



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2026	.	
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The Committee on Rules (McClain) recommended the following:

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

2  
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 (e), a new paragraph (d) is added to that subsection, subsection  
8 (4) is added to that section, and paragraph (c) of subsection  
9 (2) and paragraph (c) of subsection (3) of that section are  
10 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 swimming pool” means a structure that is  
15 located either indoors or outdoors and used for recreational  
16 bathing or swimming by humans. The term includes a conventional  
17 pool, spa-type pool, wading pool, special purpose pool, spray  
18 pool, splash pad, or other water recreation attraction, to which  
19 admission may be gained with or without payment of a fee,  
20 regardless of whether entry to the swimming pool is limited by a  
21 gate or other method of controlling access. The term includes  
22 swimming pools operated by or serving subdivisions, apartments,  
23 condominiums, mobile home parks, or townhouses, or any pool  
24 operated by a governmental entity which is held open to the  
25 public. The term does not include a swimming pool at a private  
26 single-family residence, hotel, motel, or recreational vehicle  
27 park, or a swimming pool where the operator prohibits the use of  
28 such pool by persons younger than 18 years of age.

29 (2)

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

36 (3)

37 (c) This subsection applies to any person convicted of an  
38 offense in another jurisdiction that is similar to a violation  
39 of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.  
40 847.0145 if such offense occurred on or after May 26, 2010, and



41 before July 1, 2026, excluding persons who have been removed  
42 from the requirement to register as a sexual offender or sexual  
43 predator pursuant to s. 943.04354.

44 (4) (a) A person who has been convicted of a violation of s.  
45 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,  
46 regardless of whether adjudication has been withheld, in which  
47 the victim was less than 16 years of age at the time of the  
48 offense, or who has been convicted of a similar offense in  
49 another jurisdiction, regardless of whether adjudication has  
50 been withheld, in which the victim was less than 16 years of age  
51 at the time of the offense, may not reside within 1,000 feet of  
52 any school, child care facility, park, playground, or public  
53 swimming pool. However, a person does not violate this  
54 subsection and may not be forced to relocate if he or she is  
55 living in a residence that meets the requirements of this  
56 subsection and a school, child care facility, park, playground,  
57 or public swimming pool is subsequently established within 1,000  
58 feet of his or her residence.

59 (b) A person who violates this subsection and whose  
60 conviction under s. 794.011, s. 800.04, s. 827.071, s.  
61 847.0135(5), or s. 847.0145 was classified as a felony of the  
62 first degree or higher or whose conviction in another  
63 jurisdiction resulted in a penalty that is substantially similar  
64 to a felony of the first degree or higher commits a felony of  
65 the third degree, punishable as provided in s. 775.082, s.  
66 775.083, or s. 775.084. A person who violates this subsection  
67 and whose conviction under s. 794.011, s. 800.04, s. 827.071, s.  
68 847.0135(5), or s. 847.0145 was classified as a felony of the  
69 second or third degree or whose conviction in another



70 jurisdiction was substantially similar to a felony of the second  
71 or third degree commits a misdemeanor of the first degree,  
72 punishable as provided in s. 775.082 or s. 775.083.

73 (c) This subsection applies to:

74 1. Any person convicted of a violation described in  
75 paragraph (a) for offenses that occur on or after July 1, 2026,  
76 excluding persons who have been removed from the requirement to  
77 register as a sexual offender or sexual predator pursuant to s.  
78 943.04354.

79 2. Any person who is subject to the residency restrictions  
80 in subsection (2) or subsection (3) who changes his or her  
81 permanent residence, as that term is defined in s. 775.21(2), on  
82 or after July 1, 2026.

