

By the Committees on Judiciary; and Criminal Justice; and Senator McClain

590-02694-26

2026212c2

590-02694-26

2026212c2

30 special conditions for certain sexual offenders
31 subject to conditional release supervision for
32 offenses committed on or after a specified date;
33 conforming provisions to changes made by the act;
34 amending s. 948.001, F.S.; defining the term "public
35 swimming pool"; amending s. 948.30, F.S.; revising
36 conditions of probation or community control for
37 certain sexual offenders for offenses committed on or
38 after a specified date; conforming provisions to
39 changes made by the act; providing an effective date.
40

41 Be It Enacted by the Legislature of the State of Florida:

42
43 Section 1. Present paragraph (d) of subsection (1) of
44 section 775.215, Florida Statutes, is redesignated as paragraph
45 (e), a new paragraph (d) is added to that subsection, subsection
46 (4) is added to that section, and paragraph (c) of subsection
47 (2) and paragraph (c) of subsection (3) of that section are
48 amended, read:

49 775.215 Residency restriction for persons convicted of
50 certain sex offenses.—

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

52 (d) "Public swimming pool" means a watertight structure of
53 concrete, masonry, or other approved materials which is located
54 either indoors or outdoors, used for bathing or swimming by
55 humans, and filled with a filtered and disinfected water supply,
56 together with buildings, appurtenances, and equipment used in
57 connection therewith. The term includes a conventional pool,
58 spa-type pool, wading pool, special purpose pool, spray pool,

590-02694-26

2026212c2

59 splash pad, or water recreation attraction, to which admission
60 may be gained with or without payment of a fee, regardless of
61 whether entry to the public swimming pool is limited by a gate
62 or other method of controlling access. The term also includes
63 pools operated by or serving subdivisions, apartments, mobile
64 home parks, or townhouses or any pool operated by a county,
65 city, or municipality which is held open to the public. The term
66 does not include a swimming pool at a private single-family
67 residence, hotels, motels, or recreational vehicle parks or a
68 swimming pool at a facility where the operator prohibits the use
69 of such pool by persons younger than 18 years of age.

70 (2)

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

77 (3)

78 (c) This subsection applies to any person convicted of an
79 offense in another jurisdiction that is similar to a violation
80 of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.
81 847.0145 if such offense occurred on or after May 26, 2010, and
82 before July 1, 2026, excluding persons who have been removed
83 from the requirement to register as a sexual offender or sexual
84 predator pursuant to s. 943.04354.

85 (4) (a) A person who has been convicted of a violation of s.
86 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,
87 regardless of whether adjudication has been withheld, in which

590-02694-26

2026212c2

88 the victim was younger than 16 years of age at the time of the
89 offense, or who has been convicted of a similar offense in
90 another jurisdiction, regardless of whether adjudication has
91 been withheld, in which the victim was younger than 16 years of
92 age at the time of the offense, may not reside within 1,000 feet
93 of any school, child care facility, park, public swimming pool,
94 or playground. However, a person does not violate this
95 subsection and may not be forced to relocate if he or she is
96 living in a residence that meets the requirements of this
97 subsection and a school, child care facility, park, public
98 swimming pool, or playground is subsequently established within
99 1,000 feet of his or her residence.

100 (b) A person who violates this subsection and whose
101 conviction under s. 794.011, s. 800.04, s. 827.071, s.
102 847.0135(5), or s. 847.0145 was classified as a felony of the
103 first degree or higher or whose conviction in another
104 jurisdiction resulted in a penalty that is substantially similar
105 to a felony of the first degree or higher commits a felony of
106 the third degree, punishable as provided in s. 775.082, s.
107 775.083, or s. 775.084. A person who violates this subsection
108 and whose conviction under s. 794.011, s. 800.04, s. 827.071, s.
109 847.0135(5), or s. 847.0145 was classified as a felony of the
110 second or third degree or whose conviction in another
111 jurisdiction was substantially similar to a felony of the second
112 or third degree commits a misdemeanor of the first degree,
113 punishable as provided in s. 775.082 or s. 775.083.

114 (c) This subsection applies to:

115 1. Any person convicted of a violation described in
116 paragraph (a) for offenses that occur on or after July 1, 2026,

590-02694-26

2026212c2

117 excluding persons who have been removed from the requirement to
118 register as a sexual offender or sexual predator pursuant to s.
119 943.04354.

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

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

125 775.216 Restricted locations for persons convicted of
126 certain sex offenses.—

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

128 (a) "Child care facility" has the same meaning as in s.
129 402.302.

