reference thereto, paragraph (a) of subsection (3) of section  
 131 39.0139, Florida Statutes, is reenacted to read:

132 39.0139 Visitation or other contact; restrictions.—

133 (3) PRESUMPTION OF DETRIMENT.—

134 (a) A rebuttable presumption of detriment to a child is  
 135 created when:

136 1. A court of competent jurisdiction has found probable  
 137 cause exists that a parent or caregiver has sexually abused a  
 138 child as defined in s. 39.01;

139 2. A parent or caregiver has been found guilty of,  
 140 regardless of adjudication, or has entered a plea of guilty or  
 141 nolo contendere to, charges under the following statutes or  
 142 substantially similar statutes of other jurisdictions:

143 a. Section 787.04, relating to removing minors from the  
 144 state or concealing minors contrary to court order;

145 b. Section 794.011, relating to sexual battery;

146 c. Section 798.02, relating to lewd and lascivious  
 147 behavior;

148 d. Chapter 800, relating to lewdness and indecent  
 149 exposure;

150 e. Section 826.04, relating to incest; or

151 f. Chapter 827, relating to the abuse of children; or  
 152 3. A court of competent jurisdiction has determined a  
 153 parent or caregiver to be a sexual predator as defined in s.  
 154 775.21 or a parent or caregiver has received a substantially  
 155 similar designation under laws of another jurisdiction.

156 Section 5. For the purpose of incorporating the amendment  
 157 made by this act to section 775.21, Florida Statutes, in a  
 158 reference thereto, paragraph (b) of subsection (6) of section  
 159 39.509, Florida Statutes, is reenacted to read:

160 39.509 Grandparents rights.—Notwithstanding any other  
 161 provision of law, a maternal or paternal grandparent as well as  
 162 a stepgrandparent is entitled to reasonable visitation with his  
 163 or her grandchild who has been adjudicated a dependent child and  
 164 taken from the physical custody of the parent unless the court  
 165 finds that such visitation is not in the best interest of the  
 166 child or that such visitation would interfere with the goals of  
 167 the case plan. Reasonable visitation may be unsupervised and,  
 168 where appropriate and feasible, may be frequent and continuing.  
 169 Any order for visitation or other contact must conform to the  
 170 provisions of s. 39.0139.

171 (6) In determining whether grandparental visitation is not  
 172 in the child's best interest, consideration may be given to the  
 173 following:

174 (b) The designation by a court as a sexual predator as  
 175 defined in s. 775.21 or a substantially similar designation

176 | under laws of another jurisdiction.

177 |       Section 6. For the purpose of incorporating the amendment  
178 | made by this act to section 775.21, Florida Statutes, in a  
179 | reference thereto, paragraphs (d) and (n) of subsection (1) of  
180 | section 39.806, Florida Statutes, are reenacted to read:

181 |       39.806 Grounds for termination of parental rights.—

182 |       (1) Grounds for the termination of parental rights may be  
183 | established under any of the following circumstances:

184 |       (d) When the parent of a child is incarcerated and either:

185 |       1. The period of time for which the parent is expected to  
186 | be incarcerated will constitute a significant portion of the  
187 | child's minority. When determining whether the period of time is  
188 | significant, the court shall consider the child's age and the  
189 | child's need for a permanent and stable home. The period of time  
190 | begins on the date that the parent enters into incarceration;

191 |       2. The incarcerated parent has been determined by the  
192 | court to be a violent career criminal as defined in s. 775.084, or  
193 | a habitual violent felony offender as defined in s. 775.084, or  
194 | a sexual predator as defined in s. 775.21; has been convicted of  
195 | first degree or second degree murder in violation of s. 782.04  
196 | or a sexual battery that constitutes a capital, life, or first  
197 | degree felony violation of s. 794.011; or has been convicted of  
198 | an offense in another jurisdiction which is substantially  
199 | similar to one of the offenses listed in this paragraph. As used  
200 | in this section, the term "substantially similar offense" means



201 any offense that is substantially similar in elements and  
202 penalties to one of those listed in this subparagraph, and that  
203 is in violation of a law of any other jurisdiction, whether that  
204 of another state, the District of Columbia, the United States or  
205 any possession or territory thereof, or any foreign  
206 jurisdiction; or

207 3. The court determines by clear and convincing evidence  
208 that continuing the parental relationship with the incarcerated  
209 parent would be harmful to the child and, for this reason, that  
210 termination of the parental rights of the incarcerated parent is  
211 in the best interest of the child. When determining harm, the  
212 court shall consider the following factors:

213 a. The age of the child.