83 Section 2. Section 856.022, Florida Statutes, is amended to  
84 read:

85 856.022 Loitering or prowling by certain offenders in close  
86 proximity to children; prohibition on contact or communication  
87 with children in certain locations; penalty.—

88 (1) Except as provided in subsection (2), this section  
89 applies to a person convicted of committing, or attempting,  
90 soliciting, or conspiring to commit, any of the criminal  
91 offenses proscribed in the following statutes in this state or  
92 similar offenses in another jurisdiction against a victim who  
93 was younger than ~~under~~ 18 years of age at the time of the  
94 offense: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the  
95 victim is a minor; s. 787.06(3)(g); s. 794.011, excluding s.  
96 794.011(10); s. 794.05; former s. 796.03; former s. 796.035; s.  
97 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,  
98 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;



99 s. 985.701(1); or any similar offense committed in this state  
100 which has been redesignated from a former statute number to one  
101 of those listed in this subsection, if the person has not  
102 received a pardon for any felony or similar law of another  
103 jurisdiction necessary for the operation of this subsection and  
104 a conviction of a felony or similar law of another jurisdiction  
105 necessary for the operation of this subsection has not been set  
106 aside in any postconviction proceeding.

107 (2) This section does not apply to a person who has been  
108 removed from the requirement to register as a sexual offender or  
109 sexual predator pursuant to s. 943.04354.

110 (3) A person described in subsection (1) commits loitering  
111 and prowling by a person convicted of a sexual offense against a  
112 minor if, in committing loitering and prowling, he or she was  
113 within 500 300 feet of a place where children were congregating.

114 (4)(a) It is unlawful for a person described in subsection  
115 (1) to knowingly approach, contact, ~~or~~ communicate with, or  
116 approach with the intent to contact or communicate with a person  
117 younger than child under 18 years of age in any public park  
118 building or on real property comprising any public park, ~~or~~  
119 playground, or public swimming pool. This subsection does not  
120 prohibit a person from contacting, communicating with, or  
121 approaching with the intent to contact or communicate with, a  
122 person younger than 18 years of age if such person is his or her  
123 family or household member as defined in s. 741.28 with the  
124 intent to engage in conduct of a sexual nature or to make a  
125 communication of any type with any content of a sexual nature.  
126 This paragraph applies only to a person described in subsection  
127 (1) whose offense was committed on or after May 26, 2010.



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

135        1. Provide written notification ~~of his or her intent to be~~  
136 ~~present to the school board, superintendent, principal, or child~~  
137 ~~care facility owner that he or she has a conviction specified in~~  
138 ~~subsection (1) and that he or she intends to be present at the~~  
139 ~~school or child care facility;~~

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

143        3. Remain under direct supervision of a school official or  
144 designated chaperone when present in the vicinity of children.  
145 As used in this paragraph, the term "school official" means a  
146 principal, a school resource officer, a teacher or any other  
147 employee of the school, the superintendent of schools, a member  
148 of the school board, a child care facility owner, or a child  
149 care provider.

150        (c) A person is not in violation of paragraph (b) if:

151        1. The child care facility or school is a voting location  
152 and the person is present for the purpose of voting during the  
153 hours designated for voting; ~~or~~

154        2. The person is a parent, grandparent, or legal guardian  
155 who is only dropping off or picking up his or her child or  
156 grandchild ~~own children or grandchildren~~ at the child care



157 facility or school; or

158 3. The person is attending a religious service as defined  
159 in s. 775.0861.

160 (5) A Any person who violates this section commits a  
161 misdemeanor of the first degree, punishable as provided in s.  
162 775.082 or s. 775.083.

163 (6) As used in this section, the term:

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

165 (b) "Park" has the same meaning as in s. 775.215(1).

166 (c) "Playground" has the same meaning as in s. 775.215(1).

167 (d) "Public swimming pool" means a structure which is  
168 located either indoors or outdoors and used for recreational  
169 bathing or swimming by humans, including the area immediately  
170 surrounding the structure. The term includes a conventional  
171 pool, spa-type pool, wading pool, special purpose pool, spray  
172 pool, splash pad, or other water recreation attraction, to which  
173 admission may be gained with or without payment of a fee,  
174 regardless of whether entry to the swimming pool is limited by a  
175 gate or other method of controlling access. The term also  
176 includes, but is not limited to, pools operated by or serving  
177 camps, churches, governmental entities, day care centers, parks,  
178 schools, subdivisions, apartments, condominiums, hotels, motels,  
179 mobile home parks, recreational vehicle parks, and townhouses.  
180 The term does not include a swimming pool at a private single-  
181 family residence or a swimming pool where the operator prohibits  
182 the use of such pool by persons younger than 18 years of age.

