

1                               A bill to be entitled  
2       An act relating to sexual offenders and sexual  
3       predators; amending s. 514.011, F.S.; revising the  
4       definitions of the terms "public swimming pool" and  
5       "public pool"; amending s. 775.215; defining the terms  
6       "public bathing place" and "public swimming pool";  
7       revising residency restrictions for persons convicted  
8       of certain sexual offenses; amending s. 943.04351,  
9       F.S.; revising requirements for a search of sexual  
10      predator or sexual offender registration information  
11      by a state agency or governmental subdivision before  
12      appointing or employing a person to work; amending s.  
13      947.005, F.S.; defining the terms "public bathing  
14      place" and "public swimming pool"; amending s.  
15      947.1405, F.S.; revising special conditions for  
16      certain sexual offenders subject to conditional  
17      release supervision; amending s. 948.001, F.S.;  
18      defining the terms "public bathing place" and "public  
19      swimming pool"; amending s. 948.30, F.S.; revising  
20      standard conditions of probation or community control  
21      for certain sexual offenders; providing an effective  
22      date.

23  
24   Be It Enacted by the Legislature of the State of Florida:  
25

26        **Section 1. Subsection (2) of section 514.011, Florida**  
27 **Statutes, is amended to read:**

28        514.011 Definitions.—As used in this chapter:

29        (2) "Public swimming pool" or "public pool" means a  
30 watertight structure of concrete, masonry, or other approved  
31 materials which is located either indoors or outdoors, used for  
32 bathing or swimming by humans, and filled with a filtered and  
33 disinfected water supply, together with buildings,  
34 appurtenances, and equipment used in connection therewith. A  
35 public swimming pool or public pool shall mean a conventional  
36 pool, spa-type pool, wading pool, special purpose pool, spray  
37 pool, splash pad, or water recreation attraction, to which  
38 admission may be gained with or without payment of a fee and  
39 includes, but is not limited to, pools operated by or serving  
40 camps, churches, cities, counties, child care facilities ~~day~~  
41 ~~care centers,~~ group home facilities for eight or more clients,  
42 health spas, institutions, parks, state agencies, schools,  
43 subdivisions, or the cooperative living-type projects of five or  
44 more living units, such as apartments, boardinghouses, hotels,  
45 mobile home parks, motels, recreational vehicle parks, and  
46 townhouses.

47        **Section 2. Paragraph (d) of subsection (1) of section**  
48 **775.215, Florida Statutes, is redesignated as paragraph (f),**  
49 **paragraph (a) of subsection (2) and paragraph (a) of subsection**  
50 **(3) are amended, and new paragraphs (d) and (e) are added to**

51 **subsection (1) of that section, to read:**

52 775.215 Residency restriction for persons convicted of  
53 certain sex offenses.—

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

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

57 (e) "Public swimming pool" has the same meaning as  
58 provided in s. 514.011(2).

59 (2) (a) A person who has been convicted of a violation of  
60 s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.  
61 847.0145, regardless of whether adjudication has been withheld,  
62 in which the victim of the offense was less than 16 years of  
63 age, may not reside within 1,000 feet of any school, child care  
64 facility, park, public swimming pool, public bathing place, or  
65 playground. However, a person does not violate this subsection  
66 and may not be forced to relocate if he or she is living in a  
67 residence that meets the requirements of this subsection and a  
68 school, child care facility, park, public swimming pool, public  
69 bathing place, or playground is subsequently established within  
70 1,000 feet of his or her residence.

71 (3) (a) A person who has been convicted of an offense in  
72 another jurisdiction that is similar to a violation of s.  
73 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,  
74 regardless of whether adjudication has been withheld, in which  
75 the victim of the offense was less than 16 years of age, may not

76 | reside within 1,000 feet of any school, child care facility,  
77 | park, public swimming pool, public bathing place, or playground.  
78 | However, a person does not violate this subsection and may not  
79 | be forced to relocate if he or she is living in a residence that  
80 | meets the requirements of this subsection and a school, child  
81 | care facility, park, public swimming pool, public bathing place,  
82 | or playground is subsequently established within 1,000 feet of  
83 | his or her residence.

