

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Plakon offered the following:
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Paragraph (d) of subsection (1) of section**
8 **775.215, Florida Statutes, is redesignated as paragraph (f) and**
9 **new paragraphs (d) and (e) are added to that subsection,**
10 **paragraph (c) of subsection (2) and paragraph (c) of subsection**
11 **(3) are amended, and a new subsection (4) is added to that**
12 **section, to read:**

13 775.215 Residency restriction for persons convicted of
14 certain sex offenses.—

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

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16 (d) "Public bathing place" has the same meaning as
17 provided in s. 514.011(4).

18 (e) "Public swimming pool" has the same meaning as
19 provided in s. 514.011(2), and also includes a public spray pool
20 or public splash pad.

21 (2)

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

28 (3)

29 (c) This subsection applies to any person convicted of an
30 offense in another jurisdiction that is similar to a violation
31 of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.
32 847.0145 if such offense occurred on or after May 26, 2010 and
33 before July 1, 2026, excluding persons who have been removed
34 from the requirement to register as a sexual offender or sexual
35 predator pursuant to s. 943.04354.

36 (4) (a) A person who has been convicted of a violation of
37 s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.
38 847.0145, regardless of whether adjudication has been withheld,
39 in which the victim was less than 16 years of age at the time of
40 the offense, or who has been convicted of a similar offense in

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41 another jurisdiction, regardless of whether adjudication has
42 been withheld, in which the victim was less than 16 years of age
43 at the time of the offense, may not reside within 1,000 feet of
44 any school, child care facility, park, public swimming pool,
45 public bathing place, or playground. However, a person does not
46 violate this subsection and may not be forced to relocate if he
47 or she is living in a residence that meets the requirements of
48 this subsection and a school, child care facility, park, public
49 swimming pool, public bathing place, or playground is
50 subsequently established within 1,000 feet of his or her
51 residence.

52 (b) A person who violates this subsection and whose
53 conviction under s. 794.011, s. 800.04, s. 827.071, s.
54 847.0135(5), or s. 847.0145 was classified as a felony of the
55 first degree or higher or whose conviction in another
56 jurisdiction resulted in a penalty that is substantially similar
57 to a felony of the first degree or higher commits a felony of
58 the third degree, punishable as provided in s. 775.082, s.
59 775.083, or s. 775.084. A person who violates this subsection
60 and whose 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 second or third degree or whose conviction in another
63 jurisdiction was substantially similar to a felony of the second
64 or third degree commits a misdemeanor of the first degree,
65 punishable as provided in s. 775.082 or s. 775.083.

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66 (c) This subsection applies to:

67 1. Any person convicted of a violation described in
68 paragraph (a) for offenses that occur on or after July 1, 2026,
69 excluding persons who have been removed from the requirement to
70 register as a sexual offender or sexual predator pursuant to s.
71 943.04354.

72 2. Any person who is subject to the residency restrictions
73 in subsections (2) or (3) who changes his or her place of
74 residence on or after July 1, 2026.

75 **Section 2. Section 943.04351, Florida Statutes, is amended**
76 **to read:**

77 943.04351 Search of registration information regarding
78 sexual predators and sexual offenders required before
79 appointment or employment.—A state agency or governmental
80 subdivision, before making any decision to appoint or employ a
81 person to work, whether for compensation or as a volunteer, at
82 any park, playground, public swimming pool, public bathing
83 place, child care facility ~~day care center~~, or other place where
84 children regularly congregate, must conduct a search of that
85 person's name or other identifying information against the
86 registration information regarding sexual predators and sexual
87 offenders through the Dru Sjodin National Sexual Offender Public
88 Website maintained by the United States Department of Justice.
89 If for any reason that site is not available, a search of the
90 registration information regarding sexual predators and sexual

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91 offenders maintained by the Department of Law Enforcement under
92 s. 943.043 shall be performed. This section does not apply to
93 those positions or appointments within a state agency or
94 governmental subdivision for which a state and national criminal
95 history background check is conducted.

96 **Section 3. Subsections (10) through (15) of section**
97 **947.005, Florida Statutes, are renumbered as subsections (12)**
98 **through (17), respectively, and new subsections (10) and (11)**
99 **are added to that section, to read:**

100 947.005 Definitions.—As used in this chapter, unless the
101 context clearly indicates otherwise:

102 (10) "Public bathing place" has the same meaning as
103 provided in s. 514.011(4).

104 (11) "Public swimming pool" has the same meaning as
105 provided in s. 514.011(2), and also includes a public spray pool
106 or public splash pad.

107 **Section 4. Subsections (15) and (16) are added to section**
108 **947.1405, Florida Statutes, to read:**

109 947.1405 Conditional release program.—

110 (15) Effective for a releasee who is convicted of a crime
111 committed on or after July 1, 2026, or who has been previously
112 convicted of a crime committed on or after July 1, 2026, in
113 violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5),
114 or s. 847.0145, against a victim who was under 18 years of age
115 at the time of the offense, in addition to any other provision

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116 of this section, the commission must impose the following
117 conditions:

118 (a) A prohibition on living within 1,000 feet of any
119 public swimming pool or public bathing place. A releasee who is
120 subject to this paragraph may not be forced to relocate and does
121 not violate his or her conditional release supervision if he or
122 she is living in a residence that meets the requirements of this
123 paragraph and a public swimming pool or public bathing place is
124 subsequently established within 1,000 feet of his or her
125 residence.