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

132 (c) "Public swimming pool" means a watertight structure of
133 concrete, masonry, or other approved materials which is located
134 either indoors or outdoors, used for bathing or swimming by
135 humans, and filled with a filtered and disinfected water supply,
136 together with buildings, appurtenances, and equipment used in
137 connection therewith. The term includes a conventional pool,
138 spa-type pool, wading pool, special purpose pool, spray pool,
139 splash pad, or water recreation attraction, to which admission
140 may be gained with or without payment of a fee, regardless of
141 whether entry to the public swimming pool is limited by a gate
142 or other method of controlling access. The term only includes
143 the water feature and the immediate surrounding area of such
144 water feature. The term also includes, but is not limited to,
145 pools operated by or serving camps, churches, cities, counties,

590-02694-26

2026212c2

146 municipalities, day care centers, parks, state agencies,
147 schools, subdivisions, apartments, hotels, motels, mobile home
148 parks, recreational vehicle parks, and townhouses. The term does
149 not include a swimming pool at a private single-family residence
150 or a swimming pool at a facility where the operator prohibits
151 the use of such pool by persons younger than 18 years of age.

152 (2) A person who has been convicted of a violation of s.
153 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,
154 regardless of whether adjudication has been withheld, in which
155 the victim was younger than 16 years of age at the time of the
156 offense, or who has been convicted of a similar offense in
157 another jurisdiction, regardless of whether adjudication has
158 been withheld, in which the victim was younger than 16 years of
159 age at the time of the offense, may not be on the premises of
160 any school, child care facility, park, public swimming pool, or
161 playground.

162 (3) A person who violates this section commits a
163 misdemeanor of the first degree, punishable as provided in s.
164 775.082 or s. 775.083.

165 (4) This section does not apply to a person who:
166 (a) Has been removed from the requirement to register as a
167 sexual offender or sexual predator under s. 943.04354.
168 (b) Is actively traveling past a location described in
169 subsection (1) while in transit to another destination.
170 (c) A parent, grandparent, or legal guardian who is
171 dropping off or picking up his or her child or grandchild from a
172 child care facility or school or who is visiting his or her
173 child's or grandchild's child care facility or school, subject
174 to the requirements in s. 856.022(4)(b).

590-02694-26

2026212c2

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

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

- 180 1. Attending a religious service as defined in s. 775.0861.
- 181 2. Voting, if such person is present during the hours
182 designated for voting.
- 183 3. Conducting official business at a local, state, or
184 federal government building.

185 Section 3. Paragraph (b) of subsection (4) of section
186 856.022, Florida Statutes, is amended to read:

187 856.022 Loitering or prowling by certain offenders in close
188 proximity to children; penalty.—

189 (4)

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

197 1. Provide written notification that he or she has a
198 conviction specified in subsection (1) of his or her intent to
199 be present to the school board, superintendent, principal, or
200 child care facility owner and that he or she intends to be
201 present at the school or child care facility;

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

590-02694-26

2026212c2

204 care facility or school; or

205 3. Remain under direct supervision of a school official or
206 designated chaperone when present in the vicinity of children.
207 As used in this paragraph, the term "school official" means a
208 principal, a school resource officer, a teacher or any other
209 employee of the school, the superintendent of schools, a member
210 of the school board, a child care facility owner, or a child
211 care provider.

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

214 901.15 When arrest by officer without warrant is lawful.—A
215 law enforcement officer may arrest a person without a warrant
216 when:

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

219 (h) A violation of s. 775.216 by being on the premises of a
220 school, child care facility, park, public swimming pool, or
221 playground after he or she was convicted of committing a
222 specified sexual offense against a victim who was younger than
223 16 years of age at the time of the offense.

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

226 943.04351 Search of registration information regarding
227 sexual predators and sexual offenders required before
228 appointment or employment.—A state agency or governmental
229 subdivision, before making any decision to appoint or employ a
230 person to work, whether for compensation or as a volunteer, at
231 any park, playground, public swimming pool, child care facility
232 ~~day care center~~, or other place where children regularly

590-02694-26

2026212c2

233 congregate, must conduct a search of that person's name or other
234 identifying information against the registration information
235 regarding sexual predators and sexual offenders through the Dru
236 Sjodin National Sexual Offender Public Website maintained by the
237 United States Department of Justice. If for any reason that site
238 is not available, a search of the registration information
239 regarding sexual predators and sexual offenders maintained by
240 the Department of Law Enforcement under s. 943.043 must ~~shall~~ be
241 performed. This section does not apply to those positions or
242 appointments within a state agency or governmental subdivision
243 for which a state and national criminal history background check
244 is conducted.

