



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/10/2026	.	
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The Committee on Judiciary (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, 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 watertight structure of
15 concrete, masonry, or other approved materials which is located
16 either indoors or outdoors, used for bathing or swimming by
17 humans, and filled with a filtered and disinfected water supply,
18 together with buildings, appurtenances, and equipment used in
19 connection therewith. The term includes a conventional pool,
20 spa-type pool, wading pool, special purpose pool, spray pool,
21 splash pad, or water recreation attraction, to which admission
22 may be gained with or without payment of a fee, regardless of
23 whether entry to the public swimming pool is limited by a gate
24 or other method of controlling access. The term also includes
25 pools operated by or serving subdivisions, apartments, mobile
26 home parks, or townhouses or any pool operated by a county,
27 city, or municipality which is held open to the public. The term
28 does not include a swimming pool at a private single-family
29 residence, hotels, motels, or recreational vehicle parks or a
30 swimming pool at a facility where the operator prohibits the use
31 of such pool by persons younger than 18 years of age.

32 (2)

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

39 (3)

40 (c) This subsection applies to any person convicted of an



41 offense in another jurisdiction that is similar to a violation
42 of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.
43 847.0145 if such offense occurred on or after May 26, 2010, and
44 before July 1, 2026, excluding persons who have been removed
45 from the requirement to register as a sexual offender or sexual
46 predator pursuant to s. 943.04354.

47 (4) (a) A person who has been convicted of a violation of s.
48 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,
49 regardless of whether adjudication has been withheld, in which
50 the victim was younger than 16 years of age at the time of the
51 offense, or who has been convicted of a similar offense in
52 another jurisdiction, regardless of whether adjudication has
53 been withheld, in which the victim was younger than 16 years of
54 age at the time of the offense, may not reside within 1,000 feet
55 of any school, child care facility, park, public swimming pool,
56 or playground. However, a person does not violate this
57 subsection and may not be forced to relocate if he or she is
58 living in a residence that meets the requirements of this
59 subsection and a school, child care facility, park, public
60 swimming pool, or playground is subsequently established within
61 1,000 feet of his or her residence.

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



70 and whose conviction under s. 794.011, s. 800.04, s. 827.071, s.
71 847.0135(5), or s. 847.0145 was classified as a felony of the
72 second or third degree or whose conviction in another
73 jurisdiction was substantially similar to a felony of the second
74 or third degree commits a misdemeanor of the first degree,
75 punishable as provided in s. 775.082 or s. 775.083.

76 (c) This subsection applies to:

77 1. Any person convicted of a violation described in
78 paragraph (a) for offenses that occur on or after July 1, 2026,
79 excluding persons who have been removed from the requirement to
80 register as a sexual offender or sexual predator pursuant to s.
81 943.04354.

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

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

87 775.216 Restricted locations for persons convicted of
88 certain sex offenses.—

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

90 (a) "Child care facility" has the same meaning as in s.
91 402.302.

92 (b) "Park," "playground," and "school" have the same
93 meanings as in s. 775.215.

94 (c) "Public swimming pool" means a watertight structure of
95 concrete, masonry, or other approved materials which is located
96 either indoors or outdoors, used for bathing or swimming by
97 humans, and filled with a filtered and disinfected water supply,
98 together with buildings, appurtenances, and equipment used in



764964

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:



764964

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

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

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

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

140 (e) A person who is on the premises of a location described
141 in subsection (1) for the sole purpose of:

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

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

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

147 Section 3. Paragraph (b) of subsection (4) of section
148 856.022, Florida Statutes, is amended to read:

149 856.022 Loitering or prowling by certain offenders in close
150 proximity to children; penalty.—

151 (4)

152 (b) It is unlawful for a person described in subsection (1)
153 to knowingly be present in any child care facility or school
154 containing any students in prekindergarten through grade 12 or
155 on real property comprising any child care facility or school
156 containing any students in prekindergarten through grade 12 when



764964

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

159 1. Provide written notification that he or she has a
160 conviction specified in subsection (1) of his or her intent to
161 be present to the school board, superintendent, principal, or
162 child care facility owner and that he or she intends to be
163 present at the school or child care facility;

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

167 3. Remain under direct supervision of a school official or
168 designated chaperone when present in the vicinity of children.
169 As used in this paragraph, the term "school official" means a
170 principal, a school resource officer, a teacher or any other
171 employee of the school, the superintendent of schools, a member
172 of the school board, a child care facility owner, or a child
173 care provider.

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

176 901.15 When arrest by officer without warrant is lawful.—A
177 law enforcement officer may arrest a person without a warrant
178 when:

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

181 (h) A violation of s. 775.216 by being on the premises of a
182 school, child care facility, park, public swimming pool, or
183 playground after he or she was convicted of committing a
184 specified sexual offense against a victim who was younger than
185 16 years of age at the time of the offense.



764964

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

188 943.04351 Search of registration information regarding
189 sexual predators and sexual offenders required before
190 appointment or employment.—A state agency or governmental
191 subdivision, before making any decision to appoint or employ a
192 person to work, whether for compensation or as a volunteer, at
193 any park, playground, public swimming pool, child care facility
194 ~~day care center~~, or other place where children regularly
195 congregate, must conduct a search of that person's name or other
196 identifying information against the registration information
197 regarding sexual predators and sexual offenders through the Dru
198 Sjodin National Sexual Offender Public Website maintained by the
199 United States Department of Justice. If for any reason that site
200 is not available, a search of the registration information
201 regarding sexual predators and sexual offenders maintained by
202 the Department of Law Enforcement under s. 943.043 must ~~shall~~ be
203 performed. This section does not apply to those positions or
204 appointments within a state agency or governmental subdivision
205 for which a state and national criminal history background check
206 is conducted.