126 (b) A prohibition on working for pay or as a volunteer at
127 any public swimming pool or public bathing place.

128 (16) In addition to all other conditions imposed, for a
129 releasee who is subject to conditional release for a crime that
130 was committed on or after July 1, 2026, and who has been
131 convicted at any time of committing, or attempting, soliciting,
132 or conspiring to commit, any of the criminal offenses listed in
133 s. 943.0435(1)(h)1.a.(I), or a similar offense in another
134 jurisdiction against a victim who was under 18 years of age at
135 the time of the offense, if the releasee has not received a
136 pardon for any felony or similar law of another jurisdiction
137 necessary for the operation of this subsection, if a conviction
138 of a felony or similar law of another jurisdiction necessary for
139 the operation of this subsection has not been set aside in any
140 postconviction proceeding, or if the releasee has not been

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141 removed from the requirement to register as a sexual offender or
142 sexual predator pursuant to s. 943.04354, the commission must
143 impose a condition prohibiting the releasee from visiting a
144 public swimming pool or public bathing place without prior
145 approval from his or her supervising officer.

146 **Section 5. Subsections (9) through (13) of section**
147 **948.001, Florida Statutes, are renumbered as subsections (11)**
148 **through (15), respectively, and new subsections (9) and (10) are**
149 **added to that section, to read:**

150 948.001 Definitions.—As used in this chapter, the term:

151 (9) "Public bathing place" has the same meaning as
152 provided in s. 514.011(4).

153 (10) "Public swimming pool" has the same meaning as
154 provided in s. 514.011(2), and also includes a public spray pool
155 or public splash pad.

156 **Section 6. Subsections (6) and (7) are added to section**
157 **948.30, Florida Statutes, to read:**

158 948.30 Additional terms and conditions of probation or
159 community control for certain sex offenses.—Conditions imposed
160 pursuant to this section do not require oral pronouncement at
161 the time of sentencing and shall be considered standard
162 conditions of probation or community control for offenders
163 specified in this section.

164 (6) In addition to all other conditions imposed, for a
165 probationer or community controllee whose crime was committed on

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166 or after July 1, 2026, and who is placed on supervision for
167 committing, or attempting, soliciting, or conspiring to commit a
168 violation of s. 787.06(3)(b), (d), (f), or (g); chapter 794; s.
169 800.04; s. 827.071; s. 847.0135(5); or s. 847.0145, against a
170 victim who was under 18 years of age at the time of the offense,
171 the court must impose the following conditions:

172 (a) A prohibition on living within 1,000 feet of any
173 public swimming pool or public bathing place. A probationer or
174 community controllee who is subject to this paragraph may not be
175 forced to relocate and does not violate his or her probation or
176 community control if he or she is living in a residence that
177 meets the requirements of this paragraph and a public swimming
178 pool or public bathing place is subsequently established within
179 1,000 feet of his or her residence.

180 (b) A prohibition on working for pay or as a volunteer at
181 any public swimming pool or public bathing place.

182 (7) In addition to all other conditions imposed, for a
183 probationer or community controllee who is subject to
184 supervision for a crime that was committed on or after July 1,
185 2026, and who has been convicted at any time of committing, or
186 attempting, soliciting, or conspiring to commit, any of the
187 criminal offenses listed in s. 943.0435(1)(h)1.a.(I), or a
188 similar offense in another jurisdiction, against a victim who
189 was under the age of 18 at the time of the offense; if the
190 offender has not received a pardon for any felony or similar law

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191 of another jurisdiction necessary for the operation of this
192 subsection, if a conviction of a felony or similar law of
193 another jurisdiction necessary for the operation of this
194 subsection has not been set aside in any postconviction
195 proceeding, or if the offender has not been removed from the
196 requirement to register as a sexual offender or sexual predator
197 pursuant to s. 943.04354, the court must impose a condition
198 prohibiting the probationer or community controllee from
199 visiting a public swimming pool or public bathing place without
200 prior approval from his or her supervising officer.

201 **Section 7.** This act shall take effect July 1, 2026.
202
203

204 -----
205 **T I T L E A M E N D M E N T**

206 Remove everything before the enacting clause and insert:
207 An act relating to sexual offenders and sexual
208 predators; amending s. 775.215, F.S.; defining the
209 terms "public bathing place" and "public swimming
210 pool"; revising residency restrictions for persons
211 convicted of certain sexual offenses after a specified
212 date; providing penalties; providing applicability;
213 amending s. 943.04351, F.S.; revising requirements for
214 a search of sexual predator or sexual offender
215 registration information by a state agency or

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216 governmental subdivision before appointing or
217 employing a person to work at specified locations;
218 amending s. 947.005, F.S.; defining the terms "public
219 bathing place" and "public swimming pool"; amending s.
220 947.1405, F.S.; revising special conditions for
221 certain sexual offenders subject to conditional
222 release supervision for offenses committed after a
223 specified date; amending s. 948.001, F.S.; defining
224 the terms "public bathing place" and "public swimming
225 pool"; amending s. 948.30, F.S.; revising conditions
226 of probation or community control for certain sexual
227 offenders for offenses committed after a specified
228 date; providing an effective date.