

**By** the Committees on Judiciary; and Criminal Justice; and  
Senators Collins and Hooper

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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 a victim or witness under 18, a person with  
23      intellectual disability, or a sexual offense victim,  
24      change of address on motor vehicle registration  
25      required, color or markings of certain licenses or  
26      identification cards, change of address or name on  
27      driver license or identification card, voluntary  
28      certification of recovery residences, general  
29      licensing provisions, administration of part III of

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30 ch. 489, F.S., and violations of ch. 507, F.S.,  
31 respectively, to incorporate the amendments made to s.  
32 775.21, F.S., in references thereto; providing an  
33 effective date.

34  
35 Be It Enacted by the Legislature of the State of Florida:

36  
37 Section 1. Paragraph (a) of subsection (23) of section  
38 90.803, Florida Statutes, is amended to read:

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

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

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

55 1. The court finds in a hearing conducted outside the  
56 presence of the jury that the time, content, and circumstances  
57 of the statement provide sufficient safeguards of reliability.  
58 In making its determination, the court may consider the mental

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59 and physical age and maturity of the child, the nature and  
60 duration of the abuse or offense, the relationship of the child  
61 to the offender, the reliability of the assertion, the  
62 reliability of the child victim, and any other factor deemed  
63 appropriate; and

64 2. The child either:

65 a. Testifies; or

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

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

72 Section 2. Paragraph (a) of subsection (4) of section  
73 775.21, Florida Statutes, is amended to read:

74 775.21 The Florida Sexual Predators Act.—

75 (4) SEXUAL PREDATOR CRITERIA.—

76 (a) For a current offense committed on or after October 1,  
77 1993, upon conviction, an offender shall be designated as a  
78 "sexual predator" under subsection (5), and subject to  
79 registration under subsection (6) and community and public  
80 notification under subsection (7) if:

81 1. The felony is:

82 a. A capital, life, or first degree felony violation, or  
83 any attempt thereof, of s. 787.01 or s. 787.02, where the victim  
84 is a minor; or s. 787.06(3)(f) or (g), where the victim is a  
85 minor;~~7~~ or s. 794.011, s. 800.04, or s. 847.0145;~~7~~ or a  
86 violation of a similar law of another jurisdiction; or

87 b. Any felony violation, or any attempt thereof, of s.

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88 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
89 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),  
90 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding  
91 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;  
92 s. 800.04; s. 810.145(8)(b); s. 825.1025; s. 827.071; s.  
93 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 895.03, if  
94 the court makes a written finding that the racketeering activity  
95 involved at least one sexual offense listed in this sub-  
96 subparagraph or at least one offense listed in this sub-  
97 subparagraph with sexual intent or motive; s. 916.1075(2); or s.  
98 985.701(1); or a violation of a similar law of another  
99 jurisdiction, and the offender has previously been convicted of  
100 or found to have committed, or has pled nolo contendere or  
101 guilty to, regardless of adjudication, any violation of s.  
102 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
103 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),  
104 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding  
105 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;  
106 s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
107 excluding s. 847.0135(6); s. 847.0145; s. 895.03, if the court  
108 makes a written finding that the racketeering activity involved  
109 at least one sexual offense listed in this sub-subparagraph or  
110 at least one offense listed in this sub-subparagraph with sexual  
111 intent or motive; s. 916.1075(2); or s. 985.701(1); or a  
112 violation of a similar law of another jurisdiction;

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

116 3. A conviction of a felony or similar law of another

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117 jurisdiction necessary to the operation of this paragraph has  
118 not been set aside in any postconviction proceeding.

119 Section 3. For the purpose of incorporating the amendment  
120 made by this act to section 775.21, Florida Statutes, in a  
121 reference thereto, paragraph (c) of subsection (1) of section  
122 16.713, Florida Statutes, is reenacted to read:

123 16.713 Florida Gaming Control Commission; appointment and  
124 employment restrictions.—

125 (1) PERSONS INELIGIBLE FOR APPOINTMENT TO THE COMMISSION.—  
126 The following persons are ineligible for appointment to the  
127 commission:

128 (c) A person who has been convicted of or found guilty of  
129 or pled nolo contendere to, regardless of adjudication, in any  
130 jurisdiction, a crime listed in s. 775.21(4)(a)1. or s. 776.08.

131 Section 4. For the purpose of incorporating the amendment  
132 made by this act to section 775.21, Florida Statutes, in a  
133 reference thereto, paragraph (a) of subsection (3) of section  
134 39.0139, Florida Statutes, is reenacted to read:

135 39.0139 Visitation or other contact; restrictions.—

136 (3) PRESUMPTION OF DETRIMENT.—

137 (a) A rebuttable presumption of detriment to a child is  
138 created when:

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

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

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- 146 a. Section 787.04, relating to removing minors from the  
147 state or concealing minors contrary to court order;
- 148 b. Section 794.011, relating to sexual battery;
- 149 c. Section 798.02, relating to lewd and lascivious  
150 behavior;
- 151 d. Chapter 800, relating to lewdness and indecent exposure;
- 152 e. Section 826.04, relating to incest; or
- 153 f. Chapter 827, relating to the abuse of children; or

154 3. A court of competent jurisdiction has determined a  
155 parent or caregiver to be a sexual predator as defined in s.  
156 775.21 or a parent or caregiver has received a substantially  
157 similar designation under laws of another jurisdiction.