207 Section 6. Present subsections (10) through (15) of section
208 947.005, Florida Statutes, are redesignated as subsections (11)
209 through (16), respectively, and a new subsection (10) is added
210 to that section, to read:

211 947.005 Definitions.—As used in this chapter, unless the
212 context clearly indicates otherwise:

213 (10) “Public swimming pool” has the same meaning as in s.
214 775.215.



764964

215 Section 7. Subsections (15) and (16) are added to section
216 947.1405, Florida Statutes, to read:

217 947.1405 Conditional release program.—

218 (15) Effective for a releasee who is convicted of a crime
219 committed on or after July 1, 2026, or who has been previously
220 convicted of a crime committed on or after July 1, 2026, in
221 violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5),
222 or s. 847.0145, against a victim who was younger than 18 years
223 of age at the time of the offense, in addition to any other
224 provision of this section, the commission shall impose the
225 following conditions:

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

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

235 (16) In addition to all other conditions imposed, for a
236 releasee who is subject to conditional release for a crime that
237 was committed on or after July 1, 2026, and who has been
238 convicted at any time of committing, or attempting, soliciting,
239 or conspiring to commit, any of the criminal offenses listed in
240 s. 943.0435(1)(h)1.a.(I), or a similar offense in another
241 jurisdiction, against a victim who was younger than 18 years of
242 age at the time of the offense, if the releasee has not received
243 a pardon for any felony or similar law of another jurisdiction



764964

244 necessary for the operation of this subsection, if a conviction
245 of a felony or similar law of another jurisdiction necessary for
246 the operation of this subsection has not been set aside in any
247 postconviction proceeding, or if the releasee has not been
248 removed from the requirement to register as a sexual offender or
249 sexual predator pursuant to s. 943.04354, the commission must
250 impose a condition prohibiting the releasee from visiting a
251 public swimming pool without prior approval from his or her
252 supervising officer.

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

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

260 Section 8. Present subsections (9) through (13) of section
261 948.001, Florida Statutes, are redesignated as subsections (10)
262 through (14), respectively, and a new subsection (9) is added to
263 that section, to read:

264 948.001 Definitions.—As used in this chapter, the term:
265 (9) "Public swimming pool" has the same meaning as in s.
266 775.215.

267 Section 9. Subsections (6) and (7) are added to section
268 948.30, Florida Statutes, to read:

269 948.30 Additional terms and conditions of probation or
270 community control for certain sex offenses.—Conditions imposed
271 pursuant to this section do not require oral pronouncement at
272 the time of sentencing and shall be considered standard



764964

273 conditions of probation or community control for offenders
274 specified in this section.

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

283 (a) A prohibition on living within 1,000 feet of any public
284 swimming pool. A probationer or community controllee who is
285 subject to this paragraph may not be forced to relocate and does
286 not violate his or her probation or community control if he or
287 she is living in a residence that meets the requirements of this
288 paragraph and a public swimming pool is subsequently established
289 within 1,000 feet of his or her residence.

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

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



764964

302 subsection, if a conviction of a felony or similar law of
303 another jurisdiction necessary for the operation of this
304 subsection has not been set aside in any postconviction
305 proceeding, or if the offender has not been removed from the
306 requirement to register as a sexual offender or sexual predator
307 pursuant to s. 943.04354, the court must impose a condition
308 prohibiting the probationer or community controllee from
309 visiting a public swimming pool without prior approval from his
310 or her supervising officer.

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

315 (b) A supervising officer may authorize a probationer who
316 is prohibited from visiting a public swimming pool under s.
317 775.216 if it is for any purpose listed in s. 775.216(4).

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

319
320 ===== T I T L E A M E N D M E N T =====
321 And the title is amended as follows:

322 Delete everything before the enacting clause
323 and insert:

324 A bill to be entitled
325 An act relating to sexual offenders and sexual
326 predators; amending s. 775.215, F.S.; defining the
327 term "public swimming pool"; revising residency
328 restrictions for persons convicted of certain sexual
329 offenses; providing penalties; providing
330 applicability; creating s. 775.216, F.S.; defining



764964

331 terms; prohibiting persons convicted of certain sexual
332 offenses from visiting or otherwise being on the
333 premises of specified locations; providing criminal
334 penalties; providing exceptions; amending s. 856.022,
335 F.S.; requiring a sexual offender or sexual predator
336 to notify a school or child care facility of his or
337 her conviction of specific offenses and that he or she
338 intends to be present at the school or child care
339 facility under certain circumstances; amending s.
340 901.15, F.S.; authorizing the warrantless arrest of a
341 person if a law enforcement officer has probable cause
342 to believe the person was on the premises of specified
343 prohibited locations after he or she was previously
344 convicted of committing specified sexual offenses
345 against a victim younger than 16 years of age;
346 amending s. 943.04351, F.S.; revising requirements for
347 a search of sexual predator or sexual offender
348 registration information by a state agency or
349 governmental subdivision before appointing or
350 employing a person to work at specified locations;
351 amending s. 947.005, F.S.; defining the term "public
352 swimming pool"; amending s. 947.1405, F.S.; revising
353 special conditions for certain sexual offenders
354 subject to conditional release supervision for
355 offenses committed on or after a specified date;
356 conforming provisions to changes made by the act;
357 amending s. 948.001, F.S.; defining the term "public
358 swimming pool"; amending s. 948.30, F.S.; revising
359 conditions of probation or community control for



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.