

1                                   A bill to be entitled  
2           An act relating to harm to minors; providing a short  
3           title; creating s. 501.173, F.S.; defining terms;  
4           requiring manufacturers of tablets or smartphones to  
5           manufacture, beginning on a specified date, such  
6           devices so that a filter meeting certain requirements  
7           is enabled upon activation of the device in this  
8           state; subjecting such manufacturers to civil and  
9           criminal liability for certain acts of noncompliance;  
10          providing applicability; providing civil liability for  
11          persons who enable a password to remove the required  
12          filter on a device in the possession of a minor under  
13          certain circumstances; authorizing the Attorney  
14          General to enjoin or bring certain actions, issue  
15          subpoenas, conduct hearings, and seek revocation of  
16          applicable licenses or certificates; providing  
17          damages; authorizing a parent or legal guardian to  
18          bring a civil action against certain parties who  
19          violate the act under certain circumstances; providing  
20          criminal penalties; amending s. 787.025, F.S.;  
21          increasing criminal penalties for adults who  
22          intentionally lure or entice, or who attempt to lure  
23          or entice, children under the age of 12 into a  
24          structure, dwelling, or conveyance for other than a  
25          lawful purpose; increasing criminal penalties for

26 committing a second or subsequent offense; increasing  
27 criminal penalties for persons with specified previous  
28 convictions who commit such offense; creating s.  
29 827.12, F.S.; defining the terms "inappropriate  
30 relationship" and "sexual excitement"; prohibiting  
31 persons who are of at least a specified age from  
32 knowingly engaging in any communication that is part  
33 of a pattern of communication or behavior that meets  
34 specified criteria; prohibiting persons who are of at  
35 least a specified age from knowingly using specified  
36 devices to seduce, solicit, lure, or entice minors to,  
37 or attempt to, share specified images or recorded  
38 images; providing criminal penalties; providing  
39 enhanced criminal penalties; providing applicability;  
40 amending s. 921.0022, F.S.; ranking offenses on the  
41 offense severity ranking chart of the Criminal  
42 Punishment Code; amending ss. 943.0435, 944.606, and  
43 944.607, F.S.; revising the definition of the term  
44 "sexual offender"; reenacting ss. 61.13(2)(c) and  
45 (9)(c), 68.07(3)(i) and (6), 92.55(1)(b),  
46 98.0751(2)(b), 394.9125(2), 397.487(10)(b),  
47 435.07(4)(b), 775.0862(2), 900.05(2)(cc),  
48 903.046(2)(m), 903.133, 907.043(4)(b), 921.1425(7)(d),  
49 934.255(2)(a), 938.10(1), 943.0584(2), 943.0595(2)(a),  
50 944.607(4)(a) and (9), 947.1405(12), 948.013(2)(b),

51 948.05(2)(f), 948.30(4), 985.4815(9), and  
52 1012.467(2)(b), F.S., relating to support of children,  
53 parenting and time-sharing, and powers of court;  
54 change of name; special protections in proceedings  
55 involving a victim or witness younger than 18 years of  
56 age, a person with an intellectual disability, or a  
57 sexual offense victim; restoration of voting rights  
58 and termination of ineligibility subsequent to a  
59 felony conviction; state attorneys and the authority  
60 to refer a person for civil commitment; voluntary  
61 certification of recovery residences; exemptions from  
62 disqualification; sexual offenses against students by  
63 authority figures and reclassification; criminal  
64 justice data collection; purpose of and criteria for  
65 bail determination; bail on appeal, prohibited for  
66 certain felony convictions; pretrial release and  
67 citizens' right to know; sentences of death or life  
68 imprisonment for capital sexual battery and further  
69 proceedings to determine sentence; subpoenas in  
70 investigations of sexual offenses; additional court  
71 cost imposed in cases of certain crimes; criminal  
72 history records ineligible for court-ordered  
73 expunction or court-ordered sealing; automatic sealing  
74 of criminal history records and confidentiality of  
75 related court records; notification to the Department

76 of Law Enforcement of information on sexual offenders;  
77 conditional release program; administrative probation;  
78 court to admonish or commend probationer or offender  
79 in community control and graduated incentives;  
80 additional terms and conditions of probation or  
81 community control for certain sex offenses;  
82 notification to the department of information on  
83 juvenile sexual offenders; and noninstructional  
84 contractors who are permitted access to school grounds  
85 when students are present and background screening  
86 requirements, respectively, to incorporate the  
87 amendment made to s. 943.0435, F.S., in references  
88 thereto; reenacting s. 944.608(7), F.S., relating to  
89 notification to the department of information on  
90 career offenders, to incorporate the amendment made to  
91 s. 944.607, F.S., in a reference thereto; reenacting  
92 s. 943.0435(3) and (4)(a), F.S., relating to sexual  
93 offenders required to register with the department and  
94 penalties, to incorporate the amendments made to ss.  
95 944.606 and 944.607, F.S., in references thereto;  
96 reenacting ss. 320.02(4), 322.141(3), 322.19(1) and  
97 (2), 775.13(4), 775.21(5)(d), (6)(f), and (10)(d),  
98 775.261(3)(b), 948.06(4), and 948.063, F.S., relating  
99 to registration required, applications for  
100 registration, and forms; color or markings of certain

101 licenses or identification cards; change of address or  
102 name; registration of convicted felons, exemptions,  
103 and penalties; the Florida Sexual Predators Act; the  
104 Florida Career Offender Registration Act; violation of  
105 probation or community control, revocation,  
106 modification, continuance, and failure to pay  
107 restitution or cost of supervision; and violations of  
108 probation or community control by designated sexual  
109 offenders and sexual predators, respectively, to  
110 incorporate the amendments made by this act to ss.  
111 943.0435 and 944.607, F.S., in references thereto;  
112 reenacting ss. 775.24(2), 775.25, 943.0436(2), 948.31,  
113 and 985.04(6)(b), F.S., relating to the duty of the  
114 court to uphold laws governing sexual predators and  
115 sexual offenders; prosecutions for acts or omissions;  
116 the duty of the court to uphold laws governing sexual  
117 predators and sexual offenders; evaluation and  
118 treatment of sexual predators and offenders on  
119 probation or community control; and oaths, records,  
120 and confidential information, respectively, to  
121 incorporate the amendments made to ss. 943.0435,  
122 944.606, and 944.607, F.S., in references thereto;  
123 providing an effective date.

124  
125 Be It Enacted by the Legislature of the State of Florida:

126  
127       **Section 1.** This act may be cited as the "Protect Our  
128 Children Act."

129       **Section 2. Section 501.173, Florida Statutes, is created**  
130 **to read:**

131       501.173 Filtering of material harmful to minors on  
132 devices.—

133       (1) DEFINITIONS.—As used in this section, the term:

134       (a) "Activate" means the process of powering on a device  
135 and associating it with a new user account.

136       (b) "Device" means a tablet or smartphone manufactured on  
137 or after January 1, 2026.

138       (c) "Filter" means software installed on a device which is  
139 capable of preventing the device from accessing or displaying  
140 material that is harmful to minors through the Internet or  
141 through an application owned and controlled by the manufacturer  
142 and installed on the device.

143       (d) "Harmful to minors" has the same meaning as in s.  
144 847.001.

145       (e) "Internet" means the global information system  
146 logically linked together by a globally unique address space  
147 based on the Internet protocol (IP), or its subsequent  
148 extensions, which is able to support communications using the  
149 transmission control protocol/Internet protocol suite, or its  
150 subsequent extensions, or other IP-compatible protocols, and

151 which provides, uses, or makes accessible, either publicly or  
152 privately, high-level services layered on communications and  
153 related infrastructure.

154 (f) "Manufacturer" means a person that:

155 1. Is engaged in the business of manufacturing a device;

156 and

157 2. Has a registered agent in this state in accordance with  
158 part I of chapter 607.

159 (g) "Minor" means an individual younger than 18 years of  
160 age who is not emancipated, married, or a member of the Armed  
161 Forces of the United States.

162 (h) "Smartphone" means an electronic device that combines  
163 a cellular phone with a handheld computer, typically offering  
164 Internet access, data storage, texting, and e-mail capabilities.

165 (i) "Tablet" means an Internet-ready device equipped with  
166 an operating system, a touchscreen display, and a rechargeable  
167 battery which has the ability to support access to a cellular  
168 network.

169 (2) FILTER REQUIRED.—Beginning on January 1, 2026, a  
170 manufacturer shall manufacture a device that, when activated in  
171 this state, automatically enables a filter that does all of the  
172 following:

173 (a) Prevents the user from accessing or downloading  
174 material that is harmful to minors on any of the following:

175 1. A mobile data network.

176 2. An application owned and controlled by the  
177 manufacturer.

178 3. A wired Internet network.

179 4. A wireless Internet network.

180 (b) Notifies the user of the device when the filter blocks  
181 the device from downloading an application or accessing an  
182 Internet website.

183 (c) Gives a user with a password the opportunity to  
184 unblock a filtered application or website.

185 (d) Reasonably precludes a user other than a user with a  
186 password the opportunity to deactivate, modify, or uninstall the  
187 filter.

188 (3) MANUFACTURER LIABILITY.—

189 (a) Beginning January 1, 2026, a manufacturer of a device  
190 is subject to civil and criminal liability if:

191 1. The device is activated in this state;

192 2. The device does not, upon activation, enable a filter  
193 that complies with the requirements described in subsection (2);  
194 and

195 3. A minor accesses material that is harmful to minors on  
196 the device.

197 (b) Notwithstanding paragraph (a), this section does not  
198 apply to a manufacturer that makes a good faith effort to  
199 provide a device that, upon activation of the device in this  
200 state, automatically enables a generally accepted and



201 commercially reasonable filter in accordance with this section  
202 and industry standards.

203 (4) INDIVIDUAL LIABILITY.—With the exception of a minor's  
204 parent or legal guardian, any person may be liable in a civil  
205 action for enabling the password to remove the filter on a  
206 device in the possession of a minor if the minor accesses  
207 content that is harmful to minors on the device.

208 (5) PROCEEDINGS BY THE ATTORNEY GENERAL.—

209 (a) If the Attorney General has reason to believe a person  
210 violated or is violating this section, the Attorney General,  
211 acting in the public interest, may do any of the following:

212 1. Enjoin an action that constitutes a violation of this  
213 section by issuing a temporary restraining order or preliminary  
214 or permanent injunction.

215 2. Bring an action to recover from the alleged violator a  
216 civil penalty not to exceed \$5,000 per violation and not to  
217 exceed a total of \$50,000 in the aggregate, as determined by the  
218 court.

219 3. Bring an action to recover from the alleged violator  
220 the Attorney General's reasonable expenses, investigative costs,  
221 and attorney fees.

222 4. Bring an action to obtain other appropriate relief as  
223 provided for under this section.

224 (b) The Attorney General, in addition to other powers  
225 conferred upon him or her by this subsection, may issue

226 subpoenas to any person and conduct hearings in aid of any  
227 investigation or inquiry.

228 (c) The Attorney General may seek the revocation of any  
229 license or certificate authorizing a manufacturer to engage in  
230 business in this state.

231 (d) For purposes of assessing a penalty under this  
232 section, a manufacturer is considered to have committed a  
233 separate violation for each device manufactured on or after  
234 January 1, 2026, which violates this section.

235 (6) CIVIL ACTION BY THE PARENT OR LEGAL GUARDIAN.—

236 (a) Any parent or legal guardian of a minor who accesses  
237 content that is harmful to minors in violation of this section  
238 may bring a private cause of action in any court of competent  
239 jurisdiction against a manufacturer that failed to comply with  
240 this section. A prevailing plaintiff may recover any of the  
241 following:

242 1. Actual damages or, in the discretion of the court when  
243 actual damages are difficult to ascertain due to the nature of  
244 the injury, liquidated damages in the amount of \$50,000 for each  
245 violation.

246 2. When a violation is found to be knowing and willful,  
247 punitive damages in an amount determined by the court.

248 3. Nominal damages.

249 4. Such other relief as the court deems appropriate,  
250 including court costs and expenses.

251 5. For a prevailing plaintiff, the collection of attorney  
252 fees against a violating manufacturer.

253 (b) This section does not preclude the bringing of a class  
254 action lawsuit against a manufacturer when its conduct in  
255 violation of this section is knowing and willful.