158 Section 5. For the purpose of incorporating the amendment  
159 made by this act to section 775.21, Florida Statutes, in a  
160 reference thereto, paragraph (b) of subsection (6) of section  
161 39.509, Florida Statutes, is reenacted to read:

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

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

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175 following:

176 (b) The designation by a court as a sexual predator as  
177 defined in s. 775.21 or a substantially similar designation  
178 under laws of another jurisdiction.

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

183 39.806 Grounds for termination of parental rights.—

184 (1) Grounds for the termination of parental rights may be  
185 established under any of the following circumstances:

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

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

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

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

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

215 a. The age of the child.

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

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

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

223 e. Any other factor the court deems relevant.

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

226 Section 7. For the purpose of incorporating the amendment  
227 made by this act to section 775.21, Florida Statutes, in a  
228 reference thereto, paragraph (c) of subsection (9) of section  
229 61.13, Florida Statutes, is reenacted to read:

230 61.13 Support of children; parenting and time-sharing;  
231 powers of court.—

232 (9)



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

237 Section 8. For the purpose of incorporating the amendment  
238 made by this act to section 775.21, Florida Statutes, in a  
239 reference thereto, paragraph (b) of subsection (4) of section  
240 63.089, Florida Statutes, is reenacted to read:

241 63.089 Proceeding to terminate parental rights pending  
242 adoption; hearing; grounds; dismissal of petition; judgment.—

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

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

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

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262 home. The period of time begins on the date that the parent  
263 enters into incarceration;

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

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

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

289 63.092 Report to the court of intended placement by an  
290 adoption entity; at-risk placement; preliminary study.-

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291 (3) PRELIMINARY HOME STUDY.—Before placing the minor in the  
292 intended adoptive home, a preliminary home study must be  
293 performed by a licensed child-placing agency, a child-caring  
294 agency registered under s. 409.176, a licensed professional, or  
295 an agency described in s. 61.20(2), unless the adoptee is an  
296 adult or the petitioner is a stepparent or a relative. If the  
297 adoptee is an adult or the petitioner is a stepparent or a  
298 relative, a preliminary home study may be required by the court  
299 for good cause shown. The department is required to perform the  
300 preliminary home study only if there is no licensed child-  
301 placing agency, child-caring agency registered under s. 409.176,  
302 licensed professional, or agency described in s. 61.20(2), in  
303 the county where the prospective adoptive parents reside. The  
304 preliminary home study must be made to determine the suitability  
305 of the intended adoptive parents and may be completed before  
306 identification of a prospective adoptive minor. If the  
307 identified prospective adoptive minor is in the custody of the  
308 department, a preliminary home study must be completed within 30  
309 days after it is initiated. A favorable preliminary home study  
310 is valid for 1 year after the date of its completion. Upon its  
311 completion, a signed copy of the home study must be provided to  
312 the intended adoptive parents who were the subject of the home  
313 study. A minor may not be placed in an intended adoptive home  
314 before a favorable preliminary home study is completed unless  
315 the adoptive home is also a licensed foster home under s.  
316 409.175. The preliminary home study must include, at a minimum:  
317 (a) An interview with the intended adoptive parents.  
318 (b) Records checks of the department's central abuse  
319 registry, which the department shall provide to the entity

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320 conducting the preliminary home study, and criminal records  
321 correspondence checks under s. 39.0138 through the Department of  
322 Law Enforcement on the intended adoptive parents.

323 (c) An assessment of the physical environment of the home.

324 (d) A determination of the financial security of the  
325 intended adoptive parents.

326 (e) Documentation of counseling and education of the  
327 intended adoptive parents on adoptive parenting, as determined  
328 by the entity conducting the preliminary home study. The  
329 training specified in s. 409.175(14) shall only be required for  
330 persons who adopt children from the department.

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

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

337 (h) A copy of each signed acknowledgment of receipt of  
338 disclosure required by s. 63.085.

339

340 If the preliminary home study is favorable, a minor may be  
341 placed in the home pending entry of the judgment of adoption. A  
342 minor may not be placed in the home if the preliminary home  
343 study is unfavorable. If the preliminary home study is  
344 unfavorable, the adoption entity may, within 20 days after  
345 receipt of a copy of the written recommendation, petition the  
346 court to determine the suitability of the intended adoptive  
347 home. A determination as to suitability under this subsection  
348 does not act as a presumption of suitability at the final

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349 hearing. In determining the suitability of the intended adoptive  
350 home, the court must consider the totality of the circumstances  
351 in the home. A minor may not be placed in a home in which there  
352 resides any person determined by the court to be a sexual  
353 predator as defined in s. 775.21 or to have been convicted of an  
354 offense listed in s. 63.089(4)(b)2.

