



LEGISLATIVE ACTION

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

1                   **Senate Amendment (with title amendment)**

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3                   Delete everything after the enacting clause  
4 and insert:

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



11        775.215 Residency restriction for persons convicted of  
12 certain sex offenses.—

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

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

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



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

42 (2)

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

49 (3)

50 (c) This subsection applies to any person convicted of an  
51 offense in another jurisdiction that is similar to a violation  
52 of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.  
53 847.0145 if such offense occurred on or after May 26, 2010, and  
54 before July 1, 2026, excluding persons who have been removed  
55 from the requirement to register as a sexual offender or sexual  
56 predator pursuant to s. 943.04354.

57 (4) (a) A person who has been convicted of a violation of s.  
58 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,  
59 regardless of whether adjudication has been withheld, in which  
60 the victim was younger than 16 years of age at the time of the  
61 offense, or who has been convicted of a similar offense in  
62 another jurisdiction, regardless of whether adjudication has  
63 been withheld, in which the victim was younger than 16 years of  
64 age at the time of the offense, may not reside within 1,000 feet  
65 of any school, child care facility, park, public swimming pool,  
66 public bathing place, or playground. However, a person does not  
67 violate this subsection and may not be forced to relocate if he  
68 or she is living in a residence that meets the requirements of



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

73 (b) A person who violates this subsection and whose  
74 conviction under s. 794.011, s. 800.04, s. 827.071, s.  
75 847.0135(5), or s. 847.0145 was classified as a felony of the  
76 first degree or higher or whose conviction in another  
77 jurisdiction resulted in a penalty that is substantially similar  
78 to a felony of the first degree or higher commits a felony of  
79 the third degree, punishable as provided in s. 775.082, s.  
80 775.083, or s. 775.084. A person who violates this subsection  
81 and whose conviction under s. 794.011, s. 800.04, s. 827.071, s.  
82 847.0135(5), or s. 847.0145 was classified as a felony of the  
83 second or third degree or whose conviction in another  
84 jurisdiction was substantially similar to a felony of the second  
85 or third degree commits a misdemeanor of the first degree,  
86 punishable as provided in s. 775.082 or s. 775.083.

87 (c) This subsection applies to:

88 1. A person convicted of a violation described in paragraph  
89 (a) for offenses that occurred on or after July 1, 2026,  
90 excluding persons who have been removed from the requirement to  
91 register as a sexual offender or sexual predator pursuant to s.  
92 943.04354.

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

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



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98        775.216 Restricted locations for persons convicted of  
99        certain sex offenses.—

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

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

102        402.302.

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

105        775.215.

106        (2) A person who has been convicted of a violation of s.

107        794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,  
108        regardless of whether adjudication has been withheld, in which  
109        the victim was less than 16 years of age at the time of the  
110        offense, or who has been convicted of a similar offense in  
111        another jurisdiction, regardless of whether adjudication has  
112        been withheld, in which the victim was less than 16 years of age  
113        at the time of the offense, may not visit or otherwise be within  
114        200 feet of any school, child care facility, park, public  
115        swimming pool, public bathing place, or playground.

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

118        775.082 or s. 775.083.

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

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

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

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



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

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

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

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

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

135 Section 3. Paragraph (b) of subsection (4) of section  
136 856.022, Florida Statutes, is amended to read:

137 856.022 Loitering or prowling by certain offenders in close  
138 proximity to children; penalty.—

139 (4)

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

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

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

155 3. Remain under direct supervision of a school official or



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

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

164 901.15 When arrest by officer without warrant is lawful.—A  
165 law enforcement officer may arrest a person without a warrant  
166 when:

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

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

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

176 943.04351 Search of registration information regarding  
177 sexual predators and sexual offenders required before  
178 appointment or employment.—A state agency or governmental  
179 subdivision, before making any decision to appoint or employ a  
180 person to work, whether for compensation or as a volunteer, at  
181 any park, playground, public swimming pool, public bathing  
182 place, child care facility day care center, or other place where  
183 children regularly congregate, must conduct a search of that  
184 person's name or other identifying information against the



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

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

198 947.005 Definitions.—As used in this chapter, unless the  
199 context clearly indicates otherwise:

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

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

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

205 947.1405 Conditional release program.—

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



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

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

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

226 (16) In addition to all other conditions imposed, for a  
227 releasee who is subject to conditional release for a crime that  
228 is committed on or after July 1, 2026, and who has been  
229 convicted at any time of committing, or attempting, soliciting,  
230 or conspiring to commit, any of the criminal offenses listed in  
231 s. 943.0435(1)(h)1.a.(I), or a similar offense in another  
232 jurisdiction, against a victim who was under 18 years of age at  
233 the time of the offense, if the releasee has not received a  
234 pardon for any felony or similar violation of law of another  
235 jurisdiction necessary for the operation of this subsection, if  
236 a conviction of a felony or similar violation of law of another  
237 jurisdiction necessary for the operation of this subsection has  
238 not been set aside in any postconviction proceeding, or if the  
239 releasee has not been removed from the requirement to register  
240 as a sexual offender or sexual predator pursuant to s.  
241 943.04354, the commission must impose a condition prohibiting  
242 the releasee from visiting a public swimming pool or public



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

245 Section 8. Present subsections (9) through (13) of section  
246 948.001, Florida Statutes, are redesignated as subsections (11)  
247 through (15), respectively, and new subsections (9) and (10) are  
248 added to that section, to read:

249 948.001 Definitions.—As used in this chapter, the term:

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

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

254 Section 9. Subsections (6) and (7) are added to section  
255 948.30, Florida Statutes, to read:

256 948.30 Additional terms and conditions of probation or  
257 community control for certain sex offenses.—Conditions imposed  
258 pursuant to this section do not require oral pronouncement at  
259 the time of sentencing and shall be considered standard  
260 conditions of probation or community control for offenders  
261 specified in this section.

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

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



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272 community controllee who is subject to this paragraph may not be  
273 forced to relocate and does not violate his or her probation or  
274 community control if he or she is living in a residence that  
275 meets the requirements of this paragraph and a public swimming  
276 pool or public bathing place is subsequently established within  
277 1,000 feet of his or her residence.

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

280 (7) In addition to all other conditions imposed, for a  
281 probationer or community controllee who is subject to  
282 supervision for a crime that is committed on or after July 1,  
283 2026, and who has been convicted at any time of committing, or  
284 attempting, soliciting, or conspiring to commit, any of the  
285 criminal offenses listed in s. 943.0435(1)(h)1.a.(I), or a  
286 similar offense in another jurisdiction, against a victim who  
287 was under the age of 18 at the time of the offense, if the  
288 offender has not received a pardon for any felony or similar  
289 violation of law of another jurisdiction necessary for the  
290 operation of this subsection, if a conviction of a felony or  
291 similar violation of law of another jurisdiction necessary for  
292 the operation of this subsection has not been set aside in any  
293 postconviction proceeding, or if the offender has not been  
294 removed from the requirement to register as a sexual offender or  
295 sexual predator pursuant to s. 943.04354, the court must impose  
296 a condition prohibiting the probationer or community controllee  
297 from visiting a public swimming pool or public bathing place  
298 without prior approval from his or her supervising officer.

299 Section 10. This act shall take effect July 1, 2026.  
300



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301 ===== TITLE AMENDMENT =====

302 And the title is amended as follows:

303 Delete everything before the enacting clause  
304 and insert:

305 A bill to be entitled

306 An act relating to sexual offenders and sexual  
307 predators; amending s. 775.215, F.S.; defining the  
308 terms "public bathing place" and "public swimming  
309 pool"; revising residency restrictions for persons  
310 convicted of certain sexual offenses; providing  
311 penalties; providing applicability; creating s.  
312 775.216, F.S.; defining terms; prohibiting persons  
313 convicted of certain sexual offenses from visiting or  
314 otherwise being within 200 feet of specified  
315 locations; providing penalties; providing exceptions;  
316 amending s. 856.022, F.S.; requiring a sexual offender  
317 or sexual predator to notify a school or child care  
318 facility of his or her status in certain  
319 circumstances; amending s. 901.15, F.S.; authorizing  
320 the warrantless arrest of a person if a law  
321 enforcement officer has probable cause to believe the  
322 person visited or was within 200 feet of specified  
323 prohibited locations after he or she was previously  
324 convicted of committing specified sexual offenses  
325 against a victim under 16; amending s. 943.04351,  
326 F.S.; revising requirements for a search of sexual  
327 predator or sexual offender registration information  
328 by a state agency or governmental subdivision before  
329 appointing or employing a person to work at specified



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