245 Section 6. Present subsections (10) through (15) of section
246 947.005, Florida Statutes, are redesignated as subsections (11)
247 through (16), respectively, and a new subsection (10) is added
248 to that section, to read:

249 947.005 Definitions.—As used in this chapter, unless the
250 context clearly indicates otherwise:

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

253 Section 7. Subsections (15) and (16) are added to section
254 947.1405, Florida Statutes, to read:

255 947.1405 Conditional release program.—

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

590-02694-26

2026212c2

262 provision of this section, the commission shall impose the
263 following conditions:

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

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

273 (16) In addition to all other conditions imposed, for a
274 releasee who is subject to conditional release for a crime that
275 was committed on or after July 1, 2026, and who has been
276 convicted at any time of committing, or attempting, soliciting,
277 or conspiring to commit, any of the criminal offenses listed in
278 s. 943.0435(1)(h)1.a.(I), or a similar offense in another
279 jurisdiction, against a victim who was younger than 18 years of
280 age at the time of the offense, if the releasee has not received
281 a pardon for any felony or similar law of another jurisdiction
282 necessary for the operation of this subsection, if a conviction
283 of a felony or similar law of another jurisdiction necessary for
284 the operation of this subsection has not been set aside in any
285 postconviction proceeding, or if the releasee has not been
286 removed from the requirement to register as a sexual offender or
287 sexual predator pursuant to s. 943.04354, the commission must
288 impose a condition prohibiting the releasee from visiting a
289 public swimming pool without prior approval from his or her
290 supervising officer.

590-02694-26

2026212c2

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

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

298 Section 8. Present subsections (9) through (13) of section
299 948.001, Florida Statutes, are redesignated as subsections (10)
300 through (14), respectively, and a new subsection (9) is added to
301 that section, to read:

302 948.001 Definitions.—As used in this chapter, the term:
303 (9) "Public swimming pool" has the same meaning as in s.
304 775.215.

305 Section 9. Subsections (6) and (7) are added to section
306 948.30, Florida Statutes, to read:

307 948.30 Additional terms and conditions of probation or
308 community control for certain sex offenses.—Conditions imposed
309 pursuant to this section do not require oral pronouncement at
310 the time of sentencing and shall be considered standard
311 conditions of probation or community control for offenders
312 specified in this section.

313 (6) In addition to all other conditions imposed, for a
314 probationer or community controllee whose crime was committed on
315 or after July 1, 2026, and who is placed on supervision for
316 committing, or attempting, soliciting, or conspiring to commit,
317 a violation of s. 787.06(3) (b), (d), (f), or (g); chapter 794;
318 s. 800.04; s. 827.071; s. 847.0135(5); or s. 847.0145 against a
319 victim who was younger than 18 years of age at the time of the

590-02694-26

2026212c2

320 offense, the court must impose the following conditions:

321 (a) A prohibition on living within 1,000 feet of any public
322 swimming pool. A probationer or community controllee who is
323 subject to this paragraph may not be forced to relocate and does
324 not violate his or her probation or community control if he or
325 she is living in a residence that meets the requirements of this
326 paragraph and a public swimming pool is subsequently established
327 within 1,000 feet of his or her residence.

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

330 (7) In addition to all other conditions imposed, for a
331 probationer or community controllee who is subject to
332 supervision for a crime that was committed on or after July 1,
333 2026, and who has been convicted at any time of committing, or
334 attempting, soliciting, or conspiring to commit, any of the
335 criminal offenses listed in s. 943.0435(1)(h)1.a.(I), or a
336 similar offense in another jurisdiction, against a victim who
337 was younger than 18 years of age at the time of the offense, if
338 the offender has not received a pardon for any felony or similar
339 law of another jurisdiction necessary for the operation of this
340 subsection, if a conviction of a felony or similar law of
341 another jurisdiction necessary for the operation of this
342 subsection has not been set aside in any postconviction
343 proceeding, or if the offender has not been removed from the
344 requirement to register as a sexual offender or sexual predator
345 pursuant to s. 943.04354, the court must impose a condition
346 prohibiting the probationer or community controllee from
347 visiting a public swimming pool without prior approval from his
348 or her supervising officer.

590-02694-26

2026212c2

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

353 (b) A supervising officer may authorize a probationer who
354 is prohibited from visiting a public swimming pool under s.
355 775.216 if it is for any purpose listed in s. 775.216(4).

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