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

360 68.07 Change of name.—

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

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

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

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

401 Section 11. For the purpose of incorporating the amendment  
402 made by this act to section 775.21, Florida Statutes, in a  
403 reference thereto, paragraph (b) of subsection (1) of section  
404 92.55, Florida Statutes, is reenacted to read:

405 92.55 Special protections in proceedings involving victim  
406 or witness under 18, person with intellectual disability, or

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407 sexual offense victim.—

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

409 (b) "Sexual offense" means any offense specified in s.  
410 775.21(4)(a)1. or s. 943.0435(1)(h)1.a.(I).

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

415 320.02 Registration required; application for registration;  
416 forms.—

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

425 Section 13. For the purpose of incorporating the amendment  
426 made by this act to section 775.21, Florida Statutes, in  
427 references thereto, subsection (3) of section 322.141, Florida  
428 Statutes, is reenacted to read:

429 322.141 Color or markings of certain licenses or  
430 identification cards.—

431 (3) All licenses for the operation of motor vehicles or  
432 identification cards originally issued or reissued by the  
433 department to persons who are designated as sexual predators  
434 under s. 775.21 or subject to registration as sexual offenders  
435 under s. 943.0435 or s. 944.607, or who have a similar

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436 designation or are subject to a similar registration under the  
437 laws of another jurisdiction, shall have on the front of the  
438 license or identification card the following:

439 (a) For a person designated as a sexual predator under s.  
440 775.21 or who has a similar designation under the laws of  
441 another jurisdiction, the marking "SEXUAL PREDATOR."

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

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

450 322.19 Change of address or name.—

451 (1) Except as provided in ss. 775.21, 775.261, 943.0435,  
452 944.607, and 985.4815, whenever any person, after applying for  
453 or receiving a driver license or identification card, changes  
454 his or her legal name, that person must within 30 days  
455 thereafter obtain a replacement license or card that reflects  
456 the change.

457 (2) If a person, after applying for or receiving a driver  
458 license or identification card, changes the legal residence or  
459 mailing address in the application, license, or card, the person  
460 must, within 30 calendar days after making the change, obtain a  
461 replacement license or card that reflects the change. A written  
462 request to the department must include the old and new addresses  
463 and the driver license or identification card number. Any person  
464 who has a valid, current student identification card issued by



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465 an educational institution in this state is presumed not to have  
466 changed his or her legal residence or mailing address. This  
467 subsection does not affect any person required to register a  
468 permanent or temporary address change pursuant to s. 775.13, s.  
469 775.21, s. 775.25, or s. 943.0435.

470 Section 15. For the purpose of incorporating the amendment  
471 made by this act to section 775.21, Florida Statutes, in a  
472 reference thereto, paragraph (b) of subsection (10) of section  
473 397.487, Florida Statutes, is reenacted to read:

474 397.487 Voluntary certification of recovery residences.—

475 (10)

476 (b) A certified recovery residence may not allow a minor  
477 child to visit a parent who is a resident of the recovery  
478 residence at any time if any resident of the recovery residence  
479 is currently required to register as a sexual predator under s.  
480 775.21 or as a sexual offender under s. 943.0435.

481 Section 16. For the purpose of incorporating the amendment  
482 made by this act to section 775.21, Florida Statutes, in a  
483 reference thereto, paragraph (b) of subsection (3) of section  
484 455.213, Florida Statutes, is reenacted to read:

485 455.213 General licensing provisions.—

486 (3)

487 (b)1. A conviction, or any other adjudication, for a crime  
488 more than 5 years before the date the application is received by  
489 the applicable board may not be grounds for denial of a license  
490 specified in paragraph (a). For purposes of this paragraph, the  
491 term "conviction" means a determination of guilt that is the  
492 result of a plea or trial, regardless of whether adjudication is  
493 withheld. This paragraph does not limit the applicable board

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494 from considering an applicant's criminal history that includes a  
495 crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but  
496 only if such criminal history has been found to relate to the  
497 practice of the applicable profession.

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

502 Section 17. For the purpose of incorporating the amendment  
503 made by this act to section 775.21, Florida Statutes, in a  
504 reference thereto, subsection (7) of section 489.553, Florida  
505 Statutes, is reenacted to read:

506 489.553 Administration of part; registration  
507 qualifications; examination.-

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

521 Section 18. For the purpose of incorporating the amendment  
522 made by this act to section 775.21, Florida Statutes, in a

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523 reference thereto, subsection (9) of section 507.07, Florida  
524 Statutes, is reenacted to read:

525 507.07 Violations.—It is a violation of this chapter:

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

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