256 (c) Any parent or legal guardian of a child may bring an  
257 action in a court of competent jurisdiction against any person  
258 who is not the parent or legal guardian of the child and who  
259 enables the password to remove the filter from a device in the  
260 possession of the child which results in the child's exposure to  
261 content that is harmful to minors.

262 (7) CRIMINAL PENALTIES.—

263 (a) Beginning on January 1, 2026, a person, with the  
264 exception of a parent or legal guardian, may not enable the  
265 password to remove the filter on a device in the possession of a  
266 minor.

267 (b) A person who violates paragraph (a) is subject to a  
268 fine not to exceed \$5,000 for a first offense and not to exceed  
269 \$50,000 for a second offense. However, a person who violates  
270 paragraph (a) for a second or subsequent time within 1 year  
271 after the first violation commits a misdemeanor of the first  
272 degree, punishable as provided in s. 775.082 or s. 775.083.

273 **Section 3. Subsection (2) of section 787.025, Florida**  
274 **Statutes, is amended to read:**

275 787.025 Luring or enticing a child.—

276 (2) (a) A person 18 years of age or older who intentionally  
 277 lures or entices, or attempts to lure or entice, a child under  
 278 the age of 12 into a structure, dwelling, or conveyance for  
 279 other than a lawful purpose commits a felony ~~misdemeanor~~ of the  
 280 third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~ s.  
 281 775.083, or s. 775.084.

282 (b) A person 18 years of age or older who, having been  
 283 previously convicted of a violation of paragraph (a),  
 284 intentionally lures or entices, or attempts to lure or entice, a  
 285 child under the age of 12 into a structure, dwelling, or  
 286 conveyance for other than a lawful purpose commits a felony of  
 287 the second ~~third~~ degree, punishable as provided in s. 775.082,  
 288 s. 775.083, or s. 775.084.

289 (c) A person 18 years of age or older who, having been  
 290 previously convicted of a violation of chapter 794, s. 800.04,  
 291 or s. 847.0135(5), or a violation of a similar law of another  
 292 jurisdiction, intentionally lures or entices, or attempts to  
 293 lure or entice, a child under the age of 12 into a structure,  
 294 dwelling, or conveyance for other than a lawful purpose commits  
 295 a felony of the second ~~third~~ degree, punishable as provided in  
 296 s. 775.082, s. 775.083, or s. 775.084.

297 **Section 4. Section 827.12, Florida Statutes, is created to**  
 298 **read:**

299 827.12 Harmful communication with a minor; penalty.-

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

301 (a) "Inappropriate relationship" means a relationship in  
302 which a person 18 years of age or older engages in communication  
303 with a minor which is explicit and includes detailed verbal  
304 descriptions or narrative accounts of sexual conduct as defined  
305 in s. 847.001 or sexual excitement for the purpose of sexual  
306 excitement of either party using a computer online service,  
307 Internet service, local bulletin board service, or any other  
308 means or device capable of electronic data storage or  
309 transmission.

310 (b) "Sexual excitement" has the same meaning as in s.  
311 847.001.

312 (2)(a) A person 18 years of age or older may not knowingly  
313 engage in any communication that is part of a pattern of  
314 communication or behavior that is:

315 1. Designed to maintain an inappropriate relationship with  
316 a minor or another person believed by the person to be a minor;  
317 or

318 2. Harmful to minors as defined in s. 847.001.

319 (b) A person 18 years of age or older may not knowingly  
320 use a computer online service, Internet service, local bulletin  
321 board service, or any other means or device capable of  
322 electronic data storage or transmission to seduce, solicit,  
323 lure, or entice, or attempt to seduce, solicit, lure, or entice,  
324 a minor or another person believed by the person to be a minor  
325 to share an image or a recorded image depicting nudity of the

326 minor for the sexual excitement of either party. As used in this  
 327 paragraph, nudity has the same meaning as in s. 847.001.

328 (c) A person who violates this subsection commits the  
 329 offense of harmful communication with a minor.

330 (3)(a) Except as provided in paragraph (b), a person who  
 331 violates this section commits a felony of the third degree,  
 332 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

333 (b) A person who violates this section with a minor who is  
 334 younger than 12 years of age commits a felony of the second  
 335 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 336 775.084.

337 (4) This section does not apply to any act of medical  
 338 diagnosis, treatment, or educational conversations by a parent,  
 339 caregiver, or educator for the purposes of sex education which  
 340 is not intended to elicit sexual excitement.

341 **Section 5. Paragraphs (c) and (e) of subsection (3) of**  
 342 **section 921.0022, Florida Statutes, are amended to read:**

343 921.0022 Criminal Punishment Code; offense severity  
 344 ranking chart.—

345 (3) OFFENSE SEVERITY RANKING CHART

346 (c) LEVEL 3

347

Florida	Felony	
Statute	Degree	Description

348

349	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
350	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
351	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
352	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
353	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
354	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.

HB 1503

2025

355	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
356	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
357	327.35(2)(b)	3rd	Felony BUI.
358	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
359	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.



360	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
361	379.2431 (1) (e) 6.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
362	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
363	400.9935 (4) (a)	3rd	Operating a clinic, or

364	or (b)		offering services requiring licensure, without a license.
	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
365	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
366	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
367	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
368	624.401 (4) (b) 1.	3rd	Transacting insurance

			without a certificate of authority; premium collected less than \$20,000.
369	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
370	697.08	3rd	Equity skimming.
371	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
372	794.053	3rd	Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.
373	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
374	806.10 (2)	3rd	Interferes with or assaults

firefighter in performance  
of duty.

375

810.09(2)(b)

3rd

Trespass on property  
other than structure or  
conveyance armed with  
firearm or dangerous  
weapon.

376

810.145(2)(c)

3rd

Digital voyeurism; 19  
years of age or older.

377

812.014(2)(c)2.

3rd

Grand theft;  
\$5,000 or more but  
less than \$10,000.

378

812.0145(2)(c)

3rd

Theft from person  
65 years of age or  
older; \$300 or more  
but less than  
\$10,000.

379

812.015(8)(b)

3rd

Retail theft with  
intent to sell;  
conspires with

380			others.
	812.081 (2)	3rd	Theft of a trade secret.
381			
	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
382			
	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
383			
	817.233	3rd	Burning to defraud insurer.
384			
	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
385			
	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.

HB 1503

2025

386	817.236	3rd	Filing a false motor vehicle insurance application.
387	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
388	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
389	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
390	<u>827.12 (3) (a)</u>	<u>3rd</u>	<u>Harmful communication with a minor who is 12 years of age or older.</u>
391	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to

392			defraud or possessing a counterfeit payment instrument with intent to defraud.
393	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
394	836.13 (2)	3rd	Person who promotes an altered sexual depiction of an identifiable person without consent.
395	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
396	847.01385	3rd	Harmful communication to a minor.
397	860.15 (3)	3rd	Overcharging for repairs and parts.
	870.01 (2)	3rd	Riot.

398	870.01 (4)	3rd	Inciting a riot.
399	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs).
400	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs within 1,000 feet of university.
401	893.13 (1) (f) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6.,



(2) (c) 7., (2) (c) 8.,  
 (2) (c) 9., (2) (c) 10., (3),  
 or (4) drugs within 1,000  
 feet of public housing  
 facility.

402

893.13 (4) (c)

3rd

Use or hire of minor;  
 deliver to minor other  
 controlled substances.

403

893.13 (6) (a)

3rd

Possession of any  
 controlled substance  
 other than felony  
 possession of cannabis.

404

893.13 (7) (a) 8.

3rd

Withhold information  
 from practitioner  
 regarding previous  
 receipt of or  
 prescription for a  
 controlled substance.

405

893.13 (7) (a) 9.

3rd

Obtain or attempt to obtain  
 controlled substance by fraud,  
 forgery, misrepresentation,

etc.

406

893.13(7)(a)10.

3rd Affix false or forged label to package of controlled substance.

407

893.13(7)(a)11.

3rd Furnish false or fraudulent material information on any document or record required by chapter 893.

408

893.13(8)(a)1.

3rd Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

409

893.13(8)(a)2.

3rd Employ a trick or scheme in the practitioner's

practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

410

893.13 (8) (a) 3.

3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

411

893.13 (8) (a) 4.

3rd

Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

412

918.13 (1)

3rd

Tampering with or fabricating physical evidence.

413

944.47

3rd

Introduce contraband to

414	(1) (a) 1. & 2.		correctional facility.
	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
415	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
416			
417	(e) LEVEL 5		
418			
	Florida Statute	Felony Degree	Description
419	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
420	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.

HB 1503

2025

421	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
422	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
423	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
424	379.365 (2) (c) 1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags

or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

425

379.367(4)

3rd

Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

426

379.407(5)(b)3.

3rd

Possession of 100 or more undersized spiny lobsters.

427

381.0041(11)(b)

3rd

Donate blood, plasma, or organs knowing HIV positive.

428	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
429	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
430	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
431	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
432	626.902 (1) (c)	2nd	Representing an unauthorized insurer;

repeat offender.

433

790.01 (3) 3rd Unlawful carrying of a  
concealed firearm.

434

790.162 2nd Threat to throw or discharge  
destructive device.

435

790.163 (1) 2nd False report of bomb,  
explosive, weapon of mass  
destruction, or use of  
firearms in violent manner.

436

790.221 (1) 2nd Possession of short-  
barreled shotgun or  
machine gun.

437

790.23 2nd Felons in possession of  
firearms, ammunition, or  
electronic weapons or devices.

438

796.05 (1) 2nd Live on earnings of a  
prostitute; 1st offense.

439

800.04 (6) (c) 3rd Lewd or lascivious



			conduct; offender less than 18 years of age.
440	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
441	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
442	810.145 (4) (c)	3rd	Commercial digital voyeurism dissemination.
443	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
444	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
445	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed

curtilage, or any  
combination.

446

812.0145 (2) (b)

2nd Theft from person  
65 years of age or  
older; \$10,000 or  
more but less than  
\$50,000.

447

812.015  
(8) (a) & (c) - (e)

3rd Retail theft; property  
stolen is valued at \$750 or  
more and one or more  
specified acts.

448

812.015 (8) (f)

3rd Retail theft;  
multiple thefts  
within specified  
period.

449

812.015 (8) (g)

3rd Retail theft;  
committed with  
specified number of  
other persons.

450

812.019 (1)

2nd Stolen property; dealing in

or trafficking in.

451

812.081 (3)

2nd

Trafficking in trade secrets.

452

812.131 (2) (b)

3rd

Robbery by sudden snatching.

453

812.16 (2)

3rd

Owning, operating, or conducting a chop shop.

454

817.034 (4) (a) 2.

2nd

Communications fraud, value \$20,000 to \$50,000.

455

827.12 (3) (b)

2nd

Harmful communication with a minor younger than 12 years of age.

456

817.234 (11) (b)

2nd

Insurance fraud; property value \$20,000 or more but less than \$100,000.

457

817.2341 (1),  
(2) (a) & (3) (a)

3rd

Filing false financial statements, making false

entries of material fact  
or false statements  
regarding property values  
relating to the solvency  
of an insuring entity.

458

817.568 (2) (b)

2nd

Fraudulent use of personal  
identification information;  
value of benefit, services  
received, payment avoided,  
or amount of injury or  
fraud, \$5,000 or more or  
use of personal  
identification information  
of 10 or more persons.

459

817.611 (2) (a)

2nd

Traffic in or possess 5  
to 14 counterfeit credit  
cards or related  
documents.

460

817.625 (2) (b)

2nd

Second or subsequent  
fraudulent use of  
scanning device,  
skimming device, or

461	825.1025 (4)	3rd	reencoder. Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
462	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
463	836.14 (4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
464	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or

death.

465

843.01 (1)

3rd

Resist officer with  
violence to person;  
resist arrest with  
violence.

466

847.0135 (5) (b)

2nd

Lewd or lascivious  
exhibition using  
computer; offender 18  
years or older.

467

847.0137  
(2) & (3)

3rd

Transmission of pornography by  
electronic device or  
equipment.

468

847.0138  
(2) & (3)

3rd

Transmission of material  
harmful to minors to a minor  
by electronic device or  
equipment.

469

874.05 (1) (b)

2nd

Encouraging or recruiting  
another to join a  
criminal gang; second or  
subsequent offense.

470	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
471	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
472	893.13 (1) (c) 2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned

recreational facility or  
community center.

