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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/20/2026	.	
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The Committee on Criminal Justice (McClain) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present paragraph (d) of subsection (1) of
section 775.215, Florida Statutes, is redesignated as paragraph
(f), a new paragraph (d) and paragraph (e) are added to that
subsection, subsection (4) is added to that section, and
paragraph (c) of subsection (2) and paragraph (c) of subsection
(3) of that section are amended, to read:



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775.215 Residency restriction for persons convicted of certain sex offenses.—

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

(d) "Public bathing place" means a body of water, natural or modified by humans, that is regularly used by the public for swimming, diving, or recreational bathing with the consent of the owner or owners and that is held out to the public by any person or public body as being available for such use, irrespective of whether a fee is charged for the use thereof. The term includes the shoreline or land area immediately adjacent to the public bathing place, as well as any buildings on such property.

(e) "Public swimming pool" means a watertight structure of concrete, masonry, or other approved materials which is located either indoors or outdoors, used for bathing or swimming by humans, and filled with a filtered and disinfected water supply, together with buildings, appurtenances, and equipment used in connection therewith. A public swimming pool means a conventional pool, spa-type pool, wading pool, special purpose pool, spray pool, splash pad, or water recreation attraction, to which admission may be gained with or without payment of a fee, regardless of whether entry to the public swimming pool is limited by a gate or other method of controlling access. The term includes, but is not limited to, pools operated by or serving camps, churches, cities, counties, day care centers, parks, state agencies, schools, subdivisions, apartments, hotels, motels, mobile home parks, recreational vehicle parks, and townhouses. The term does not include a swimming pool at a private single-family residence or a swimming pool at a facility



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where the operator prohibits the use of such pool by persons
under 18 years of age.

(2)

(c) This subsection applies to any person convicted of a
violation of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5),
or s. 847.0145 for offenses that occurred ~~occur~~ on or after
October 1, 2004, and before July 1, 2026, excluding persons who
have been removed from the requirement to register as a sexual
offender or sexual predator pursuant to s. 943.04354.

(3)

(c) This subsection applies to any person convicted of an
offense in another jurisdiction that is similar to a violation
of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.
847.0145 if such offense occurred on or after May 26, 2010, and
before July 1, 2026, excluding persons who have been removed
from the requirement to register as a sexual offender or sexual
predator pursuant to s. 943.04354.

(4) (a) A person who has been convicted of a violation of s.
794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,
regardless of whether adjudication has been withheld, in which
the victim was younger than 16 years of age at the time of the
offense, or who has been convicted of a similar offense in
another jurisdiction, regardless of whether adjudication has
been withheld, in which the victim was younger than 16 years of
age at the time of the offense, may not reside within 1,000 feet
of any school, child care facility, park, public swimming pool,
public bathing place, or playground. However, a person does not
violate this subsection and may not be forced to relocate if he
or she is living in a residence that meets the requirements of



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this subsection and a school, child care facility, park, public swimming pool, public bathing place, or playground is subsequently established within 1,000 feet of his or her residence.

(b) A person who violates this subsection and whose conviction under s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145 was classified as a felony of the first degree or higher or whose conviction in another jurisdiction resulted in a penalty that is substantially similar to a felony of the first degree or higher commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person who violates this subsection and whose conviction under s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145 was classified as a felony of the second or third degree or whose conviction in another jurisdiction was substantially similar to a felony of the second or third degree commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) This subsection applies to:

1. A person convicted of a violation described in paragraph (a) for offenses that occurred on or after July 1, 2026, excluding persons who have been removed from the requirement to register as a sexual offender or sexual predator pursuant to s. 943.04354.

2. A person who is subject to the residency restrictions in subsection (2) or subsection (3) who changes his or her place of residence on or after July 1, 2026.

Section 2. Section 775.216, Florida Statutes, is created to read:



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775.216 Restricted locations for persons convicted of certain sex offenses.—

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

(a) "Child care facility" has the same meaning as in s. 402.302.

(b) "Park," "playground," "public bathing place," "public swimming pool," or "school" has the same meanings as in s. 775.215.

(2) A person who has been convicted of a violation of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim was less than 16 years of age at the time of the offense, or who has been convicted of a similar offense in another jurisdiction, regardless of whether adjudication has been withheld, in which the victim was less than 16 years of age at the time of the offense, may not visit or otherwise be within 200 feet of any school, child care facility, park, public swimming pool, public bathing place, or playground.