214 b. The relationship between the child and the parent.

215 c. The nature of the parent's current and past provision  
216 for the child's developmental, cognitive, psychological, and  
217 physical needs.

218 d. The parent's history of criminal behavior, which may  
219 include the frequency of incarceration and the unavailability of  
220 the parent to the child due to incarceration.

221 e. Any other factor the court deems relevant.

222 (n) The parent is convicted of an offense that requires  
223 the parent to register as a sexual predator under s. 775.21.

224 Section 7. For the purpose of incorporating the amendment  
225 made by this act to section 775.21, Florida Statutes, in a

226 reference thereto, paragraph (c) of subsection (9) of section  
 227 61.13, Florida Statutes, is reenacted to read:

228 61.13 Support of children; parenting and time-sharing;  
 229 powers of court.—

230 (9)

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

235 Section 8. For the purpose of incorporating the amendment  
 236 made by this act to section 775.21, Florida Statutes, in a  
 237 reference thereto, paragraph (b) of subsection (4) of section  
 238 63.089, Florida Statutes, is reenacted to read:

239 63.089 Proceeding to terminate parental rights pending  
 240 adoption; hearing; grounds; dismissal of petition; judgment.—

241 (4) FINDING OF ABANDONMENT.—A finding of abandonment  
 242 resulting in a termination of parental rights must be based upon  
 243 clear and convincing evidence that a parent or person having  
 244 legal custody has abandoned the child in accordance with the  
 245 definition contained in s. 63.032. A finding of abandonment may  
 246 also be based upon emotional abuse or a refusal to provide  
 247 reasonable financial support, when able, to a birth mother  
 248 during her pregnancy or on whether the person alleged to have  
 249 abandoned the child, while being able, failed to establish  
 250 contact with the child or accept responsibility for the child's

251 welfare.

252 (b) The child has been abandoned when the parent of a  
253 child is incarcerated on or after October 1, 2001, in a federal,  
254 state, or county correctional institution and:

255 1. The period of time for which the parent has been or is  
256 expected to be incarcerated will constitute a significant  
257 portion of the child's minority. In determining whether the  
258 period of time is significant, the court shall consider the  
259 child's age and the child's need for a permanent and stable  
260 home. The period of time begins on the date that the parent  
261 enters into incarceration;

262 2. The incarcerated parent has been determined by a court  
263 of competent jurisdiction to be a violent career criminal as  
264 defined in s. 775.084, a habitual violent felony offender as  
265 defined in s. 775.084, convicted of child abuse as defined in s.  
266 827.03, or a sexual predator as defined in s. 775.21; has been  
267 convicted of first degree or second degree murder in violation  
268 of s. 782.04 or a sexual battery that constitutes a capital,  
269 life, or first degree felony violation of s. 794.011; or has  
270 been convicted of a substantially similar offense in another  
271 jurisdiction. As used in this section, the term "substantially  
272 similar offense" means any offense that is substantially similar  
273 in elements and penalties to one of those listed in this  
274 subparagraph, and that is in violation of a law of any other  
275 jurisdiction, whether that of another state, the District of

276 Columbia, the United States or any possession or territory  
 277 thereof, or any foreign jurisdiction; or

278 3. The court determines by clear and convincing evidence  
 279 that continuing the parental relationship with the incarcerated  
 280 parent would be harmful to the child and, for this reason,  
 281 termination of the parental rights of the incarcerated parent is  
 282 in the best interests of the child.

