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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/10/2026	.	
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The Committee on Judiciary (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  
(e), a new paragraph (d) is 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, read:

775.215 Residency restriction for persons convicted of



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certain sex offenses.—

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

(d) “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. The term includes 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 also includes pools operated by or serving subdivisions, apartments, mobile home parks, or townhouses or any pool operated by a county, city, or municipality which is held open to the public. The term does not include a swimming pool at a private single-family residence, hotels, motels, or recreational vehicle parks or a swimming pool at a facility where the operator prohibits the use of such pool by persons younger than 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



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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, 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 this subsection and a school, child care facility, park, public swimming pool, 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



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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. Any person convicted of a violation described in paragraph (a) for offenses that occur 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. Any 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:

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," and "school" have the same meanings as in s. 775.215.

(c) "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



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99 connection therewith. The term includes a conventional pool,  
100 spa-type pool, wading pool, special purpose pool, spray pool,  
101 splash pad, or water recreation attraction, to which admission  
102 may be gained with or without payment of a fee, regardless of  
103 whether entry to the public swimming pool is limited by a gate  
104 or other method of controlling access. The term only includes  
105 the water feature and the immediate surrounding area of such  
106 water feature. The term also includes, but is not limited to,  
107 pools operated by or serving camps, churches, cities, counties,  
108 municipalities, day care centers, parks, state agencies,  
109 schools, subdivisions, apartments, hotels, motels, mobile home  
110 parks, recreational vehicle parks, and townhouses. The term does  
111 not include a swimming pool at a private single-family residence  
112 or a swimming pool at a facility where the operator prohibits  
113 the use of such pool by persons younger than 18 years of age.

114 (2) A person who has been convicted of a violation of s.  
115 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,  
116 regardless of whether adjudication has been withheld, in which  
117 the victim was younger than 16 years of age at the time of the  
118 offense, or who has been convicted of a similar offense in  
119 another jurisdiction, regardless of whether adjudication has  
120 been withheld, in which the victim was younger than 16 years of  
121 age at the time of the offense, may not be on the premises of  
122 any school, child care facility, park, public swimming pool, or  
123 playground.

124 (3) A person who violates this section commits a  
125 misdemeanor of the first degree, punishable as provided in s.  
126 775.082 or s. 775.083.

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



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(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) A parent, grandparent, or legal guardian who is dropping off or picking up his or her child or grandchild from a child care facility or school or who is visiting his or her child's or grandchild's child care facility or school, subject to the requirements in s. 856.022(4)(b).

(d) A parent, grandparent, or legal guardian who is only dropping off or picking up his or her child or grandchild from a park, playground, or public swimming pool.

(e) A person who is on the premises 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



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the child care facility or school is in operation, if such person fails to:

1. Provide written notification that he or she has a conviction specified in subsection (1) 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 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 being on the premises of a school, child care facility, park, public swimming pool, or playground after he or she was convicted of committing a specified sexual offense against a victim who was younger than 16 years of age at the time of the offense.



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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, 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 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 must ~~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 (11) through (16), respectively, and a new subsection (10) is added to that section, to read:

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

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



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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 younger than 18 years of age at the time of the offense, in addition to any other provision of this section, the commission shall impose the following conditions:

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

(16) In addition to all other conditions imposed, for a releasee who is subject to conditional release for a crime that was 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 younger than 18 years of age at the time of the offense, if the releasee has not received a pardon for any felony or similar law of another jurisdiction



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necessary for the operation of this subsection, if a conviction of a felony or similar 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 without prior approval from his or her supervising officer.

(a) Except as provided in paragraph (b), a supervising officer must deny a releasee's request to visit a public swimming pool if the releasee is prohibited from visiting such a public swimming pool under s. 775.216.

(b) A supervising officer may authorize a releasee who is prohibited from visiting a public swimming pool under s. 775.216 if it is for any purpose listed in s. 775.216(4).

Section 8. Present subsections (9) through (13) of section 948.001, Florida Statutes, are redesignated as subsections (10) through (14), respectively, and a new subsection (9) is added to that section, to read:

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

(9) "Public swimming pool" has the same meaning as 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



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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 was 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 younger than 18 years of age at the time of the offense, the court must impose the following conditions:

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

(7) In addition to all other conditions imposed, for a probationer or community controllee who is subject to supervision for a crime that was 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 younger than 18 years of age at the time of the offense, if the offender has not received a pardon for any felony or similar law of another jurisdiction necessary for the operation of this



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subsection, if a conviction of a felony or similar 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 without prior approval from his  
or her supervising officer.

(a) Except as provided in paragraph (b), a supervising  
officer must deny a probationer's request to visit a public  
swimming pool if the probationer is prohibited from visiting  
such a public swimming pool under s. 775.216.

(b) A supervising officer may authorize a probationer who  
is prohibited from visiting a public swimming pool under s.  
775.216 if it is for any purpose listed in s. 775.216(4).

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

===== 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  
term "public swimming pool"; revising residency  
restrictions for persons convicted of certain sexual  
offenses; providing penalties; providing  
applicability; creating s. 775.216, F.S.; defining



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terms; prohibiting persons convicted of certain sexual offenses from visiting or otherwise being on the premises of specified locations; providing criminal 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 conviction of specific offenses and that he or she intends to be present at the school or child care facility under 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 was on the premises of specified prohibited locations after he or she was previously convicted of committing specified sexual offenses against a victim younger than 16 years of age; 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 locations; amending s. 947.005, F.S.; defining the term "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; conforming provisions to changes made by the act; amending s. 948.001, F.S.; defining the term "public swimming pool"; amending s. 948.30, F.S.; revising conditions of probation or community control for



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360        certain sexual offenders for offenses committed on or  
361        after a specified date; conforming provisions to  
362        changes made by the act; providing an effective date.