(3) A person who violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(4) This section does not apply to a person who:

(a) Has been removed from the requirement to register as a sexual offender or sexual predator under s. 943.04354.

(b) Is actively traveling past a location described in subsection (1) while in transit to another destination.

(c) Is dropping off or picking up his or her child or grandchild from a child care facility or school, or is visiting his or her child's or grandchild's child care facility or



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school, subject to the requirements in s. 856.022(4)(b).

(d) Is visiting or otherwise within 200 feet of a location described in subsection (1) for the sole purpose of:

1. Attending a religious service as defined in s. 775.0861.

2. Voting, if such person is present during the hours designated for voting.

3. Conducting official business at a local, state, or federal government building.

Section 3. Paragraph (b) of subsection (4) of section 856.022, Florida Statutes, is amended to read:

856.022 Loitering or prowling by certain offenders in close proximity to children; penalty.—

(4)

(b) It is unlawful for a person described in subsection (1) to knowingly be present in any child care facility or school containing any students in prekindergarten through grade 12 or on real property comprising any child care facility or school containing any students in prekindergarten through grade 12 when the child care facility or school is in operation, if such person fails to:

1. Provide written notification that he or she is a sexual offender or sexual predator of his or her intent to be present to the school board, superintendent, principal, or child care facility owner and that he or she intends to be present at the school or child care facility;

2. Notify the child care facility owner or the school principal's office when he or she arrives and departs the child care facility or school; or

3. Remain under direct supervision of a school official or



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designated chaperone when present in the vicinity of children.
As used in this paragraph, the term "school official" means a principal, a school resource officer, a teacher or any other employee of the school, the superintendent of schools, a member of the school board, a child care facility owner, or a child care provider.

Section 4. Paragraph (h) is added to subsection (9) of section 901.15, Florida Statutes, to read:

901.15 When arrest by officer without warrant is lawful.—A law enforcement officer may arrest a person without a warrant when:

(9) There is probable cause to believe that the person has committed:

(h) A violation of s. 775.216 by visiting or otherwise being within 200 feet of a school, child care facility, park, public swimming pool, public bathing place, or playground after he or she was convicted of committing specified sexual offenses against a victim who was under 16 at the time of the offense.

Section 5. Section 943.04351, Florida Statutes, is amended to read:

943.04351 Search of registration information regarding sexual predators and sexual offenders required before appointment or employment.—A state agency or governmental subdivision, before making any decision to appoint or employ a person to work, whether for compensation or as a volunteer, at any park, playground, public swimming pool, public bathing place, child care facility ~~day care center~~, or other place where children regularly congregate, must conduct a search of that person's name or other identifying information against the



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registration information regarding sexual predators and sexual offenders through the Dru Sjodin National Sexual Offender Public Website maintained by the United States Department of Justice. If for any reason that site is not available, a search of the registration information regarding sexual predators and sexual offenders maintained by the Department of Law Enforcement under s. 943.043 shall be performed. This section does not apply to those positions or appointments within a state agency or governmental subdivision for which a state and national criminal history background check is conducted.

Section 6. Present subsections (10) through (15) of section 947.005, Florida Statutes, are redesignated as subsections (12) through (17), respectively, and new subsections (10) and (11) are added to that section, to read:

947.005 Definitions.—As used in this chapter, unless the context clearly indicates otherwise:

(10) "Public bathing place" has the same meaning as provided in s. 775.215.

(11) "Public swimming pool" has the same meaning as provided in s. 775.215.

Section 7. Subsections (15) and (16) are added to section 947.1405, Florida Statutes, to read:

947.1405 Conditional release program.—

(15) Effective for a releasee who is convicted of a crime committed on or after July 1, 2026, or who has been previously convicted of a crime committed on or after July 1, 2026, in violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, against a victim who was under 18 years of age at the time of the offense, in addition to any other provision



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of this section, the commission shall impose the following conditions:

(a) A prohibition on living within 1,000 feet of any public swimming pool or public bathing place. A releasee who is subject to this paragraph may not be forced to relocate and does not violate his or her conditional release supervision if he or she is living in a residence that meets the requirements of this paragraph and a public swimming pool or public bathing place is subsequently established within 1,000 feet of his or her residence.

(b) A prohibition on working for pay or as a volunteer at any public swimming pool or public bathing place.