473

893.13(1)(d)1.

1st

Sell, manufacture, or  
deliver cocaine (or other  
s. 893.03(1)(a), (1)(b),  
(1)(d), (2)(a), (2)(b),  
or (2)(c)5. drugs) within  
1,000 feet of university.

474

893.13(1)(e)2.

2nd

Sell, manufacture, or  
deliver cannabis or other  
drug prohibited under s.  
893.03(1)(c), (2)(c)1.,  
(2)(c)2., (2)(c)3.,  
(2)(c)6., (2)(c)7.,  
(2)(c)8., (2)(c)9.,  
(2)(c)10., (3), or (4)  
within 1,000 feet of  
property used for  
religious services or a  
specified business site.

475

893.13(1)(f)1.

1st

Sell, manufacture, or  
deliver cocaine (or other



s. 893.03(1) (a), (1) (b),  
 (1) (d), or (2) (a),  
 (2) (b), or (2) (c) 5.  
 drugs) within 1,000 feet  
 of public housing  
 facility.

476

893.13(4) (b)

2nd

Use or hire of minor;  
 deliver to minor other  
 controlled substance.

477

893.1351(1)

3rd

Ownership, lease, or rental  
 for trafficking in or  
 manufacturing of controlled  
 substance.

478

**Section 6. Paragraph (h) of subsection (1) of section  
 943.0435, Florida Statutes, is amended to read:**

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

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

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

a.(I) Has been convicted of committing, or attempting,

488 | soliciting, or conspiring to commit, any of the criminal  
489 | offenses proscribed in the following statutes in this state or  
490 | similar offenses in another jurisdiction: s. 393.135(2); s.  
491 | 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where  
492 | the victim is a minor; s. 787.06(3)(b), (d), (f), or (g); former  
493 | s. 787.06(3)(h); s. 794.011, excluding s. 794.011(10); s.  
494 | 794.05; former s. 796.03; former s. 796.035; s. 800.04; s.  
495 | 810.145(8); s. 825.1025; s. 827.071; s. 827.12; s. 847.0133; s.  
496 | 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s.  
497 | 847.0145; s. 895.03, if the court makes a written finding that  
498 | the racketeering activity involved at least one sexual offense  
499 | listed in this sub-sub-subparagraph or at least one offense  
500 | listed in this sub-sub-subparagraph with sexual intent or  
501 | motive; s. 916.1075(2); or s. 985.701(1); or any similar offense  
502 | committed in this state which has been redesignated from a  
503 | former statute number to one of those listed in this sub-sub-  
504 | subparagraph; and

505 |       (II) Has been released on or after October 1, 1997, from a  
506 | sanction imposed for any conviction of an offense described in  
507 | sub-sub-subparagraph (I) and does not otherwise meet the  
508 | criteria for registration as a sexual offender under chapter 944  
509 | or chapter 985. For purposes of this sub-sub-subparagraph, a  
510 | sanction imposed in this state or in any other jurisdiction  
511 | means probation, community control, parole, conditional release,  
512 | control release, or incarceration in a state prison, federal

513 | prison, contractor-operated correctional facility, or local  
514 | detention facility. If no sanction is imposed, the person is  
515 | deemed to be released upon conviction;

516 |       b. Establishes or maintains a residence in this state and  
517 | who has not been designated as a sexual predator by a court of  
518 | this state but who has been designated as a sexual predator, as  
519 | a sexually violent predator, or any other sexual offender  
520 | designation in another state or jurisdiction and was, as a  
521 | result of such designation, subjected to registration or  
522 | community or public notification, or both, or would be if the  
523 | person were a resident of that state or jurisdiction, without  
524 | regard to whether the person otherwise meets the criteria for  
525 | registration as a sexual offender;

526 |       c. Establishes or maintains a residence in this state who  
527 | is in the custody or control of, or under the supervision of,  
528 | any other state or jurisdiction as a result of a conviction for  
529 | committing, or attempting, soliciting, or conspiring to commit,  
530 | any of the criminal offenses proscribed in the following  
531 | statutes or similar offense in another jurisdiction: s.  
532 | 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.  
533 | 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),  
534 | (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding  
535 | s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;  
536 | s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 827.12; s.  
537 | 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.

538 847.0138; s. 847.0145; s. 895.03, if the court makes a written  
539 finding that the racketeering activity involved at least one  
540 sexual offense listed in this sub-subparagraph or at least one  
541 offense listed in this sub-subparagraph with sexual intent or  
542 motive; s. 916.1075(2); or s. 985.701(1); or any similar offense  
543 committed in this state which has been redesignated from a  
544 former statute number to one of those listed in this sub-  
545 subparagraph; or

546 d. On or after July 1, 2007, has been adjudicated  
547 delinquent for committing, or attempting, soliciting, or  
548 conspiring to commit, any of the criminal offenses proscribed in  
549 the following statutes in this state or similar offenses in  
550 another jurisdiction when the juvenile was 14 years of age or  
551 older at the time of the offense:

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

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

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

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

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

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

566  
 567 For each violation of a qualifying offense listed in this  
 568 subsection, except for a violation of s. 794.011, the court  
 569 shall make a written finding of the age of the victim at the  
 570 time of the offense. For a violation of s. 800.04(4), the court  
 571 shall also make a written finding indicating whether the offense  
 572 involved sexual activity and indicating whether the offense  
 573 involved force or coercion. For a violation of s. 800.04(5), the  
 574 court shall also make a written finding that the offense did or  
 575 did not involve unclothed genitals or genital area and that the  
 576 offense did or did not involve the use of force or coercion.

577           **Section 7. Paragraph (f) of subsection (1) of section**  
 578 **944.606, Florida Statutes, is amended to read:**

579           944.606 Sexual offenders; notification upon release.—

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

581           (f) "Sexual offender" means a person who has been  
 582 convicted of committing, or attempting, soliciting, or  
 583 conspiring to commit, any of the criminal offenses proscribed in  
 584 the following statutes in this state or similar offenses in  
 585 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,  
 586 s. 787.02, or s. 787.025(2)(c), where the victim is a minor; s.  
 587 787.06(3)(b), (d), (f), or (g); former s. 787.06(3)(h); s.

588 794.011, excluding s. 794.011(10); s. 794.05; former s. 796.03;  
589 former s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.  
590 827.071; s. 827.12; s. 847.0133; s. 847.0135, excluding s.  
591 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 895.03,  
592 if the court makes a written finding that the racketeering  
593 activity involved at least one sexual offense listed in this  
594 paragraph or at least one offense listed in this paragraph with  
595 sexual intent or motive; s. 916.1075(2); or s. 985.701(1); or  
596 any similar offense committed in this state which has been  
597 redesignated from a former statute number to one of those listed  
598 in this subsection, when the department has received verified  
599 information regarding such conviction; an offender's  
600 computerized criminal history record is not, in and of itself,  
601 verified information.

602 **Section 8. Paragraph (f) of subsection (1) of section**  
603 **944.607, Florida Statutes, is amended to read:**

604 944.607 Notification to Department of Law Enforcement of  
605 information on sexual offenders.—

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

607 (f) "Sexual offender" means a person who is in the custody  
608 or control of, or under the supervision of, the department or is  
609 in the custody of a contractor-operated correctional facility:

610 1. On or after October 1, 1997, as a result of a  
611 conviction for committing, or attempting, soliciting, or  
612 conspiring to commit, any of the criminal offenses proscribed in

613 the following statutes in this state or similar offenses in  
614 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,  
615 s. 787.02, or s. 787.025(2)(c), where the victim is a minor; s.  
616 787.06(3)(b), (d), (f), or (g); former s. 787.06(3)(h); s.  
617 794.011, excluding s. 794.011(10); s. 794.05; former s. 796.03;  
618 former s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.  
619 827.071; s. 827.12; s. 847.0133; s. 847.0135, excluding s.  
620 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 895.03,  
621 if the court makes a written finding that the racketeering  
622 activity involved at least one sexual offense listed in this  
623 subparagraph or at least one offense listed in this subparagraph  
624 with sexual intent or motive; s. 916.1075(2); or s. 985.701(1);  
625 or any similar offense committed in this state which has been  
626 redesignated from a former statute number to one of those listed  
627 in this paragraph; or

628 2. Who establishes or maintains a residence in this state  
629 and who has not been designated as a sexual predator by a court  
630 of this state but who has been designated as a sexual predator,  
631 as a sexually violent predator, or by another sexual offender  
632 designation in another state or jurisdiction and was, as a  
633 result of such designation, subjected to registration or  
634 community or public notification, or both, or would be if the  
635 person were a resident of that state or jurisdiction, without  
636 regard as to whether the person otherwise meets the criteria for  
637 registration as a sexual offender.

638           **Section 9.** For the purpose of incorporating the amendment  
639 made by this act to section 943.0435, Florida Statutes, in  
640 references thereto, paragraph (c) of subsection (2) and  
641 paragraph (c) of subsection (9) of section 61.13, Florida  
642 Statutes, are reenacted to read:

643           61.13 Support of children; parenting and time-sharing;  
644 powers of court.—

645           (2)

646           (c) The court shall determine all matters relating to  
647 parenting and time-sharing of each minor child of the parties in  
648 accordance with the best interests of the child and in  
649 accordance with the Uniform Child Custody Jurisdiction and  
650 Enforcement Act, except that modification of a parenting plan  
651 and time-sharing schedule requires a showing of a substantial  
652 and material change of circumstances.

653           1. It is the public policy of this state that each minor  
654 child has frequent and continuing contact with both parents  
655 after the parents separate or the marriage of the parties is  
656 dissolved and to encourage parents to share the rights and  
657 responsibilities, and joys, of childrearing. Unless otherwise  
658 provided in this section or agreed to by the parties, there is a  
659 rebuttable presumption that equal time-sharing of a minor child  
660 is in the best interests of the minor child. To rebut this  
661 presumption, a party must prove by a preponderance of the  
662 evidence that equal time-sharing is not in the best interests of



663 the minor child. Except when a time-sharing schedule is agreed  
664 to by the parties and approved by the court, the court must  
665 evaluate all of the factors set forth in subsection (3) and make  
666 specific written findings of fact when creating or modifying a  
667 time-sharing schedule.

668 2. The court shall order that the parental responsibility  
669 for a minor child be shared by both parents unless the court  
670 finds that shared parental responsibility would be detrimental  
671 to the child. In determining detriment to the child, the court  
672 shall consider:

673 a. Evidence of domestic violence, as defined in s. 741.28;

674 b. Whether either parent has or has had reasonable cause  
675 to believe that he or she or his or her minor child or children  
676 are or have been in imminent danger of becoming victims of an  
677 act of domestic violence as defined in s. 741.28 or sexual  
678 violence as defined in s. 784.046(1)(c) by the other parent  
679 against the parent or against the child or children whom the  
680 parents share in common regardless of whether a cause of action  
681 has been brought or is currently pending in the court;

682 c. Whether either parent has or has had reasonable cause  
683 to believe that his or her minor child or children are or have  
684 been in imminent danger of becoming victims of an act of abuse,  
685 abandonment, or neglect, as those terms are defined in s. 39.01,  
686 by the other parent against the child or children whom the  
687 parents share in common regardless of whether a cause of action

688 | has been brought or is currently pending in the court; and

689 |       d. Any other relevant factors.

690 |       3. The following evidence creates a rebuttable presumption  
691 | that shared parental responsibility is detrimental to the child:

692 |       a. A parent has been convicted of a misdemeanor of the  
693 | first degree or higher involving domestic violence, as defined  
694 | in s. 741.28 and chapter 775;

695 |       b. A parent meets the criteria of s. 39.806(1)(d); or

696 |       c. A parent has been convicted of or had adjudication  
697 | withheld for an offense enumerated in s. 943.0435(1)(h)1.a., and  
698 | at the time of the offense:

699 |           (I) The parent was 18 years of age or older.

700 |           (II) The victim was under 18 years of age or the parent  
701 | believed the victim to be under 18 years of age.

