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1
2 An act relating to sexual offenders and sexual
3 predators; amending s. 775.215, F.S.; defining the
4 term "public swimming pool"; revising residency
5 restrictions for persons convicted of certain sexual
6 offenses occurring on or after a specified date;
7 providing penalties; providing applicability; defining
8 the term "permanent residence"; amending s. 856.022,
9 F.S.; revising the prohibition of specified offenders
10 from coming within a specified distance of a place
11 where children congregate; prohibiting certain persons
12 from contacting, communicating with, or knowingly
13 approaching with the intent to contact or communicate
14 with certain persons at certain locations; providing
15 an exception; requiring a person who has been
16 convicted of specified offenses to provide notice to a
17 school or child care facility under certain
18 circumstances; defining terms; amending s. 901.15,
19 F.S.; authorizing the warrantless arrest of a person
20 if a law enforcement officer has probable cause to
21 believe the person committed specified offenses;
22 amending s. 943.04351, F.S.; revising requirements for
23 state agencies or governmental subdivisions to search
24 before appointing or employing a person to work at
25 specified locations; amending s. 947.1405, F.S.;
26 revising special conditions for certain sexual
27 offenders subject to conditional release supervision
28 for offenses committed on or after a specified date;
29 amending s. 948.30, F.S.; revising conditions of

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30 probation or community control for certain sexual
31 offenders for offenses committed on or after a
32 specified date; providing an effective date.
33

34 Be It Enacted by the Legislature of the State of Florida:
35

36 Section 1. Present paragraph (d) of subsection (1) of
37 section 775.215, Florida Statutes, is redesignated as paragraph
38 (e), a new paragraph (d) is added to that subsection, subsection
39 (4) is added to that section, and paragraph (c) of subsection
40 (2) and paragraph (c) of subsection (3) of that section are
41 amended, to read:

42 775.215 Residency restriction for persons convicted of
43 certain sex offenses.—

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

45 (d) "Public swimming pool" means a structure that is
46 located either indoors or outdoors and used for recreational
47 bathing or swimming by humans. The term includes a conventional
48 pool, spa-type pool, wading pool, special purpose pool, spray
49 pool, splash pad, or other water recreation attraction, to which
50 admission may be gained with or without payment of a fee,
51 regardless of whether entry to the swimming pool is limited by a
52 gate or other method of controlling access. The term includes
53 swimming pools operated by or serving subdivisions, apartments,
54 condominiums, mobile home parks, or townhouses, or any pool
55 operated by a governmental entity which is held open to the
56 public. The term does not include a swimming pool at a private
57 single-family residence, hotel, motel, or recreational vehicle
58 park, or a swimming pool where the operator prohibits the use of

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59 such pool by persons younger than 18 years of age.

60 (2)

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

67 (3)

68 (c) This subsection applies to any person convicted of an
69 offense in another jurisdiction that is similar to a violation
70 of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.
71 847.0145 if such offense occurred on or after May 26, 2010, and
72 before July 1, 2026, excluding persons who have been removed
73 from the requirement to register as a sexual offender or sexual
74 predator pursuant to s. 943.04354.

75 (4) (a) A person who has been convicted of a violation of s.
76 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,
77 regardless of whether adjudication has been withheld, in which
78 the victim was less than 16 years of age at the time of the
79 offense, or who has been convicted of a similar offense in
80 another jurisdiction, regardless of whether adjudication has
81 been withheld, in which the victim was less than 16 years of age
82 at the time of the offense, may not reside within 1,000 feet of
83 any school, child care facility, park, playground, or public
84 swimming pool. However, a person does not violate this
85 subsection and may not be forced to relocate if he or she is
86 living in a residence that meets the requirements of this
87 subsection and a school, child care facility, park, playground,

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88 or public swimming pool is subsequently established within 1,000
89 feet of his or her residence.

90 (b) A person who violates this subsection and whose
91 conviction under s. 794.011, s. 800.04, s. 827.071, s.
92 847.0135(5), or s. 847.0145 was classified as a felony of the
93 first degree or higher or whose conviction in another
94 jurisdiction resulted in a penalty that is substantially similar
95 to a felony of the first degree or higher commits a felony of
96 the third degree, punishable as provided in s. 775.082, s.
97 775.083, or s. 775.084. A person who violates this subsection
98 and whose conviction under s. 794.011, s. 800.04, s. 827.071, s.
99 847.0135(5), or s. 847.0145 was classified as a felony of the
100 second or third degree or whose conviction in another
101 jurisdiction was substantially similar to a felony of the second
102 or third degree commits a misdemeanor of the first degree,
103 punishable as provided in s. 775.082 or s. 775.083.

104 (c) This subsection applies to:

105 1. Any person convicted of a violation described in
106 paragraph (a) for offenses that occur on or after July 1, 2026,
107 excluding persons who have been removed from the requirement to
108 register as a sexual offender or sexual predator pursuant to s.
109 943.04354.