183 (e) "School" has the same meaning as in s. 775.215(1).

184 Section 3. Paragraphs (h) and (i) are added to subsection  
185 (9) of section 901.15, Florida Statutes, to read:



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186        901.15 When arrest by officer without warrant is lawful.—A  
187 law enforcement officer may arrest a person without a warrant  
188 when:

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

191        (h) A violation of s. 856.022(4)(a) by knowingly  
192 contacting, communicating with, or approaching with the intent  
193 to contact or communicate with, a person younger than 18 years  
194 of age in any park building or on real property comprising any  
195 park, playground, or public swimming pool.

196        (i) A violation of s. 856.022(4)(b) by knowingly being  
197 present in any child care facility or school containing students  
198 in prekindergarten through grade 12 or on real property  
199 comprising a child care facility or school containing any  
200 students in prekindergarten through grade 12 when the child care  
201 facility or school is in operation.

202        Section 4. Section 943.04351, Florida Statutes, is amended  
203 to read:

204        943.04351 Search of registration information regarding  
205 sexual predators and sexual offenders required before  
206 appointment or employment.—A state agency or governmental  
207 subdivision, before making any decision to appoint or employ a  
208 person to work, whether for compensation or as a volunteer, at  
209 any park, playground, public swimming pool, child care facility  
210 ~~day care center~~, or other place where children regularly  
211 congregate, must conduct a search of that person's name or other  
212 identifying information against the registration information  
213 regarding sexual predators and sexual offenders through the Dru  
214 Sjodin National Sexual Offender Public Website maintained by the



215 United States Department of Justice. If for any reason that site  
216 is not available, a search of the registration information  
217 regarding sexual predators and sexual offenders maintained by  
218 the Department of Law Enforcement under s. 943.043 must ~~shall~~ be  
219 performed. This section does not apply to those positions or  
220 appointments within a state agency or governmental subdivision  
221 for which a state and national criminal history background check  
222 is conducted.

223 Section 5. Subsections (15) and (16) are added to section  
224 947.1405, Florida Statutes, to read:

225 947.1405 Conditional release program.—

226 (15) Effective for a releasee who is convicted of a crime  
227 committed on or after July 1, 2026, or who has been previously  
228 convicted of a crime committed on or after July 1, 2026, in  
229 violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5),  
230 or s. 847.0145, against a victim who was younger than 18 years  
231 of age at the time of the offense, in addition to any other  
232 provision of this section, the commission shall impose the  
233 following conditions:

234 (a) A prohibition on living within 1,000 feet of any public  
235 swimming pool, as defined in s. 775.215. A releasee who is  
236 subject to this paragraph may not be forced to relocate and does  
237 not violate his or her conditional release supervision if he or  
238 she is living in a residence that meets the requirements of this  
239 paragraph and a public swimming pool is subsequently established  
240 within 1,000 feet of his or her residence.

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

243 (16) In addition to all other conditions imposed, for a



244 releasee who is subject to conditional release for a crime that  
245 was committed on or after July 1, 2026, and who has been  
246 convicted at any time of committing, or attempting, soliciting,  
247 or conspiring to commit, any of the criminal offenses listed in  
248 s. 943.0435(1)(h)1.a.(I), or a similar offense in another  
249 jurisdiction against a victim who was younger than 18 years of  
250 age at the time of the offense, if the releasee has not received  
251 a pardon for any felony or similar law of another jurisdiction  
252 necessary for the operation of this subsection, if a conviction  
253 of a felony or similar law of another jurisdiction necessary for  
254 the operation of this subsection has not been set aside in any  
255 postconviction proceeding, or if the releasee has not been  
256 removed from the requirement to register as a sexual offender or  
257 sexual predator pursuant to s. 943.04354, the commission must  
258 impose a condition prohibiting the releasee from visiting a  
259 public swimming pool, as defined in s. 856.022(6), without prior  
260 approval from his or her supervising officer.