702 |

703 | If the presumption is not rebutted after the convicted parent is  
704 | advised by the court that the presumption exists, shared  
705 | parental responsibility, including time-sharing with the child,  
706 | and decisions made regarding the child, may not be granted to  
707 | the convicted parent. However, the convicted parent is not  
708 | relieved of any obligation to provide financial support. If the  
709 | court determines that shared parental responsibility would be  
710 | detrimental to the child, it may order sole parental  
711 | responsibility and make such arrangements for time-sharing as  
712 | specified in the parenting plan as will best protect the child

713 or abused spouse from further harm. Whether or not there is a  
714 conviction of any offense of domestic violence or child abuse or  
715 the existence of an injunction for protection against domestic  
716 violence, the court shall consider evidence of domestic violence  
717 or child abuse as evidence of detriment to the child.

718 4. In ordering shared parental responsibility, the court  
719 may consider the expressed desires of the parents and may grant  
720 to one party the ultimate responsibility over specific aspects  
721 of the child's welfare or may divide those responsibilities  
722 between the parties based on the best interests of the child.  
723 Areas of responsibility may include education, health care, and  
724 any other responsibilities that the court finds unique to a  
725 particular family.

726 5. The court shall order sole parental responsibility for  
727 a minor child to one parent, with or without time-sharing with  
728 the other parent if it is in the best interests of the minor  
729 child.

730 6. There is a rebuttable presumption against granting  
731 time-sharing with a minor child if a parent has been convicted  
732 of or had adjudication withheld for an offense enumerated in s.  
733 943.0435(1)(h)1.a., and at the time of the offense:

734 a. The parent was 18 years of age or older.

735 b. The victim was under 18 years of age or the parent  
736 believed the victim to be under 18 years of age.

737

738 A parent may rebut the presumption upon a specific finding in  
739 writing by the court that the parent poses no significant risk  
740 of harm to the child and that time-sharing is in the best  
741 interests of the minor child. If the presumption is rebutted,  
742 the court must consider all time-sharing factors in subsection  
743 (3) when developing a time-sharing schedule.

744 7. Access to records and information pertaining to a minor  
745 child, including, but not limited to, medical, dental, and  
746 school records, may not be denied to either parent. Full rights  
747 under this subparagraph apply to either parent unless a court  
748 order specifically revokes these rights, including any  
749 restrictions on these rights as provided in a domestic violence  
750 injunction. A parent having rights under this subparagraph has  
751 the same rights upon request as to form, substance, and manner  
752 of access as are available to the other parent of a child,  
753 including, without limitation, the right to in-person  
754 communication with medical, dental, and education providers.

755 (9)

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

760 **Section 10.** For the purpose of incorporating the amendment  
761 made by this act to section 943.0435, Florida Statutes, in  
762 references thereto, paragraph (i) of subsection (3) and

763 subsection (6) of section 68.07, Florida Statutes, are reenacted  
764 to read:

765 68.07 Change of name.—

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

767 (i) Whether the petitioner has ever been required to  
768 register as a sexual predator under s. 775.21 or as a sexual  
769 offender under s. 943.0435.

770 (6) The clerk of the court must, within 5 business days  
771 after the filing of the final judgment, send a report of the  
772 judgment to the Department of Law Enforcement on a form to be  
773 furnished by that department. If the petitioner is required to  
774 register as a sexual predator or a sexual offender pursuant to  
775 s. 775.21 or s. 943.0435, the clerk of court shall  
776 electronically notify the Department of Law Enforcement of the  
777 name change, in a manner prescribed by that department, within 2  
778 business days after the filing of the final judgment. The  
779 Department of Law Enforcement must send a copy of the report to  
780 the Department of Highway Safety and Motor Vehicles, which may  
781 be delivered by electronic transmission. The report must contain  
782 sufficient information to identify the petitioner, including the  
783 results of the criminal history records check if applicable, the  
784 new name of the petitioner, and the file number of the judgment.  
785 The Department of Highway Safety and Motor Vehicles shall  
786 monitor the records of any sexual predator or sexual offender  
787 whose name has been provided to it by the Department of Law

788 Enforcement. If the sexual predator or sexual offender does not  
789 obtain a replacement driver license or identification card  
790 within the required time as specified in s. 775.21 or s.  
791 943.0435, the Department of Highway Safety and Motor Vehicles  
792 shall notify the Department of Law Enforcement. The Department  
793 of Law Enforcement shall notify applicable law enforcement  
794 agencies of the predator's or offender's failure to comply with  
795 registration requirements. Any information retained by the  
796 Department of Law Enforcement and the Department of Highway  
797 Safety and Motor Vehicles may be revised or supplemented by said  
798 departments to reflect changes made by the final judgment. With  
799 respect to a person convicted of a felony in another state or of  
800 a federal offense, the Department of Law Enforcement must send  
801 the report to the respective state's office of law enforcement  
802 records or to the office of the Federal Bureau of Investigation.  
803 The Department of Law Enforcement may forward the report to any  
804 other law enforcement agency it believes may retain information  
805 related to the petitioner.

806 **Section 11.** For the purpose of incorporating the amendment  
807 made by this act to section 943.0435, Florida Statutes, in a  
808 reference thereto, paragraph (b) of subsection (1) of section  
809 92.55, Florida Statutes, is reenacted to read:

810 92.55 Special protections in proceedings involving victim  
811 or witness under 18, person with intellectual disability, or  
812 sexual offense victim.—

813 (1) For purposes of this section, the term:  
 814 (b) "Sexual offense" means any offense specified in s.  
 815 775.21(4)(a)1. or s. 943.0435(1)(h)1.a.(I).

816 **Section 12.** For the purpose of incorporating the amendment  
 817 made by this act to section 943.0435, Florida Statutes, in a  
 818 reference thereto, paragraph (b) of subsection (2) of section  
 819 98.0751, Florida Statutes, is reenacted to read:

820 98.0751 Restoration of voting rights; termination of  
 821 ineligibility subsequent to a felony conviction.—

822 (2) For purposes of this section, the term:  
 823 (b) "Felony sexual offense" means any of the following:

- 824 1. Any felony offense that serves as a predicate to
- 825 registration as a sexual offender in accordance with s.
- 826 943.0435;
- 827 2. Section 491.0112;
- 828 3. Section 784.049(3)(b);
- 829 4. Section 794.08;
- 830 5. Section 796.08;
- 831 6. Section 800.101;
- 832 7. Section 826.04;
- 833 8. Section 847.012;
- 834 9. Section 872.06(2);
- 835 10. Section 944.35(3)(b)2.;
- 836 11. Section 951.221(1); or
- 837 12. Any similar offense committed in another jurisdiction

838 | which would be an offense listed in this paragraph if it had  
839 | been committed in violation of the laws of this state.

840 |       **Section 13.** For the purpose of incorporating the amendment  
841 | made by this act to section 943.0435, Florida Statutes, in a  
842 | reference thereto, subsection (2) of section 394.9125, Florida  
843 | Statutes, is reenacted to read:

844 |       394.9125 State attorney; authority to refer a person for  
845 | civil commitment.—

846 |       (2) A state attorney may refer a person to the department  
847 | for civil commitment proceedings if the person:

848 |       (a) Is required to register as a sexual offender pursuant  
849 | to s. 943.0435;

850 |       (b) Has previously been convicted of a sexually violent  
851 | offense as defined in s. 394.912(9)(a)–(h); and

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

854 |       **Section 14.** For the purpose of incorporating the amendment  
855 | made by this act to section 943.0435, Florida Statutes, in a  
856 | reference thereto, paragraph (b) of subsection (10) of section  
857 | 397.487, Florida Statutes, is reenacted to read:

858 |       397.487 Voluntary certification of recovery residences.—

859 |       (10)

860 |       (b) A certified recovery residence may not allow a minor  
861 | child to visit a parent who is a resident of the recovery  
862 | residence at any time if any resident of the recovery residence



863 is currently required to register as a sexual predator under s.  
864 775.21 or as a sexual offender under s. 943.0435.

865 **Section 15.** For the purpose of incorporating the amendment  
866 made by this act to section 943.0435, Florida Statutes, in a  
867 reference thereto, paragraph (b) of subsection (4) of section  
868 435.07, Florida Statutes, is reenacted to read:

869 435.07 Exemptions from disqualification.—Unless otherwise  
870 provided by law, the provisions of this section apply to  
871 exemptions from disqualification for disqualifying offenses  
872 revealed pursuant to background screenings required under this  
873 chapter, regardless of whether those disqualifying offenses are  
874 listed in this chapter or other laws.

875 (4)

876 (b) Disqualification from employment or affiliation under  
877 this chapter may not be removed from, nor may an exemption be  
878 granted to, any person who is a:

- 879 1. Sexual predator as designated pursuant to s. 775.21;  
880 2. Career offender pursuant to s. 775.261; or  
881 3. Sexual offender pursuant to s. 943.0435, unless the  
882 requirement to register as a sexual offender has been removed  
883 pursuant to s. 943.04354.

884 **Section 16.** For the purpose of incorporating the amendment  
885 made by this act to section 943.0435, Florida Statutes, in a  
886 reference thereto, subsection (2) of section 775.0862, Florida  
887 Statutes, is reenacted to read:

888 775.0862 Sexual offenses against students by authority  
 889 figures; reclassification.—

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

895 **Section 17.** For the purpose of incorporating the amendment  
 896 made by this act to section 943.0435, Florida Statutes, in a  
 897 reference thereto, paragraph (cc) of subsection (2) of section  
 898 900.05, Florida Statutes, is reenacted to read:

899 900.05 Criminal justice data collection.—

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

901 (cc) "Sexual offender flag" means an indication that a  
 902 defendant was required to register as a sexual predator as  
 903 defined in s. 775.21 or as a sexual offender as defined in s.  
 904 943.0435.

905 **Section 18.** For the purpose of incorporating the amendment  
 906 made by this act to section 943.0435, Florida Statutes, in a  
 907 reference thereto, paragraph (m) of subsection (2) of section  
 908 903.046, Florida Statutes, is reenacted to read:

909 903.046 Purpose of and criteria for bail determination.—

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

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

920 **Section 19.** For the purpose of incorporating the amendment  
921 made by this act to section 943.0435, Florida Statutes, in a  
922 reference thereto, section 903.133, Florida Statutes, is  
923 reenacted to read:

924 903.133 Bail on appeal; prohibited for certain felony  
925 convictions.—Notwithstanding s. 903.132, no person shall be  
926 admitted to bail pending review either by posttrial motion or  
927 appeal if he or she was adjudged guilty of:

928 (1) A felony of the first degree for a violation of s.  
929 782.04(2) or (3), s. 787.01, s. 794.011(4), s. 806.01, s.  
930 893.13, or s. 893.135;

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

932 (3) Any other offense requiring sexual offender  
933 registration under s. 943.0435(1)(h) or sexual predator  
934 registration under s. 775.21(4) when, at the time of the  
935 offense, the offender was 18 years of age or older and the  
936 victim was a minor.

937 **Section 20.** For the purpose of incorporating the amendment

938 made by this act to section 943.0435, Florida Statutes, in a  
939 reference thereto, paragraph (b) of subsection (4) of section  
940 907.043, Florida Statutes, is reenacted to read:

941 907.043 Pretrial release; citizens' right to know.—

942 (4)

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

945 1. The name, location, and funding sources of the pretrial  
946 release program, including the amount of public funds, if any,  
947 received by the pretrial release program.

948 2. The operating and capital budget of each pretrial  
949 release program receiving public funds.

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

952 b. The percentage of the total budget which is allocated  
953 to assisting defendants obtain release through a nonpublicly  
954 funded program.

955 c. The amount of fees paid by defendants to the pretrial  
956 release program.

957 4. The number of persons employed by the pretrial release  
958 program.

959 5. The number of defendants assessed and interviewed for  
960 pretrial release.

961 6. The number of defendants recommended for pretrial  
962 release.

963           7. The number of defendants for whom the pretrial release  
964 program recommended against nonsecured release.

965           8. The number of defendants granted nonsecured release  
966 after the pretrial release program recommended nonsecured  
967 release.

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

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

972           11. The number of defendants for whom a risk assessment  
973 tool was used in determining whether the defendant should be  
974 released pending the disposition of the case and the number of  
975 defendants for whom a risk assessment tool was not used.