110 2. Any person who is subject to the residency restrictions
111 in subsection (2) or subsection (3) who changes his or her
112 permanent residence on or after July 1, 2026. As used in this
113 subparagraph, the term "permanent residence" means a place where
114 the person abides, lodges, or resides for 3 or more consecutive
115 days which is the person's home or other place where the person
116 primarily lives. For the purpose of calculating a permanent

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117 residence under this subparagraph, the first day that a person
118 abides, lodges, or resides at a place is excluded and each
119 subsequent day is counted. A day includes any part of a calendar
120 day.

121 Section 2. Section 856.022, Florida Statutes, is amended to
122 read:

123 856.022 Loitering or prowling by certain offenders in close
124 proximity to children; prohibition on contact or communication
125 with children in certain locations; penalty.—

126 (1) Except as provided in subsection (2), this section
127 applies to a person convicted of committing, or attempting,
128 soliciting, or conspiring to commit, any of the criminal
129 offenses proscribed in the following statutes in this state or
130 similar offenses in another jurisdiction against a victim who
131 was younger than ~~under~~ 18 years of age at the time of the
132 offense: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the
133 victim is a minor; s. 787.06(3)(g); s. 794.011, excluding s.
134 794.011(10); s. 794.05; former s. 796.03; former s. 796.035; s.
135 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
136 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
137 s. 985.701(1); or any similar offense committed in this state
138 which has been redesignated from a former statute number to one
139 of those listed in this subsection, if the person has not
140 received a pardon for any felony or similar law of another
141 jurisdiction necessary for the operation of this subsection and
142 a conviction of a felony or similar law of another jurisdiction
143 necessary for the operation of this subsection has not been set
144 aside in any postconviction proceeding.

145 (2) This section does not apply to a person who has been

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146 removed from the requirement to register as a sexual offender or
147 sexual predator pursuant to s. 943.04354.

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

152 (4) (a) It is unlawful for a person described in subsection
153 (1) to knowingly ~~approach, contact, or communicate with, or~~
154 approach with the intent to contact or communicate with a person
155 younger than child under 18 years of age in any ~~public~~ park
156 building or on real property comprising any ~~public~~ park, ~~or~~
157 playground, or public swimming pool. This subsection does not
158 prohibit a person from contacting, communicating with, or
159 approaching with the intent to contact or communicate with, a
160 person younger than 18 years of age if such person is his or her
161 family or household member as defined in s. 741.28 with the
162 ~~intent to engage in conduct of a sexual nature or to make a~~
163 ~~communication of any type with any content of a sexual nature.~~
164 ~~This paragraph applies only to a person described in subsection~~
165 ~~(1) whose offense was committed on or after May 26, 2010.~~

166 (b) It is unlawful for a person described in subsection (1)
167 to knowingly be present in any child care facility or school
168 containing any students in prekindergarten through grade 12 or
169 on real property comprising any child care facility or school
170 containing any students in prekindergarten through grade 12 when
171 the child care facility or school is in operation, if such
172 person fails to:

173 1. Provide written notification ~~of his or her intent to be~~
174 ~~present~~ to the school board, superintendent, principal, or child

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175 care facility owner that he or she has a conviction specified in
176 subsection (1) and that he or she intends to be present at the
177 school or child care facility;

178 2. Notify the child care facility owner or the school
179 principal's office when he or she arrives and departs the child
180 care facility or school; and ~~or~~

181 3. Remain under direct supervision of a school official or
182 designated chaperone when present in the vicinity of children.
183 As used in this paragraph, the term "school official" means a
184 principal, a school resource officer, a teacher or any other
185 employee of the school, the superintendent of schools, a member
186 of the school board, a child care facility owner, or a child
187 care provider.

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

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

192 2. The person is a parent, grandparent, or legal guardian
193 who is only dropping off or picking up his or her child or
194 grandchild ~~own children or grandchildren~~ at the child care
195 facility or school; or

196 3. The person is attending a religious service as defined
197 in s. 775.0861.

198 (5) A ~~Any~~ person who violates this section commits a
199 misdemeanor of the first degree, punishable as provided in s.
200 775.082 or s. 775.083.

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

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

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

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

205 (d) "Public swimming pool" means a structure that is
206 located either indoors or outdoors and used for recreational
207 bathing or swimming by humans, including the area immediately
208 surrounding the structure. The term includes a conventional
209 pool, spa-type pool, wading pool, special purpose pool, spray
210 pool, splash pad, or other water recreation attraction, to which
211 admission may be gained with or without payment of a fee,
212 regardless of whether entry to the swimming pool is limited by a
213 gate or other method of controlling access. The term also
214 includes, but is not limited to, pools operated by or serving
215 camps, churches, governmental entities, day care centers, parks,
216 schools, subdivisions, apartments, condominiums, hotels, motels,
217 mobile home parks, recreational vehicle parks, and townhouses.
218 The term does not include a swimming pool at a private single-
219 family residence or a swimming pool where the operator prohibits
220 the use of such pool by persons younger than 18 years of age.