261       Section 6. Subsections (6) and (7) are added to section  
262 948.30, Florida Statutes, to read:

263       948.30 Additional terms and conditions of probation or  
264 community control for certain sex offenses.—Conditions imposed  
265 pursuant to this section do not require oral pronouncement at  
266 the time of sentencing and shall be considered standard  
267 conditions of probation or community control for offenders  
268 specified in this section.

269       (6) In addition to all other conditions imposed, for a  
270 probationer or community controllee whose crime was committed on  
271 or after July 1, 2026, and who is placed on supervision for  
272 committing, or attempting, soliciting, or conspiring to commit,



273 a violation of s. 787.06(3) (b), (d), (f), or (g); chapter 794;  
274 s. 800.04; s. 827.071; s. 847.0135(5); or s. 847.0145 against a  
275 victim who was younger than 18 years of age at the time of the  
276 offense, the court must impose the following conditions:

277 (a) A prohibition on living within 1,000 feet of any public  
278 swimming pool, as defined in s. 775.215. A probationer or  
279 community controllee who is subject to this paragraph may not be  
280 forced to relocate and does not violate his or her probation or  
281 community control if he or she is living in a residence that  
282 meets the requirements of this paragraph and a public swimming  
283 pool is subsequently established within 1,000 feet of his or her  
284 residence.

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

287 (7) In addition to all other conditions imposed, for a  
288 probationer or community controllee who is subject to  
289 supervision for a crime that was committed on or after July 1,  
290 2026, and who has been convicted at any time of committing, or  
291 attempting, soliciting, or conspiring to commit, any of the  
292 criminal offenses listed in s. 943.0435(1) (h)1.a. (I), or a  
293 similar offense in another jurisdiction, against a victim who  
294 was younger than 18 years of age at the time of the offense, if  
295 the offender has not received a pardon for any felony or similar  
296 law of another jurisdiction necessary for the operation of this  
297 subsection, if a conviction of a felony or similar law of  
298 another jurisdiction necessary for the operation of this  
299 subsection has not been set aside in any postconviction  
300 proceeding, or if the offender has not been removed from the  
301 requirement to register as a sexual offender or sexual predator



302 pursuant to s. 943.04354, the court must impose a condition  
303 prohibiting the probationer or community controlee from visiting  
304 a public swimming pool, as defined in s. 856.022(6), without  
305 prior approval from his or her supervising officer.

306       Section 7. This act shall take effect July 1, 2026.

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

309       And the title is amended as follows:

310       Delete everything before the enacting clause  
311 and insert:

312                   A bill to be entitled  
313       An act relating to sexual offenders and sexual  
314       predators; amending s. 775.215, F.S.; defining the  
315       term "public swimming pool"; revising residency  
316       restrictions for persons convicted of certain sexual  
317       offenses occurring on or after a specified date;  
318       providing penalties; providing applicability; amending  
319       s. 856.022, F.S.; revising the prohibition of  
320       specified offenders from coming within a specified  
321       distance of a place where children congregate;  
322       prohibiting certain persons from contacting,  
323       communicating with, or knowingly approaching with the  
324       intent to contact or communicate with certain persons  
325       at certain locations; providing an exception;  
326       requiring a person who has been convicted of specified  
327       offenses to provide notice to a school or child care  
328       facility under certain circumstances; defining terms;  
329       amending s. 901.15, F.S.; authorizing the warrantless  
330       arrest of a person if a law enforcement officer has



331       probable cause to believe the person committed  
332       specified offenses; amending s. 943.04351, F.S.;  
333       revising requirements for state agencies or  
334       governmental subdivisions to search before appointing  
335       or employing a person to work at specified locations;  
336       amending s. 947.1405, F.S.; revising special  
337       conditions for certain sexual offenders subject to  
338       conditional release supervision for offenses committed  
339       on or after a specified date; amending s. 948.30,  
340       F.S.; revising conditions of probation or community  
341       control for certain sexual offenders for offenses  
342       committed on or after a specified date; providing an  
343       effective date.