976           12. The specific statutory citation for each criminal  
977 charge related to a defendant whose case is accepted into a  
978 pretrial release program, including, at a minimum, the number of  
979 defendants charged with dangerous crimes as defined in s.  
980 907.041; nonviolent felonies; or misdemeanors only. A

981 "nonviolent felony" for purposes of this subparagraph excludes  
982 the commission of, an attempt to commit, or a conspiracy to  
983 commit any of the following:

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

985           b. An offense that requires a person to register as a  
986 sexual predator in accordance with s. 775.21 or as a sexual  
987 offender in accordance with s. 943.0435;

- 988 c. Failure to register as a sexual predator in violation
- 989 of s. 775.21 or as a sexual offender in violation of s.
- 990 943.0435;
- 991 d. Facilitating or furthering terrorism in violation of s.
- 992 775.31;
- 993 e. A forcible felony as described in s. 776.08;
- 994 f. False imprisonment in violation of s. 787.02;
- 995 g. Burglary of a dwelling or residence in violation of s.
- 996 810.02(3);
- 997 h. Abuse, aggravated abuse, and neglect of an elderly
- 998 person or disabled adult in violation of s. 825.102;
- 999 i. Abuse, aggravated abuse, and neglect of a child in
- 1000 violation of s. 827.03;
- 1001 j. Poisoning of food or water in violation of s. 859.01;
- 1002 k. Abuse of a dead human body in violation of s. 872.06;
- 1003 l. A capital offense in violation of chapter 893;
- 1004 m. An offense that results in serious bodily injury or
- 1005 death to another human; or
- 1006 n. A felony offense in which the defendant used a weapon
- 1007 or firearm in the commission of the offense.
- 1008 13. The number of defendants accepted into a pretrial
- 1009 release program with no prior criminal conviction.
- 1010 14. The name and case number of each person granted
- 1011 nonsecured release who:
- 1012 a. Failed to attend a scheduled court appearance.

- 1013           b. Was issued a warrant for failing to appear.
- 1014           c. Was arrested for any offense while on release through
- 1015 the pretrial release program.

1016           15. Any additional information deemed necessary by the

1017 governing body to assess the performance and cost efficiency of

1018 the pretrial release program.

1019           **Section 21.** For the purpose of incorporating the amendment

1020 made by this act to section 943.0435, Florida Statutes, in a

1021 reference thereto, paragraph (d) of subsection (7) of section

1022 921.1425, Florida Statutes, is reenacted to read:

1023           921.1425 Sentence of death or life imprisonment for

1024 capital sexual battery; further proceedings to determine

1025 sentence.—

1026           (7) AGGRAVATING FACTORS.—Aggravating factors shall be

1027 limited to the following:

1028           (d) The capital felony was committed by a sexual offender

1029 who is required to register pursuant to s. 943.0435 or a person

1030 previously required to register as a sexual offender who had

1031 such requirement removed.

1032           **Section 22.** For the purpose of incorporating the amendment

1033 made by this act to section 943.0435, Florida Statutes, in a

1034 reference thereto, paragraph (a) of subsection (2) of section

1035 934.255, Florida Statutes, is reenacted to read:

1036           934.255 Subpoenas in investigations of sexual offenses.—

1037           (2) An investigative or law enforcement officer who is

1038 | conducting an investigation into:

1039 |       (a) Allegations of the sexual abuse of a child or an  
 1040 | individual's suspected commission of a crime listed in s.  
 1041 | 943.0435(1)(h)1.a.(I) may use a subpoena to compel the  
 1042 | production of records, documents, or other tangible objects and  
 1043 | the testimony of the subpoena recipient concerning the  
 1044 | production and authenticity of such records, documents, or  
 1045 | objects, except as provided in paragraphs (b) and (c).

1046 |  
 1047 | A subpoena issued under this subsection must describe the  
 1048 | records, documents, or other tangible objects required to be  
 1049 | produced, and must prescribe a date by which such records,  
 1050 | documents, or other tangible objects must be produced.

1051 |       **Section 23.** For the purpose of incorporating the amendment  
 1052 | made by this act to section 943.0435, Florida Statutes, in a  
 1053 | reference thereto, subsection (1) of section 938.10, Florida  
 1054 | Statutes, is reenacted to read:

1055 |       938.10 Additional court cost imposed in cases of certain  
 1056 | crimes.—

1057 |       (1) If a person pleads guilty or nolo contendere to, or is  
 1058 | found guilty of, regardless of adjudication, any offense against  
 1059 | a minor in violation of s. 784.085, chapter 787, chapter 794,  
 1060 | former s. 796.03, former s. 796.035, s. 800.04, chapter 827, s.  
 1061 | 847.012, s. 847.0133, s. 847.0135(5), s. 847.0138, s. 847.0145,  
 1062 | s. 893.147(3), or s. 985.701, or any offense in violation of s.



1063 775.21, s. 823.07, s. 847.0125, s. 847.0134, or s. 943.0435, the  
 1064 court shall impose a court cost of \$151 against the offender in  
 1065 addition to any other cost or penalty required by law.

1066 **Section 24.** For the purpose of incorporating the amendment  
 1067 made by this act to section 943.0435, Florida Statutes, in a  
 1068 reference thereto, subsection (2) of section 943.0584, Florida  
 1069 Statutes, is reenacted to read:

1070 943.0584 Criminal history records ineligible for court-  
 1071 ordered expunction or court-ordered sealing.—

1072 (2) A criminal history record is ineligible for a  
 1073 certificate of eligibility for expunction or a court-ordered  
 1074 expunction pursuant to s. 943.0585 or a certificate of  
 1075 eligibility for sealing or a court-ordered sealing pursuant to  
 1076 s. 943.059 if the record is a conviction for any of the  
 1077 following offenses:

1078 (a) Sexual misconduct, as defined in s. 393.135, s.  
 1079 394.4593, or s. 916.1075;

1080 (b) Illegal use of explosives, as defined in chapter 552;

1081 (c) Terrorism, as defined in s. 775.30;

1082 (d) Murder, as defined in s. 782.04, s. 782.065, or s.  
 1083 782.09;

1084 (e) Manslaughter or homicide, as defined in s. 782.07, s.  
 1085 782.071, or s. 782.072;

1086 (f) Assault or battery, as defined in ss. 784.011 and  
 1087 784.03, respectively, of one family or household member by

1088 another family or household member, as defined in s. 741.28(3);  
 1089 (g) Aggravated assault, as defined in s. 784.021;  
 1090 (h) Felony battery, domestic battery by strangulation, or  
 1091 aggravated battery, as defined in ss. 784.03, 784.041, and  
 1092 784.045, respectively;  
 1093 (i) Stalking or aggravated stalking, as defined in s.  
 1094 784.048;  
 1095 (j) Luring or enticing a child, as defined in s. 787.025;  
 1096 (k) Human trafficking, as defined in s. 787.06;  
 1097 (l) Kidnapping or false imprisonment, as defined in s.  
 1098 787.01 or s. 787.02;  
 1099 (m) Any offense defined in chapter 794;  
 1100 (n) Procuring a person less than 18 years of age for  
 1101 prostitution, as defined in former s. 796.03;  
 1102 (o) Lewd or lascivious offenses committed upon or in the  
 1103 presence of persons less than 16 years of age, as defined in s.  
 1104 800.04;  
 1105 (p) Arson, as defined in s. 806.01;  
 1106 (q) Burglary of a dwelling, as defined in s. 810.02;  
 1107 (r) Voyeurism or digital voyeurism, as defined in ss.  
 1108 810.14 and 810.145, respectively;  
 1109 (s) Robbery or robbery by sudden snatching, as defined in  
 1110 ss. 812.13 and 812.131, respectively;  
 1111 (t) Carjacking, as defined in s. 812.133;  
 1112 (u) Home-invasion robbery, as defined in s. 812.135;

1113 (v) A violation of the Florida Communications Fraud Act,  
 1114 as provided in s. 817.034;

1115 (w) Abuse of an elderly person or disabled adult, or  
 1116 aggravated abuse of an elderly person or disabled adult, as  
 1117 defined in s. 825.102;

1118 (x) Lewd or lascivious offenses committed upon or in the  
 1119 presence of an elderly person or disabled person, as defined in  
 1120 s. 825.1025;

1121 (y) Child abuse or aggravated child abuse, as defined in  
 1122 s. 827.03;

1123 (z) Sexual performance by a child, as defined in s.  
 1124 827.071;

1125 (aa) Any offense defined in chapter 839;

1126 (bb) Certain acts in connection with obscenity, as defined  
 1127 in s. 847.0133;

1128 (cc) Any offense defined in s. 847.0135;

1129 (dd) Selling or buying of minors, as defined in s.  
 1130 847.0145;

1131 (ee) Aircraft piracy, as defined in s. 860.16;

1132 (ff) Manufacturing a controlled substance in violation of  
 1133 chapter 893;

1134 (gg) Drug trafficking, as defined in s. 893.135; or

1135 (hh) Any violation specified as a predicate offense for  
 1136 registration as a sexual predator pursuant to s. 775.21, or  
 1137 sexual offender pursuant to s. 943.0435, without regard to

1138 whether that offense alone is sufficient to require such  
 1139 registration.

1140 **Section 25.** For the purpose of incorporating the amendment  
 1141 made by this act to section 943.0435, Florida Statutes, in a  
 1142 reference thereto, paragraph (a) of subsection (2) of section  
 1143 943.0595, Florida Statutes, is reenacted to read:

1144 943.0595 Automatic sealing of criminal history records;  
 1145 confidentiality of related court records.—

1146 (2) ELIGIBILITY.—

1147 (a) The department shall automatically seal a criminal  
 1148 history record that does not result from an indictment,  
 1149 information, or other charging document for a forcible felony as  
 1150 defined in s. 776.08 or for an offense enumerated in s.  
 1151 943.0435(1)(h)1.a.(I), if:

1152 1. An indictment, information, or other charging document  
 1153 was not filed or issued in the case giving rise to the criminal  
 1154 history record.

1155 2. An indictment, information, or other charging document  
 1156 was filed in the case giving rise to the criminal history  
 1157 record, but was dismissed or nolle prosequi by the state  
 1158 attorney or statewide prosecutor or was dismissed by a court of  
 1159 competent jurisdiction as to all counts. However, a person is  
 1160 not eligible for automatic sealing under this section if the  
 1161 dismissal was pursuant to s. 916.145 or s. 985.19.

1162 3. A not guilty verdict was rendered by a judge or jury as

1163 to all counts. However, a person is not eligible for automatic  
1164 sealing under this section if the defendant was found not guilty  
1165 by reason of insanity.

1166 4. A judgment of acquittal was rendered by a judge as to  
1167 all counts.

1168 **Section 26.** For the purpose of incorporating the amendment  
1169 made by this act to section 943.0435, Florida Statutes, in  
1170 references thereto, paragraph (a) of subsection (4) and  
1171 subsection (9) of section 944.607, Florida Statutes, are  
1172 reenacted to read:

1173 944.607 Notification to Department of Law Enforcement of  
1174 information on sexual offenders.—

1175 (4) A sexual offender, as described in this section, who  
1176 is under the supervision of the Department of Corrections but is  
1177 not incarcerated shall register with the Department of  
1178 Corrections within 3 business days after sentencing for a  
1179 registrable offense and otherwise provide information as  
1180 required by this subsection.

1181 (a) The sexual offender shall provide his or her name;  
1182 date of birth; social security number; race; sex; height;  
1183 weight; hair and eye color; tattoos or other identifying marks;  
1184 all electronic mail addresses and Internet identifiers required  
1185 to be provided pursuant to s. 943.0435(4)(e); employment  
1186 information required to be provided pursuant to s.  
1187 943.0435(4)(e); all home telephone numbers and cellular

1188 telephone numbers required to be provided pursuant to s.  
1189 943.0435(4)(e); the make, model, color, vehicle identification  
1190 number (VIN), and license tag number of all vehicles owned;  
1191 permanent or legal residence and address of temporary residence  
1192 within the state or out of state while the sexual offender is  
1193 under supervision in this state, including any rural route  
1194 address or post office box; if no permanent or temporary  
1195 address, any transient residence within the state; and address,  
1196 location or description, and dates of any current or known  
1197 future temporary residence within the state or out of state. The  
1198 sexual offender shall also produce his or her passport, if he or  
1199 she has a passport, and, if he or she is an alien, shall produce  
1200 or provide information about documents establishing his or her  
1201 immigration status. The sexual offender shall also provide  
1202 information about any professional licenses he or she has. The  
1203 Department of Corrections shall verify the address of each  
1204 sexual offender in the manner described in ss. 775.21 and  
1205 943.0435. The department shall report to the Department of Law  
1206 Enforcement any failure by a sexual predator or sexual offender  
1207 to comply with registration requirements.