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

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

224 901.15 When arrest by officer without warrant is lawful.—A
225 law enforcement officer may arrest a person without a warrant
226 when:

227 (9) There is probable cause to believe that the person has
228 committed:

229 (h) A violation of s. 856.022(4)(a) by knowingly
230 contacting, communicating with, or approaching with the intent
231 to contact or communicate with, a person younger than 18 years
232 of age in any park building or on real property comprising any

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233 park, playground, or public swimming pool.

234 (i) A violation of s. 856.022(4)(b) by knowingly being
235 present in any child care facility or school containing students
236 in prekindergarten through grade 12 or on real property
237 comprising a child care facility or school containing any
238 students in prekindergarten through grade 12 when the child care
239 facility or school is in operation.

240 Section 4. Section 943.04351, Florida Statutes, is amended
241 to read:

242 943.04351 Search of registration information regarding
243 sexual predators and sexual offenders required before
244 appointment or employment.—A state agency or governmental
245 subdivision, before making any decision to appoint or employ a
246 person to work, whether for compensation or as a volunteer, at
247 any park, playground, public swimming pool, child care facility
248 ~~day care center~~, or other place where children regularly
249 congregate, must conduct a search of that person's name or other
250 identifying information against the registration information
251 regarding sexual predators and sexual offenders through the Dru
252 Sjodin National Sexual Offender Public Website maintained by the
253 United States Department of Justice. If for any reason that site
254 is not available, a search of the registration information
255 regarding sexual predators and sexual offenders maintained by
256 the Department of Law Enforcement under s. 943.043 must ~~shall~~ be
257 performed. This section does not apply to those positions or
258 appointments within a state agency or governmental subdivision
259 for which a state and national criminal history background check
260 is conducted.

261 Section 5. Subsections (15) and (16) are added to section

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262 947.1405, Florida Statutes, to read:

263 947.1405 Conditional release program.—

264 (15) Effective for a releasee who is convicted of a crime
265 committed on or after July 1, 2026, or who has been previously
266 convicted of a crime committed on or after July 1, 2026, in
267 violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5),
268 or s. 847.0145, against a victim who was younger than 18 years
269 of age at the time of the offense, in addition to any other
270 provision of this section, the commission shall impose the
271 following conditions:

272 (a) A prohibition on living within 1,000 feet of any public
273 swimming pool, as defined in s. 775.215. A releasee who is
274 subject to this paragraph may not be forced to relocate and does
275 not violate his or her conditional release supervision if he or
276 she is living in a residence that meets the requirements of this
277 paragraph and a public swimming pool is subsequently established
278 within 1,000 feet of his or her residence.

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

281 (16) In addition to all other conditions imposed, for a
282 releasee who is subject to conditional release for a crime that
283 was committed on or after July 1, 2026, and who has been
284 convicted at any time of committing, or attempting, soliciting,
285 or conspiring to commit, any of the criminal offenses listed in
286 s. 943.0435(1)(h)1.a.(I), or a similar offense in another
287 jurisdiction against a victim who was younger than 18 years of
288 age at the time of the offense, if the releasee has not received
289 a pardon for any felony or similar law of another jurisdiction
290 necessary for the operation of this subsection, if a conviction

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291 of a felony or similar 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 releasee has not been
294 removed from the requirement to register as a sexual offender or
295 sexual predator pursuant to s. 943.04354, the commission must
296 impose a condition prohibiting the releasee from visiting a
297 public swimming pool, as defined in s. 856.022(6), without prior
298 approval from his or her supervising officer.

299 Section 6. Subsections (6) and (7) are added to section
300 948.30, Florida Statutes, to read:

301 948.30 Additional terms and conditions of probation or
302 community control for certain sex offenses.—Conditions imposed
303 pursuant to this section do not require oral pronouncement at
304 the time of sentencing and shall be considered standard
305 conditions of probation or community control for offenders
306 specified in this section.

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

315 (a) A prohibition on living within 1,000 feet of any public
316 swimming pool, as defined in s. 775.215. A probationer or
317 community controllee who is subject to this paragraph may not be
318 forced to relocate and does not violate his or her probation or
319 community control if he or she is living in a residence that

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320 meets the requirements of this paragraph and a public swimming
321 pool is subsequently established within 1,000 feet of his or her
322 residence.

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

325 (7) In addition to all other conditions imposed, for a
326 probationer or community controllee who is subject to
327 supervision for a crime that was committed on or after July 1,
328 2026, and who has been convicted at any time of committing, or
329 attempting, soliciting, or conspiring to commit, any of the
330 criminal offenses listed in s. 943.0435(1)(h)1.a.(I), or a
331 similar offense in another jurisdiction, against a victim who
332 was younger than 18 years of age at the time of the offense, if
333 the offender has not received a pardon for any felony or similar
334 law of another jurisdiction necessary for the operation of this
335 subsection, if a conviction of a felony or similar law of
336 another jurisdiction necessary for the operation of this
337 subsection has not been set aside in any postconviction
338 proceeding, or if the offender has not been removed from the
339 requirement to register as a sexual offender or sexual predator
340 pursuant to s. 943.04354, the court must impose a condition
341 prohibiting the probationer or community controllee from visiting
342 a public swimming pool, as defined in s. 856.022(6), without
343 prior approval from his or her supervising officer.

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