283 Section 9. For the purpose of incorporating the amendment  
 284 made by this act to section 775.21, Florida Statutes, in a  
 285 reference thereto, subsection (3) of section 63.092, Florida  
 286 Statutes, is reenacted to read:

287 63.092 Report to the court of intended placement by an  
 288 adoption entity; at-risk placement; preliminary study.—

289 (3) PRELIMINARY HOME STUDY.—Before placing the minor in  
 290 the intended adoptive home, a preliminary home study must be  
 291 performed by a licensed child-placing agency, a child-caring  
 292 agency registered under s. 409.176, a licensed professional, or  
 293 an agency described in s. 61.20(2), unless the adoptee is an  
 294 adult or the petitioner is a stepparent or a relative. If the  
 295 adoptee is an adult or the petitioner is a stepparent or a  
 296 relative, a preliminary home study may be required by the court  
 297 for good cause shown. The department is required to perform the  
 298 preliminary home study only if there is no licensed child-  
 299 placing agency, child-caring agency registered under s. 409.176,  
 300 licensed professional, or agency described in s. 61.20(2), in

301 the county where the prospective adoptive parents reside. The  
302 preliminary home study must be made to determine the suitability  
303 of the intended adoptive parents and may be completed before  
304 identification of a prospective adoptive minor. If the  
305 identified prospective adoptive minor is in the custody of the  
306 department, a preliminary home study must be completed within 30  
307 days after it is initiated. A favorable preliminary home study  
308 is valid for 1 year after the date of its completion. Upon its  
309 completion, a signed copy of the home study must be provided to  
310 the intended adoptive parents who were the subject of the home  
311 study. A minor may not be placed in an intended adoptive home  
312 before a favorable preliminary home study is completed unless  
313 the adoptive home is also a licensed foster home under s.  
314 409.175. The preliminary home study must include, at a minimum:  
315       (a) An interview with the intended adoptive parents.  
316       (b) Records checks of the department's central abuse  
317 registry, which the department shall provide to the entity  
318 conducting the preliminary home study, and criminal records  
319 correspondence checks under s. 39.0138 through the Department of  
320 Law Enforcement on the intended adoptive parents.  
321       (c) An assessment of the physical environment of the home.  
322       (d) A determination of the financial security of the  
323 intended adoptive parents.  
324       (e) Documentation of counseling and education of the  
325 intended adoptive parents on adoptive parenting, as determined

326 | by the entity conducting the preliminary home study. The  
 327 | training specified in s. 409.175(14) shall only be required for  
 328 | persons who adopt children from the department.

329 |       (f) Documentation that information on adoption and the  
 330 | adoption process has been provided to the intended adoptive  
 331 | parents.

332 |       (g) Documentation that information on support services  
 333 | available in the community has been provided to the intended  
 334 | adoptive parents.

335 |       (h) A copy of each signed acknowledgment of receipt of  
 336 | disclosure required by s. 63.085.

337 |  
 338 | If the preliminary home study is favorable, a minor may be  
 339 | placed in the home pending entry of the judgment of adoption. A  
 340 | minor may not be placed in the home if the preliminary home  
 341 | study is unfavorable. If the preliminary home study is  
 342 | unfavorable, the adoption entity may, within 20 days after  
 343 | receipt of a copy of the written recommendation, petition the  
 344 | court to determine the suitability of the intended adoptive  
 345 | home. A determination as to suitability under this subsection  
 346 | does not act as a presumption of suitability at the final  
 347 | hearing. In determining the suitability of the intended adoptive  
 348 | home, the court must consider the totality of the circumstances  
 349 | in the home. A minor may not be placed in a home in which there  
 350 | resides any person determined by the court to be a sexual

351 predator as defined in s. 775.21 or to have been convicted of an  
352 offense listed in s. 63.089(4)(b)2.

353 Section 10. For the purpose of incorporating the amendment  
354 made by this act to section 775.21, Florida Statutes, in a  
355 reference thereto, paragraph (i) of subsection (3) and  
356 subsection (6) of section 68.07, Florida Statutes, are reenacted  
357 to read:

358 68.07 Change of name.—

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

360 (i) Whether the petitioner has ever been required to  
361 register as a sexual predator under s. 775.21 or as a sexual  
362 offender under s. 943.0435.