1208 (9) A sexual offender, as described in this section, who  
1209 is under the supervision of the Department of Corrections but  
1210 who is not incarcerated shall, in addition to the registration  
1211 requirements provided in subsection (4), register and obtain a  
1212 distinctive driver license or identification card in the manner

1213 provided in s. 943.0435(3), (4), and (5), unless the sexual  
1214 offender is a sexual predator, in which case he or she shall  
1215 register and obtain a distinctive driver license or  
1216 identification card as required under s. 775.21. A sexual  
1217 offender who fails to comply with the requirements of s.  
1218 943.0435 is subject to the penalties provided in s. 943.0435(9).

1219 **Section 27.** For the purpose of incorporating the amendment  
1220 made by this act to section 943.0435, Florida Statutes, in a  
1221 reference thereto, subsection (12) of section 947.1405, Florida  
1222 Statutes, is reenacted to read:

1223 947.1405 Conditional release program.—

1224 (12) In addition to all other conditions imposed, for a  
1225 releasee who is subject to conditional release for a crime that  
1226 was committed on or after May 26, 2010, and who has been  
1227 convicted at any time of committing, or attempting, soliciting,  
1228 or conspiring to commit, any of the criminal offenses listed in  
1229 s. 943.0435(1)(h)1.a.(I), or a similar offense in another  
1230 jurisdiction against a victim who was under 18 years of age at  
1231 the time of the offense, if the releasee has not received a  
1232 pardon for any felony or similar law of another jurisdiction  
1233 necessary for the operation of this subsection, if a conviction  
1234 of a felony or similar law of another jurisdiction necessary for  
1235 the operation of this subsection has not been set aside in any  
1236 postconviction proceeding, or if the releasee has not been  
1237 removed from the requirement to register as a sexual offender or

1238 sexual predator pursuant to s. 943.04354, the commission must  
1239 impose the following conditions:

1240 (a) A prohibition on visiting schools, child care  
1241 facilities, parks, and playgrounds without prior approval from  
1242 the releasee's supervising officer. The commission may also  
1243 designate additional prohibited locations to protect a victim.  
1244 The prohibition ordered under this paragraph does not prohibit  
1245 the releasee from visiting a school, child care facility, park,  
1246 or playground for the sole purpose of attending a religious  
1247 service as defined in s. 775.0861 or picking up or dropping off  
1248 the releasee's child or grandchild at a child care facility or  
1249 school.

1250 (b) A prohibition on distributing candy or other items to  
1251 children on Halloween; wearing a Santa Claus costume, or other  
1252 costume to appeal to children, on or preceding Christmas;  
1253 wearing an Easter Bunny costume, or other costume to appeal to  
1254 children, on or preceding Easter; entertaining at children's  
1255 parties; or wearing a clown costume without prior approval from  
1256 the commission.

1257 **Section 28.** For the purpose of incorporating the amendment  
1258 made by this act to section 943.0435, Florida Statutes, in a  
1259 reference thereto, paragraph (b) of subsection (2) of section  
1260 948.013, Florida Statutes, is reenacted to read:

1261 948.013 Administrative probation.—

1262 (2)



1263 (b) Effective for an offense committed on or after October  
1264 1, 2017, a person is ineligible for placement on administrative  
1265 probation if the person is sentenced to or is serving a term of  
1266 probation or community control, regardless of the conviction or  
1267 adjudication, for committing, or attempting, conspiring, or  
1268 soliciting to commit, any of the felony offenses described in s.  
1269 775.21(4)(a)1.a. or b. or s. 943.0435(1)(h)1.a.

1270 **Section 29.** For the purpose of incorporating the amendment  
1271 made by this act to section 943.0435, Florida Statutes, in a  
1272 reference thereto, paragraph (f) of subsection (2) of section  
1273 948.05, Florida Statutes, is reenacted to read:

1274 948.05 Court to admonish or commend probationer or  
1275 offender in community control; graduated incentives.-

1276 (2) The department shall implement a system of graduated  
1277 incentives to promote compliance with the terms of supervision,  
1278 encourage educational achievement and stable employment, and  
1279 prioritize the highest levels of supervision for probationers or  
1280 offenders presenting the greatest risk of recidivism.

1281 (f) A probationer or offender in community control who is  
1282 placed under supervision for committing or attempting,  
1283 soliciting, or conspiring to commit a violation of any felony  
1284 offense described in s. 775.21(4)(a)1.a. or b. or s.  
1285 943.0435(1)(h)1.a., or who qualifies as a violent felony  
1286 offender of special concern under s. 948.06(8)(b) is not  
1287 eligible for any reduction of his or her term of supervision

1288 under this section.

1289 **Section 30.** For the purpose of incorporating the amendment  
1290 made by this act to section 943.0435, Florida Statutes, in a  
1291 reference thereto, subsection (4) of section 948.06, Florida  
1292 Statutes, is reenacted to read:

1293 948.06 Violation of probation or community control;  
1294 revocation; modification; continuance; failure to pay  
1295 restitution or cost of supervision.—

1296 (4) Notwithstanding any other provision of this section, a  
1297 felony probationer or an offender in community control who is  
1298 arrested for violating his or her probation or community control  
1299 in a material respect may be taken before the court in the  
1300 county or circuit in which the probationer or offender was  
1301 arrested. That court shall advise him or her of the charge of a  
1302 violation and, if such charge is admitted, shall cause him or  
1303 her to be brought before the court that granted the probation or  
1304 community control. If the violation is not admitted by the  
1305 probationer or offender, the court may commit him or her or  
1306 release him or her with or without bail to await further  
1307 hearing. However, if the probationer or offender is under  
1308 supervision for any criminal offense proscribed in chapter 794,  
1309 s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a  
1310 registered sexual predator or a registered sexual offender, or  
1311 is under supervision for a criminal offense for which he or she  
1312 would meet the registration criteria in s. 775.21, s. 943.0435,

1313 or s. 944.607 but for the effective date of those sections, the  
1314 court must make a finding that the probationer or offender is  
1315 not a danger to the public prior to release with or without  
1316 bail. In determining the danger posed by the offender's or  
1317 probationer's release, the court may consider the nature and  
1318 circumstances of the violation and any new offenses charged; the  
1319 offender's or probationer's past and present conduct, including  
1320 convictions of crimes; any record of arrests without conviction  
1321 for crimes involving violence or sexual crimes; any other  
1322 evidence of allegations of unlawful sexual conduct or the use of  
1323 violence by the offender or probationer; the offender's or  
1324 probationer's family ties, length of residence in the community,  
1325 employment history, and mental condition; his or her history and  
1326 conduct during the probation or community control supervision  
1327 from which the violation arises and any other previous  
1328 supervisions, including disciplinary records of previous  
1329 incarcerations; the likelihood that the offender or probationer  
1330 will engage again in a criminal course of conduct; the weight of  
1331 the evidence against the offender or probationer; and any other  
1332 facts the court considers relevant. The court, as soon as is  
1333 practicable, shall give the probationer or offender an  
1334 opportunity to be fully heard on his or her behalf in person or  
1335 by counsel. After the hearing, the court shall make findings of  
1336 fact and forward the findings to the court that granted the  
1337 probation or community control and to the probationer or

1338 offender or his or her attorney. The findings of fact by the  
1339 hearing court are binding on the court that granted the  
1340 probation or community control. Upon the probationer or offender  
1341 being brought before it, the court that granted the probation or  
1342 community control may revoke, modify, or continue the probation  
1343 or community control or may place the probationer into community  
1344 control as provided in this section. However, the probationer or  
1345 offender shall not be released and shall not be admitted to  
1346 bail, but shall be brought before the court that granted the  
1347 probation or community control if any violation of felony  
1348 probation or community control other than a failure to pay costs  
1349 or fines or make restitution payments is alleged to have been  
1350 committed by:

1351 (a) A violent felony offender of special concern, as  
1352 defined in this section;

1353 (b) A person who is on felony probation or community  
1354 control for any offense committed on or after the effective date  
1355 of this act and who is arrested for a qualifying offense as  
1356 defined in this section; or

1357 (c) A person who is on felony probation or community  
1358 control and has previously been found by a court to be a  
1359 habitual violent felony offender as defined in s. 775.084(1)(b),  
1360 a three-time violent felony offender as defined in s.  
1361 775.084(1)(c), or a sexual predator under s. 775.21, and who is  
1362 arrested for committing a qualifying offense as defined in this

1363 section on or after the effective date of this act.

1364 **Section 31.** For the purpose of incorporating the amendment  
 1365 made by this act to section 943.0435, Florida Statutes, in a  
 1366 reference thereto, subsection (9) of section 985.4815, Florida  
 1367 Statutes, is reenacted to read:

1368 985.4815 Notification to Department of Law Enforcement of  
 1369 information on juvenile sexual offenders.—

1370 (9) A sexual offender, as described in this section, who  
 1371 is under the care, jurisdiction, or supervision of the  
 1372 department but who is not incarcerated shall, in addition to the  
 1373 registration requirements provided in subsection (4), register  
 1374 in the manner provided in s. 943.0435(3), (4), and (5), unless  
 1375 the sexual offender is a sexual predator, in which case he or  
 1376 she shall register as required under s. 775.21. A sexual  
 1377 offender who fails to comply with the requirements of s.  
 1378 943.0435 is subject to the penalties provided in s. 943.0435(9).

1379 **Section 32.** For the purpose of incorporating the amendment  
 1380 made by this act to section 943.0435, Florida Statutes, in a  
 1381 reference thereto, paragraph (b) of subsection (2) of section  
 1382 1012.467, Florida Statutes, is reenacted to read:

1383 1012.467 Noninstructional contractors who are permitted  
 1384 access to school grounds when students are present; background  
 1385 screening requirements.—

1386 (2)

1387 (b) A noninstructional contractor for whom a criminal

1388 history check is required under this section may not have been  
1389 convicted of any of the following offenses designated in the  
1390 Florida Statutes, any similar offense in another jurisdiction,  
1391 or any similar offense committed in this state which has been  
1392 redesignated from a former provision of the Florida Statutes to  
1393 one of the following offenses:

1394 1. Any offense listed in s. 943.0435(1)(h)1., relating to  
1395 the registration of an individual as a sexual offender.

1396 2. Section 393.135, relating to sexual misconduct with  
1397 certain developmentally disabled clients and the reporting of  
1398 such sexual misconduct.

1399 3. Section 394.4593, relating to sexual misconduct with  
1400 certain mental health patients and the reporting of such sexual  
1401 misconduct.

1402 4. Section 775.30, relating to terrorism.

1403 5. Section 782.04, relating to murder.

1404 6. Section 787.01, relating to kidnapping.

1405 7. Any offense under chapter 800, relating to lewdness and  
1406 indecent exposure.

1407 8. Section 826.04, relating to incest.

1408 9. Section 827.03, relating to child abuse, aggravated  
1409 child abuse, or neglect of a child.

1410 **Section 33.** For the purpose of incorporating the amendment  
1411 made by this act to section 944.607, Florida Statutes, in a  
1412 reference thereto, subsection (7) of section 944.608, Florida

1413 Statutes, is reenacted to read:

1414 944.608 Notification to Department of Law Enforcement of  
1415 information on career offenders.—

1416 (7) A career offender who is under the supervision of the  
1417 department but who is not incarcerated shall, in addition to the  
1418 registration requirements provided in subsection (3), register  
1419 in the manner provided in s. 775.261(4)(c), unless the career  
1420 offender is a sexual predator, in which case he or she shall  
1421 register as required under s. 775.21, or is a sexual offender,  
1422 in which case he or she shall register as required in s.  
1423 944.607. A career offender who fails to comply with the  
1424 requirements of s. 775.261(4) is subject to the penalties  
1425 provided in s. 775.261(8).