(16) In addition to all other conditions imposed, for a releasee who is subject to conditional release for a crime that is committed on or after July 1, 2026, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s. 943.0435(1)(h)1.a.(I), or a similar offense in another jurisdiction, against a victim who was under 18 years of age at the time of the offense, if the releasee has not received a pardon for any felony or similar violation of law of another jurisdiction necessary for the operation of this subsection, if a conviction of a felony or similar violation of law of another jurisdiction necessary for the operation of this subsection has not been set aside in any postconviction proceeding, or if the releasee has not been removed from the requirement to register as a sexual offender or sexual predator pursuant to s. 943.04354, the commission must impose a condition prohibiting the releasee from visiting a public swimming pool or public



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bathing place without prior approval from his or her supervising officer.

Section 8. Present subsections (9) through (13) of section 948.001, Florida Statutes, are redesignated as subsections (11) through (15), respectively, and new subsections (9) and (10) are added to that section, to read:

948.001 Definitions.—As used in this chapter, the term:

(9) “Public bathing place” has the same meaning as provided in s. 775.215.

(10) “Public swimming pool” has the same meaning as provided in s. 775.215.

Section 9. Subsections (6) and (7) are added to section 948.30, Florida Statutes, to read:

948.30 Additional terms and conditions of probation or community control for certain sex offenses.—Conditions imposed pursuant to this section do not require oral pronouncement at the time of sentencing and shall be considered standard conditions of probation or community control for offenders specified in this section.

(6) In addition to all other conditions imposed, for a probationer or community controllee whose crime is committed on or after July 1, 2026, and who is placed on supervision for committing, or attempting, soliciting, or conspiring to commit, a violation of s. 787.06(3)(b), (d), (f), or (g); chapter 794; s. 800.04; s. 827.071; s. 847.0135(5); or s. 847.0145 against a victim who was under 18 years of age at the time of the offense, the court shall impose the following conditions:

(a) A prohibition on living within 1,000 feet of any public swimming pool or public bathing place. A probationer or



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community controllee who is subject to this paragraph may not be forced to relocate and does not violate his or her probation or community control if he or she is living in a residence that meets the requirements of this paragraph and a public swimming pool or public bathing place is subsequently established within 1,000 feet of his or her residence.

(b) A prohibition on working for pay or as a volunteer at any public swimming pool or public bathing place.

(7) In addition to all other conditions imposed, for a probationer or community controllee who is subject to supervision for a crime that is committed on or after July 1, 2026, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s. 943.0435(1)(h)1.a.(I), or a similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense, if the offender has not received a pardon for any felony or similar violation of law of another jurisdiction necessary for the operation of this subsection, if a conviction of a felony or similar violation of law of another jurisdiction necessary for the operation of this subsection has not been set aside in any postconviction proceeding, or if the offender has not been removed from the requirement to register as a sexual offender or sexual predator pursuant to s. 943.04354, the court must impose a condition prohibiting the probationer or community controllee from visiting a public swimming pool or public bathing place without prior approval from his or her supervising officer.

Section 10. This act shall take effect July 1, 2026.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

 Delete everything before the enacting clause
and insert:

 A bill to be entitled

 An act relating to sexual offenders and sexual
predators; amending s. 775.215, F.S.; defining the
terms "public bathing place" and "public swimming
pool"; revising residency restrictions for persons
convicted of certain sexual offenses; providing
penalties; providing applicability; creating s.
775.216, F.S.; defining terms; prohibiting persons
convicted of certain sexual offenses from visiting or
otherwise being within 200 feet of specified
locations; providing penalties; providing exceptions;
amending s. 856.022, F.S.; requiring a sexual offender
or sexual predator to notify a school or child care
facility of his or her status in certain
circumstances; amending s. 901.15, F.S.; authorizing
the warrantless arrest of a person if a law
enforcement officer has probable cause to believe the
person visited or was within 200 feet of specified
prohibited locations after he or she was previously
convicted of committing specified sexual offenses
against a victim under 16; amending s. 943.04351,
F.S.; revising requirements for a search of sexual
predator or sexual offender registration information
by a state agency or governmental subdivision before
appointing or employing a person to work at specified



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locations; amending s. 947.005, F.S.; defining the terms "public bathing place" and "public swimming pool"; amending s. 947.1405, F.S.; revising special conditions for certain sexual offenders subject to conditional release supervision for offenses committed on or after a specified date; amending s. 948.001, F.S.; defining the terms "public bathing place" and "public swimming pool"; amending s. 948.30, F.S.; revising conditions of probation or community control for certain sexual offenders for offenses committed on or after a specified date; providing an effective date.