363 (6) The clerk of the court must, within 5 business days  
364 after the filing of the final judgment, send a report of the  
365 judgment to the Department of Law Enforcement on a form to be  
366 furnished by that department. If the petitioner is required to  
367 register as a sexual predator or a sexual offender pursuant to  
368 s. 775.21 or s. 943.0435, the clerk of court shall  
369 electronically notify the Department of Law Enforcement of the  
370 name change, in a manner prescribed by that department, within 2  
371 business days after the filing of the final judgment. The  
372 Department of Law Enforcement must send a copy of the report to  
373 the Department of Highway Safety and Motor Vehicles, which may  
374 be delivered by electronic transmission. The report must contain  
375 sufficient information to identify the petitioner, including the

376 results of the criminal history records check if applicable, the  
377 new name of the petitioner, and the file number of the judgment.  
378 The Department of Highway Safety and Motor Vehicles shall  
379 monitor the records of any sexual predator or sexual offender  
380 whose name has been provided to it by the Department of Law  
381 Enforcement. If the sexual predator or sexual offender does not  
382 obtain a replacement driver license or identification card  
383 within the required time as specified in s. 775.21 or s.  
384 943.0435, the Department of Highway Safety and Motor Vehicles  
385 shall notify the Department of Law Enforcement. The Department  
386 of Law Enforcement shall notify applicable law enforcement  
387 agencies of the predator's or offender's failure to comply with  
388 registration requirements. Any information retained by the  
389 Department of Law Enforcement and the Department of Highway  
390 Safety and Motor Vehicles may be revised or supplemented by said  
391 departments to reflect changes made by the final judgment. With  
392 respect to a person convicted of a felony in another state or of  
393 a federal offense, the Department of Law Enforcement must send  
394 the report to the respective state's office of law enforcement  
395 records or to the office of the Federal Bureau of Investigation.  
396 The Department of Law Enforcement may forward the report to any  
397 other law enforcement agency it believes may retain information  
398 related to the petitioner.

399 Section 11. For the purpose of incorporating the amendment  
400 made by this act to section 775.21, Florida Statutes, in a



401 reference thereto, paragraph (b) of subsection (1) of section  
 402 92.55, Florida Statutes, is reenacted to read:

403 92.55 Special protections in proceedings involving victim  
 404 or witness under 18, person with intellectual disability, or  
 405 sexual offense victim.—

406 (1) For purposes of this section, the term:

407 (b) "Sexual offense" means any offense specified in s.  
 408 775.21(4)(a)1. or s. 943.0435(1)(h)1.a.(I).

409 Section 12. For the purpose of incorporating the amendment  
 410 made by this act to section 775.21, Florida Statutes, in a  
 411 reference thereto, subsection (4) of section 320.02, Florida  
 412 Statutes, is reenacted to read:

413 320.02 Registration required; application for  
 414 registration; forms.—

415 (4) Except as provided in ss. 775.21, 775.261, 943.0435,  
 416 944.607, and 985.4815, the owner of any motor vehicle registered  
 417 in the state shall notify the department in writing of any  
 418 change of address within 30 days of such change. The  
 419 notification shall include the registration license plate  
 420 number, the vehicle identification number (VIN) or title  
 421 certificate number, year of vehicle make, and the owner's full  
 422 name.

423 Section 13. For the purpose of incorporating the amendment  
 424 made by this act to section 775.21, Florida Statutes, in a  
 425 reference thereto, subsection (3) of section 322.141, Florida

426 Statutes, is reenacted to read:

427       322.141 Color or markings of certain licenses or  
428 identification cards.—

429       (3) All licenses for the operation of motor vehicles or  
430 identification cards originally issued or reissued by the  
431 department to persons who are designated as sexual predators  
432 under s. 775.21 or subject to registration as sexual offenders  
433 under s. 943.0435 or s. 944.607, or who have a similar  
434 designation or are subject to a similar registration under the  
435 laws of another jurisdiction, shall have on the front of the  
436 license or identification card the following:

437       (a) For a person designated as a sexual predator under s.  
438 775.21 or who has a similar designation under the laws of  
439 another jurisdiction, the marking "SEXUAL PREDATOR."

440       (b) For a person subject to registration as a sexual  
441 offender under s. 943.0435 or s. 944.607, or subject to a  
442 similar registration under the laws of another jurisdiction, the  
443 marking "943.0435, F.S."

444       Section 14. For the purpose of incorporating the amendment  
445 made by this act to section 775.21, Florida Statutes, in a  
446 reference thereto, subsections (1) and (2) of section 322.19,  
447 Florida Statutes, are reenacted to read:

448       322.19 Change of address or name.—

449       (1) Except as provided in ss. 775.21, 775.261, 943.0435,  
450 944.607, and 985.4815, whenever any person, after applying for

451 or receiving a driver license or identification card, changes  
 452 his or her legal name, that person must within 30 days  
 453 thereafter obtain a replacement license or card that reflects  
 454 the change.