1426 **Section 34.** For the purpose of incorporating the  
1427 amendments made by this act to sections 944.606 and 944.607,  
1428 Florida Statutes, in references thereto, subsection (3) and  
1429 paragraph (a) of subsection (4) of section 943.0435, Florida  
1430 Statutes, are reenacted to read:

1431 943.0435 Sexual offenders required to register with the  
1432 department; penalty.—

1433 (3) Within 48 hours after the report required under  
1434 subsection (2), a sexual offender shall report in person at a  
1435 driver license office of the Department of Highway Safety and  
1436 Motor Vehicles, unless a driver license or identification card  
1437 that complies with the requirements of s. 322.141(3) was

1438 | previously secured or updated under s. 944.607. At the driver  
1439 | license office the sexual offender shall:

1440 |       (a) If otherwise qualified, secure a Florida driver  
1441 | license, renew a Florida driver license, or secure an  
1442 | identification card. The sexual offender shall identify himself  
1443 | or herself as a sexual offender who is required to comply with  
1444 | this section and shall provide proof that the sexual offender  
1445 | reported as required in subsection (2). The sexual offender  
1446 | shall provide any of the information specified in subsection  
1447 | (2), if requested. The sexual offender shall submit to the  
1448 | taking of a photograph for use in issuing a driver license,  
1449 | renewed license, or identification card, and for use by the  
1450 | department in maintaining current records of sexual offenders.

1451 |       (b) Pay the costs assessed by the Department of Highway  
1452 | Safety and Motor Vehicles for issuing or renewing a driver  
1453 | license or identification card as required by this section. The  
1454 | driver license or identification card issued must be in  
1455 | compliance with s. 322.141(3).

1456 |       (c) Provide, upon request, any additional information  
1457 | necessary to confirm the identity of the sexual offender,  
1458 | including a set of fingerprints.

1459 |       (4) (a) Each time a sexual offender's driver license or  
1460 | identification card is subject to renewal, and, without regard  
1461 | to the status of the offender's driver license or identification  
1462 | card, within 48 hours after any change in the offender's



1463 permanent, temporary, or transient residence or change in the  
1464 offender's name by reason of marriage or other legal process,  
1465 the offender shall report in person to a driver license office,  
1466 and is subject to the requirements specified in subsection (3).  
1467 The Department of Highway Safety and Motor Vehicles shall  
1468 forward to the department all photographs and information  
1469 provided by sexual offenders. Notwithstanding the restrictions  
1470 set forth in s. 322.142, the Department of Highway Safety and  
1471 Motor Vehicles may release a reproduction of a color-photograph  
1472 or digital-image license to the Department of Law Enforcement  
1473 for purposes of public notification of sexual offenders as  
1474 provided in this section and ss. 943.043 and 944.606. A sexual  
1475 offender who is unable to secure or update a driver license or  
1476 an identification card with the Department of Highway Safety and  
1477 Motor Vehicles as provided in subsection (3) and this subsection  
1478 shall also report any change in the sexual offender's permanent,  
1479 temporary, or transient residence or change in the offender's  
1480 name by reason of marriage or other legal process within 48  
1481 hours after the change to the sheriff's office in the county  
1482 where the offender resides or is located and provide  
1483 confirmation that he or she reported such information to the  
1484 Department of Highway Safety and Motor Vehicles. The reporting  
1485 requirements under this paragraph do not negate the requirement  
1486 for a sexual offender to obtain a Florida driver license or an  
1487 identification card as required in this section.

1488           **Section 35.** For the purpose of incorporating the  
 1489 amendments made by this act to sections 943.0435 and 944.607,  
 1490 Florida Statutes, in references thereto, subsection (4) of  
 1491 section 320.02, Florida Statutes, is reenacted to read:

1492           320.02 Registration required; application for  
 1493 registration; forms.—

1494           (4) Except as provided in ss. 775.21, 775.261, 943.0435,  
 1495 944.607, and 985.4815, the owner of any motor vehicle registered  
 1496 in the state shall notify the department in writing of any  
 1497 change of address within 30 days of such change. The  
 1498 notification shall include the registration license plate  
 1499 number, the vehicle identification number (VIN) or title  
 1500 certificate number, year of vehicle make, and the owner's full  
 1501 name.

1502           **Section 36.** For the purpose of incorporating the  
 1503 amendments made by this act to sections 943.0435 and 944.607,  
 1504 Florida Statutes, in references thereto, subsection (3) of  
 1505 section 322.141, Florida Statutes, is reenacted to read:

1506           322.141 Color or markings of certain licenses or  
 1507 identification cards.—

1508           (3) All licenses for the operation of motor vehicles or  
 1509 identification cards originally issued or reissued by the  
 1510 department to persons who are designated as sexual predators  
 1511 under s. 775.21 or subject to registration as sexual offenders  
 1512 under s. 943.0435 or s. 944.607, or who have a similar

1513 designation or are subject to a similar registration under the  
1514 laws of another jurisdiction, shall have on the front of the  
1515 license or identification card the following:

1516 (a) For a person designated as a sexual predator under s.  
1517 775.21 or who has a similar designation under the laws of  
1518 another jurisdiction, the marking "SEXUAL PREDATOR."

1519 (b) For a person subject to registration as a sexual  
1520 offender under s. 943.0435 or s. 944.607, or subject to a  
1521 similar registration under the laws of another jurisdiction, the  
1522 marking "943.0435, F.S."

1523 **Section 37.** For the purpose of incorporating the  
1524 amendments made by this act to sections 943.0435 and 944.607,  
1525 Florida Statutes, in references thereto, subsections (1) and (2)  
1526 of section 322.19, Florida Statutes, are reenacted to read:

1527 322.19 Change of address, name, or citizenship status.—

1528 (1) Except as provided in ss. 775.21, 775.261, 943.0435,  
1529 944.607, and 985.4815, whenever any person, after applying for  
1530 or receiving a driver license or identification card, changes  
1531 his or her legal name, that person must within 30 days  
1532 thereafter obtain a replacement license or card that reflects  
1533 the change.

1534 (2) If a person, after applying for or receiving a driver  
1535 license or identification card, changes the legal residence or  
1536 mailing address in the application, license, or card, the person  
1537 must, within 30 calendar days after making the change, obtain a

1538 replacement license or card that reflects the change. A written  
1539 request to the department must include the old and new addresses  
1540 and the driver license or identification card number. Any person  
1541 who has a valid, current student identification card issued by  
1542 an educational institution in this state is presumed not to have  
1543 changed his or her legal residence or mailing address. This  
1544 subsection does not affect any person required to register a  
1545 permanent or temporary address change pursuant to s. 775.13, s.  
1546 775.21, s. 775.25, or s. 943.0435.

1547 **Section 38.** For the purpose of incorporating the  
1548 amendments made by this act to sections 943.0435 and 944.607,  
1549 Florida Statutes, in references thereto, subsection (4) of  
1550 section 775.13, Florida Statutes, is reenacted to read:

1551 775.13 Registration of convicted felons, exemptions;  
1552 penalties.—

1553 (4) This section does not apply to an offender:

1554 (a) Who has had his or her civil rights restored;

1555 (b) Who has received a full pardon for the offense for  
1556 which convicted;

1557 (c) Who has been lawfully released from incarceration or  
1558 other sentence or supervision for a felony conviction for more  
1559 than 5 years prior to such time for registration, unless the  
1560 offender is a fugitive from justice on a felony charge or has  
1561 been convicted of any offense since release from such  
1562 incarceration or other sentence or supervision;

1563 (d) Who is a parolee or probationer under the supervision  
 1564 of the United States Parole Commission if the commission knows  
 1565 of and consents to the presence of the offender in Florida or is  
 1566 a probationer under the supervision of any federal probation  
 1567 officer in the state or who has been lawfully discharged from  
 1568 such parole or probation;

1569 (e) Who is a sexual predator and has registered as  
 1570 required under s. 775.21;

1571 (f) Who is a sexual offender and has registered as  
 1572 required in s. 943.0435 or s. 944.607; or

1573 (g) Who is a career offender who has registered as  
 1574 required in s. 775.261 or s. 944.609.

1575 **Section 39.** For the purpose of incorporating the  
 1576 amendments made by this act to sections 943.0435 and 944.607,  
 1577 Florida Statutes, in references thereto, paragraph (d) of  
 1578 subsection (5), paragraph (f) of subsection (6), and paragraph  
 1579 (d) of subsection (10) of section 775.21, Florida Statutes, are  
 1580 reenacted to read:

1581 775.21 The Florida Sexual Predators Act.—

1582 (5) SEXUAL PREDATOR DESIGNATION.—An offender is designated  
 1583 as a sexual predator as follows:

1584 (d) A person who establishes or maintains a residence in  
 1585 this state and who has not been designated as a sexual predator  
 1586 by a court of this state but who has been designated as a sexual  
 1587 predator, as a sexually violent predator, or any other sexual

1588 offender designation in another state or jurisdiction and was,  
1589 as a result of such designation, subjected to registration or  
1590 community or public notification, or both, or would be if the  
1591 person was a resident of that state or jurisdiction, without  
1592 regard to whether the person otherwise meets the criteria for  
1593 registration as a sexual offender, shall register in the manner  
1594 provided in s. 943.0435 or s. 944.607 and shall be subject to  
1595 community and public notification as provided in s. 943.0435 or  
1596 s. 944.607. A person who meets the criteria of this section is  
1597 subject to the requirements and penalty provisions of s.  
1598 943.0435 or s. 944.607 until the person provides the department  
1599 with an order issued by the court that designated the person as  
1600 a sexual predator, as a sexually violent predator, or any other  
1601 sexual offender designation in the state or jurisdiction in  
1602 which the order was issued which states that such designation  
1603 has been removed or demonstrates to the department that such  
1604 designation, if not imposed by a court, has been removed by  
1605 operation of law or court order in the state or jurisdiction in  
1606 which the designation was made, provided that such person no  
1607 longer meets the criteria for registration as a sexual offender  
1608 under the laws of this state. To qualify for removal of the  
1609 registration requirements under this paragraph, a sexual  
1610 offender described in this paragraph must meet the criteria for  
1611 removal under s. 943.0435.

1612 (6) REGISTRATION.—

1613 (f) Within 48 hours after the registration required under  
1614 paragraph (a) or paragraph (e), a sexual predator who is not  
1615 incarcerated and who resides in the community, including a  
1616 sexual predator under the supervision of the Department of  
1617 Corrections, shall register in person at a driver license office  
1618 of the Department of Highway Safety and Motor Vehicles and shall  
1619 present proof of registration unless a driver license or an  
1620 identification card that complies with the requirements of s.  
1621 322.141(3) was previously secured or updated under s. 944.607.  
1622 At the driver license office the sexual predator shall:

1623 1. If otherwise qualified, secure a Florida driver  
1624 license, renew a Florida driver license, or secure an  
1625 identification card. The sexual predator shall identify himself  
1626 or herself as a sexual predator who is required to comply with  
1627 this section, provide his or her place of permanent, temporary,  
1628 or transient residence, including a rural route address and a  
1629 post office box, and submit to the taking of a photograph for  
1630 use in issuing a driver license, a renewed license, or an  
1631 identification card, and for use by the department in  
1632 maintaining current records of sexual predators. A post office  
1633 box may not be provided in lieu of a physical residential  
1634 address. If the sexual predator's place of residence is a motor  
1635 vehicle, trailer, mobile home, or manufactured home, as those  
1636 terms are defined in chapter 320, the sexual predator shall also  
1637 provide to the Department of Highway Safety and Motor Vehicles

1638 the vehicle identification number (VIN); the license tag number;  
1639 the registration number; and a description, including color  
1640 scheme, of the motor vehicle, trailer, mobile home, or  
1641 manufactured home. If a sexual predator's place of residence is  
1642 a vessel, live-aboard vessel, or houseboat, as those terms are  
1643 defined in chapter 327, the sexual predator shall also provide  
1644 to the Department of Highway Safety and Motor Vehicles the hull  
1645 identification number; the manufacturer's serial number; the  
1646 name of the vessel, live-aboard vessel, or houseboat; the  
1647 registration number of the vessel, live-aboard vessel, or  
1648 houseboat; and a description, including color scheme, of the  
1649 vessel, live-aboard vessel, or houseboat.

1650       2. Pay the costs assessed by the Department of Highway  
1651 Safety and Motor Vehicles for issuing or renewing a driver  
1652 license or an identification card as required by this section.  
1653 The driver license or identification card issued to the sexual  
1654 predator must comply with s. 322.141(3).

1655       3. Provide, upon request, any additional information  
1656 necessary to confirm the identity of the sexual predator,  
1657 including a set of fingerprints.