455 (2) If a person, after applying for or receiving a driver  
 456 license or identification card, changes the legal residence or  
 457 mailing address in the application, license, or card, the person  
 458 must, within 30 calendar days after making the change, obtain a  
 459 replacement license or card that reflects the change. A written  
 460 request to the department must include the old and new addresses  
 461 and the driver license or identification card number. Any person  
 462 who has a valid, current student identification card issued by  
 463 an educational institution in this state is presumed not to have  
 464 changed his or her legal residence or mailing address. This  
 465 subsection does not affect any person required to register a  
 466 permanent or temporary address change pursuant to s. 775.13, s.  
 467 775.21, s. 775.25, or s. 943.0435.

468 Section 15. For the purpose of incorporating the amendment  
 469 made by this act to section 775.21, Florida Statutes, in a  
 470 reference thereto, paragraph (b) of subsection (10) of section  
 471 397.487, Florida Statutes, is reenacted to read:

472 397.487 Voluntary certification of recovery residences.—

473 (10)

474 (b) A certified recovery residence may not allow a minor  
 475 child to visit a parent who is a resident of the recovery

476 residence at any time if any resident of the recovery residence  
477 is currently required to register as a sexual predator under s.  
478 775.21 or as a sexual offender under s. 943.0435.

479 Section 16. For the purpose of incorporating the amendment  
480 made by this act to section 775.21, Florida Statutes, in a  
481 reference thereto, paragraph (b) of subsection (3) of section  
482 455.213, Florida Statutes, is reenacted to read:

483 455.213 General licensing provisions.—

484 (3)

485 (b)1. A conviction, or any other adjudication, for a crime  
486 more than 5 years before the date the application is received by  
487 the applicable board may not be grounds for denial of a license  
488 specified in paragraph (a). For purposes of this paragraph, the  
489 term "conviction" means a determination of guilt that is the  
490 result of a plea or trial, regardless of whether adjudication is  
491 withheld. This paragraph does not limit the applicable board  
492 from considering an applicant's criminal history that includes a  
493 crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but  
494 only if such criminal history has been found to relate to the  
495 practice of the applicable profession.

496 2. The applicable board may consider the criminal history  
497 of an applicant for licensure under subparagraph (a)3. if such  
498 criminal history has been found to relate to good moral  
499 character.

500 Section 17. For the purpose of incorporating the amendment

501 made by this act to section 775.21, Florida Statutes, in a  
 502 reference thereto, subsection (7) of section 489.553, Florida  
 503 Statutes, is reenacted to read:

504 489.553 Administration of part; registration  
 505 qualifications; examination.—

506 (7) Notwithstanding any other law, a conviction, or any  
 507 other adjudication, for a crime more than 5 years before the  
 508 date the application is received by the department or other  
 509 applicable authority may not be grounds for denial of  
 510 registration. For purposes of this subsection, the term  
 511 "conviction" means a determination of guilt that is the result  
 512 of a plea or trial, regardless of whether adjudication is  
 513 withheld. This subsection does not limit a board from  
 514 considering an applicant's criminal history that includes any  
 515 crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but  
 516 only if such criminal history has been found to relate to the  
 517 practice of the applicable profession, or any crime if it has  
 518 been found to relate to good moral character.

519 Section 18. For the purpose of incorporating the amendment  
 520 made by this act to section 775.21, Florida Statutes, in a  
 521 reference thereto, subsection (9) of section 507.07, Florida  
 522 Statutes, is reenacted to read:

523 507.07 Violations.—It is a violation of this chapter:

524 (9) For a mover or a moving broker to knowingly refuse or  
 525 fail to disclose in writing to a customer before a household

526 | move that the mover, or an employee or subcontractor of the  
527 | mover or moving broker, who has access to the dwelling or  
528 | property of the customer, including access to give a quote for  
529 | the move, has been convicted of a felony listed in s.  
530 | 775.21(4)(a)1. or convicted of a similar offense of another  
531 | jurisdiction, regardless of when such felony offense was  
532 | committed.

533

534 |       Section 19. This act shall take effect July 1, 2024.