1658       (10) PENALTIES.—

1659       (d) Any person who misuses public records information  
1660 relating to a sexual predator, as defined in this section, or a  
1661 sexual offender, as defined in s. 943.0435 or s. 944.607, to  
1662 secure a payment from such a predator or offender; who knowingly



1663 distributes or publishes false information relating to such a  
1664 predator or offender which the person misrepresents as being  
1665 public records information; or who materially alters public  
1666 records information with the intent to misrepresent the  
1667 information, including documents, summaries of public records  
1668 information provided by law enforcement agencies, or public  
1669 records information displayed by law enforcement agencies on  
1670 websites or provided through other means of communication,  
1671 commits a misdemeanor of the first degree, punishable as  
1672 provided in s. 775.082 or s. 775.083.

1673 **Section 40.** For the purpose of incorporating the  
1674 amendments made by this act to sections 943.0435 and 944.607,  
1675 Florida Statutes, in references thereto, paragraph (b) of  
1676 subsection (3) of section 775.261, Florida Statutes, is  
1677 reenacted to read:

1678 775.261 The Florida Career Offender Registration Act.—

1679 (3) CRITERIA FOR REGISTRATION AS A CAREER OFFENDER.—

1680 (b) This section does not apply to any person who has been  
1681 designated as a sexual predator and required to register under  
1682 s. 775.21 or who is required to register as a sexual offender  
1683 under s. 943.0435 or s. 944.607. However, if a person is no  
1684 longer required to register as a sexual predator under s. 775.21  
1685 or as a sexual offender under s. 943.0435 or s. 944.607, the  
1686 person must register as a career offender under this section if  
1687 the person is otherwise designated as a career offender as

1688 provided in this section.

1689       **Section 41.** For the purpose of incorporating the  
1690 amendments made by this act to sections 943.0435 and 944.607,  
1691 Florida Statutes, in references thereto, subsection (4) of  
1692 section 948.06, Florida Statutes, is reenacted to read:

1693       948.06 Violation of probation or community control;  
1694 revocation; modification; continuance; failure to pay  
1695 restitution or cost of supervision.—

1696       (4) Notwithstanding any other provision of this section, a  
1697 felony probationer or an offender in community control who is  
1698 arrested for violating his or her probation or community control  
1699 in a material respect may be taken before the court in the  
1700 county or circuit in which the probationer or offender was  
1701 arrested. That court shall advise him or her of the charge of a  
1702 violation and, if such charge is admitted, shall cause him or  
1703 her to be brought before the court that granted the probation or  
1704 community control. If the violation is not admitted by the  
1705 probationer or offender, the court may commit him or her or  
1706 release him or her with or without bail to await further  
1707 hearing. However, if the probationer or offender is under  
1708 supervision for any criminal offense proscribed in chapter 794,  
1709 s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a  
1710 registered sexual predator or a registered sexual offender, or  
1711 is under supervision for a criminal offense for which he or she  
1712 would meet the registration criteria in s. 775.21, s. 943.0435,

1713 or s. 944.607 but for the effective date of those sections, the  
1714 court must make a finding that the probationer or offender is  
1715 not a danger to the public prior to release with or without  
1716 bail. In determining the danger posed by the offender's or  
1717 probationer's release, the court may consider the nature and  
1718 circumstances of the violation and any new offenses charged; the  
1719 offender's or probationer's past and present conduct, including  
1720 convictions of crimes; any record of arrests without conviction  
1721 for crimes involving violence or sexual crimes; any other  
1722 evidence of allegations of unlawful sexual conduct or the use of  
1723 violence by the offender or probationer; the offender's or  
1724 probationer's family ties, length of residence in the community,  
1725 employment history, and mental condition; his or her history and  
1726 conduct during the probation or community control supervision  
1727 from which the violation arises and any other previous  
1728 supervisions, including disciplinary records of previous  
1729 incarcerations; the likelihood that the offender or probationer  
1730 will engage again in a criminal course of conduct; the weight of  
1731 the evidence against the offender or probationer; and any other  
1732 facts the court considers relevant. The court, as soon as is  
1733 practicable, shall give the probationer or offender an  
1734 opportunity to be fully heard on his or her behalf in person or  
1735 by counsel. After the hearing, the court shall make findings of  
1736 fact and forward the findings to the court that granted the  
1737 probation or community control and to the probationer or

1738 offender or his or her attorney. The findings of fact by the  
1739 hearing court are binding on the court that granted the  
1740 probation or community control. Upon the probationer or offender  
1741 being brought before it, the court that granted the probation or  
1742 community control may revoke, modify, or continue the probation  
1743 or community control or may place the probationer into community  
1744 control as provided in this section. However, the probationer or  
1745 offender shall not be released and shall not be admitted to  
1746 bail, but shall be brought before the court that granted the  
1747 probation or community control if any violation of felony  
1748 probation or community control other than a failure to pay costs  
1749 or fines or make restitution payments is alleged to have been  
1750 committed by:

1751 (a) A violent felony offender of special concern, as  
1752 defined in this section;

1753 (b) A person who is on felony probation or community  
1754 control for any offense committed on or after the effective date  
1755 of this act and who is arrested for a qualifying offense as  
1756 defined in this section; or

1757 (c) A person who is on felony probation or community  
1758 control and has previously been found by a court to be a  
1759 habitual violent felony offender as defined in s. 775.084(1)(b),  
1760 a three-time violent felony offender as defined in s.  
1761 775.084(1)(c), or a sexual predator under s. 775.21, and who is  
1762 arrested for committing a qualifying offense as defined in this

1763 section on or after the effective date of this act.

1764 **Section 42.** For the purpose of incorporating the  
 1765 amendments made by this act to sections 943.0435 and 944.607,  
 1766 Florida Statutes, in references thereto, section 948.063,  
 1767 Florida Statutes, is reenacted to read:

1768 948.063 Violations of probation or community control by  
 1769 designated sexual offenders and sexual predators.—

1770 (1) If probation or community control for any felony  
 1771 offense is revoked by the court pursuant to s. 948.06(2)(e) and  
 1772 the offender is designated as a sexual offender pursuant to s.  
 1773 943.0435 or s. 944.607 or as a sexual predator pursuant to s.  
 1774 775.21 for unlawful sexual activity involving a victim 15 years  
 1775 of age or younger and the offender is 18 years of age or older,  
 1776 and if the court imposes a subsequent term of supervision  
 1777 following the revocation of probation or community control, the  
 1778 court must order electronic monitoring as a condition of the  
 1779 subsequent term of probation or community control.

1780 (2) If the probationer or offender is required to register  
 1781 as a sexual predator under s. 775.21 or as a sexual offender  
 1782 under s. 943.0435 or s. 944.607 for unlawful sexual activity  
 1783 involving a victim 15 years of age or younger and the  
 1784 probationer or offender is 18 years of age or older and has  
 1785 violated the conditions of his or her probation or community  
 1786 control, but the court does not revoke the probation or  
 1787 community control, the court shall nevertheless modify the

1788 probation or community control to include electronic monitoring  
1789 for any probationer or offender not then subject to electronic  
1790 monitoring.

1791 **Section 43.** For the purpose of incorporating the  
1792 amendments made by this act to sections 943.0435, 944.606, and  
1793 944.607, Florida Statutes, in references thereto, subsection (2)  
1794 of section 775.24, Florida Statutes, is reenacted to read:

1795 775.24 Duty of the court to uphold laws governing sexual  
1796 predators and sexual offenders.—

1797 (2) If a person meets the criteria in this chapter for  
1798 designation as a sexual predator or meets the criteria in s.  
1799 943.0435, s. 944.606, s. 944.607, or any other law for  
1800 classification as a sexual offender, the court may not enter an  
1801 order, for the purpose of approving a plea agreement or for any  
1802 other reason, which:

1803 (a) Exempts a person who meets the criteria for  
1804 designation as a sexual predator or classification as a sexual  
1805 offender from such designation or classification, or exempts  
1806 such person from the requirements for registration or community  
1807 and public notification imposed upon sexual predators and sexual  
1808 offenders;

1809 (b) Restricts the compiling, reporting, or release of  
1810 public records information that relates to sexual predators or  
1811 sexual offenders; or

1812 (c) Prevents any person or entity from performing its

1813 duties or operating within its statutorily conferred authority  
1814 as such duty or authority relates to sexual predators or sexual  
1815 offenders.

1816 **Section 44.** For the purpose of incorporating the  
1817 amendments made by this act to sections 943.0435, 944.606, and  
1818 944.607, Florida Statutes, in references thereto, section  
1819 775.25, Florida Statutes, is reenacted to read:

1820 775.25 Prosecutions for acts or omissions.—A sexual  
1821 predator or sexual offender who commits any act or omission in  
1822 violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s.  
1823 944.607, or former s. 947.177 may be prosecuted for the act or  
1824 omission in the county in which the act or omission was  
1825 committed, in the county of the last registered address of the  
1826 sexual predator or sexual offender, in the county in which the  
1827 conviction occurred for the offense or offenses that meet the  
1828 criteria for designating a person as a sexual predator or sexual  
1829 offender, in the county where the sexual predator or sexual  
1830 offender was released from incarceration, or in the county of  
1831 the intended address of the sexual predator or sexual offender  
1832 as reported by the predator or offender prior to his or her  
1833 release from incarceration. In addition, a sexual predator may  
1834 be prosecuted for any such act or omission in the county in  
1835 which he or she was designated a sexual predator.

1836 **Section 45.** For the purpose of incorporating the  
1837 amendments made by this act to sections 943.0435, 944.606, and

1838 944.607, Florida Statutes, in references thereto, subsection (2)  
1839 of section 943.0436, Florida Statutes, is reenacted to read:

1840 943.0436 Duty of the court to uphold laws governing sexual  
1841 predators and sexual offenders.—

1842 (2) If a person meets the criteria in chapter 775 for  
1843 designation as a sexual predator or meets the criteria in s.  
1844 943.0435, s. 944.606, s. 944.607, or any other law for  
1845 classification as a sexual offender, the court may not enter an  
1846 order, for the purpose of approving a plea agreement or for any  
1847 other reason, which:

1848 (a) Exempts a person who meets the criteria for  
1849 designation as a sexual predator or classification as a sexual  
1850 offender from such designation or classification, or exempts  
1851 such person from the requirements for registration or community  
1852 and public notification imposed upon sexual predators and sexual  
1853 offenders;

1854 (b) Restricts the compiling, reporting, or release of  
1855 public records information that relates to sexual predators or  
1856 sexual offenders; or

1857 (c) Prevents any person or entity from performing its  
1858 duties or operating within its statutorily conferred authority  
1859 as such duty or authority relates to sexual predators or sexual  
1860 offenders.

1861 **Section 46.** For the purpose of incorporating the  
1862 amendments made by this act to sections 943.0435, 944.606, and



1863 944.607, Florida Statutes, in references thereto, section  
1864 948.31, Florida Statutes, is reenacted to read:

1865 948.31 Evaluation and treatment of sexual predators and  
1866 offenders on probation or community control.—The court may  
1867 require any probationer or community controllee who is required  
1868 to register as a sexual predator under s. 775.21 or sexual  
1869 offender under s. 943.0435, s. 944.606, or s. 944.607 to undergo  
1870 an evaluation, at the probationer or community controllee's  
1871 expense, by a qualified practitioner to determine whether such  
1872 probationer or community controllee needs sexual offender  
1873 treatment. If the qualified practitioner determines that sexual  
1874 offender treatment is needed and recommends treatment, the  
1875 probationer or community controllee must successfully complete  
1876 and pay for the treatment. Such treatment must be obtained from  
1877 a qualified practitioner as defined in s. 948.001. Treatment may  
1878 not be administered by a qualified practitioner who has been  
1879 convicted or adjudicated delinquent of committing, or  
1880 attempting, soliciting, or conspiring to commit, any offense  
1881 that is listed in s. 943.0435(1)(h)1.a.(I).

1882 **Section 47.** For the purpose of incorporating the  
1883 amendments made by this act to sections 943.0435, 944.606, and  
1884 944.607, Florida Statutes, in references thereto, paragraph (b)  
1885 of subsection (6) of section 985.04, Florida Statutes, is  
1886 reenacted to read:

1887 985.04 Oaths; records; confidential information.—

HB 1503

2025

1888 (6)  
1889 (b) Sexual offender and predator registration information  
1890 as required in ss. 775.21, 943.0435, 944.606, 944.607, 985.481,  
1891 and 985.4815 is a public record pursuant to s. 119.07(1) and as  
1892 otherwise provided by law.

1893 **Section 48.** This act shall take effect October 1, 2025.