84 |       **Section 3. Section 943.04351, Florida Statutes, is amended**  
85 | **to read:**

86 |       943.04351 Search of registration information regarding  
87 | sexual predators and sexual offenders required before  
88 | appointment or employment.—A state agency or governmental  
89 | subdivision, before making any decision to appoint or employ a  
90 | person to work, whether for compensation or as a volunteer, at  
91 | any park, playground, public swimming pool, public bathing  
92 | place, child care facility ~~day care center,~~ or other place where  
93 | children regularly congregate, must conduct a search of that  
94 | person's name or other identifying information against the  
95 | registration information regarding sexual predators and sexual  
96 | offenders through the Dru Sjodin National Sexual Offender Public  
97 | Website maintained by the United States Department of Justice.  
98 | If for any reason that site is not available, a search of the  
99 | registration information regarding sexual predators and sexual  
100 | offenders maintained by the Department of Law Enforcement under

s. 943.043 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 4. Subsections (10) through (15) of section 947.005, Florida Statutes, are renumbered as subsections (12) through (17), respectively, and new subsections (10) and (11) are added that section, to read:**

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

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

(11) "Public swimming pool" has the same meaning as provided in s. 514.011(2).

**Section 5. Paragraph (a) of subsection (7) and paragraph (a) of subsection (12) of section 947.1405, Florida Statutes, are amended to read:**

947.1405 Conditional release program.—

(7)(a) Any inmate who is convicted of a crime committed on or after October 1, 1995, or who has been previously convicted of a crime committed on or after October 1, 1995, in violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, and is subject to conditional release supervision, shall have, in addition to any other conditions imposed, the following special conditions imposed by the commission:

126           1. A mandatory curfew from 10 p.m. to 6 a.m. The  
127 commission may designate another 8-hour period if the offender's  
128 employment precludes the above specified time, and such  
129 alternative is recommended by the Department of Corrections. If  
130 the commission determines that imposing a curfew would endanger  
131 the victim, the commission may consider alternative sanctions.

132           2. If the victim was under the age of 18, a prohibition on  
133 living within 1,000 feet of a school, child care facility, park,  
134 playground, public swimming pool, public bathing place,  
135 designated public school bus stop, or other place where children  
136 regularly congregate. A releasee who is subject to this  
137 subparagraph may not relocate to a residence that is within  
138 1,000 feet of a public school bus stop. Beginning October 1,  
139 2004, the commission or the department may not approve a  
140 residence that is located within 1,000 feet of a school, child  
141 care facility, park, playground, public swimming pool, public  
142 bathing place, designated school bus stop, or other place where  
143 children regularly congregate for any releasee who is subject to  
144 this subparagraph. On October 1, 2004, the department shall  
145 notify each affected school district of the location of the  
146 residence of a releasee 30 days prior to release and thereafter,  
147 if the releasee relocates to a new residence, shall notify any  
148 affected school district of the residence of the releasee within  
149 30 days after relocation. If, on October 1, 2004, any public  
150 school bus stop is located within 1,000 feet of the existing

151 residence of such releasee, the district school board shall  
152 relocate that school bus stop. Beginning October 1, 2004, a  
153 district school board may not establish or relocate a public  
154 school bus stop within 1,000 feet of the residence of a releasee  
155 who is subject to this subparagraph. The failure of the district  
156 school board to comply with this subparagraph shall not result  
157 in a violation of conditional release supervision. A releasee  
158 who is subject to this subparagraph may not be forced to  
159 relocate and does not violate his or her conditional release  
160 supervision if he or she is living in a residence that meets the  
161 requirements of this subparagraph and a school, child care  
162 facility, park, playground, public swimming pool, public bathing  
163 place, designated public school bus stop, or other place where  
164 children regularly congregate is subsequently established within  
165 1,000 feet of his or her residence.

166 3. Active participation in and successful completion of a  
167 sex offender treatment program with qualified practitioners  
168 specifically trained to treat sex offenders, at the releasee's  
169 own expense. If a qualified practitioner is not available within  
170 a 50-mile radius of the releasee's residence, the offender shall  
171 participate in other appropriate therapy.

172 4. A prohibition on any contact with the victim, directly  
173 or indirectly, including through a third person, unless approved  
174 by the victim, a qualified practitioner in the sexual offender  
175 treatment program, and the sentencing court.

176           5. If the victim was under the age of 18, a prohibition  
177 against contact with children under the age of 18 without review  
178 and approval by the commission. The commission may approve  
179 supervised contact with a child under the age of 18 if the  
180 approval is based upon a recommendation for contact issued by a  
181 qualified practitioner who is basing the recommendation on a  
182 risk assessment. Further, the sex offender must be currently  
183 enrolled in or have successfully completed a sex offender  
184 therapy program. The commission may not grant supervised contact  
185 with a child if the contact is not recommended by a qualified  
186 practitioner and may deny supervised contact with a child at any  
187 time. When considering whether to approve supervised contact  
188 with a child, the commission must review and consider the  
189 following:

190           a. A risk assessment completed by a qualified  
191 practitioner. The qualified practitioner must prepare a written  
192 report that must include the findings of the assessment and  
193 address each of the following components:

- 194           (I) The sex offender's current legal status;  
195           (II) The sex offender's history of adult charges with  
196 apparent sexual motivation;  
197           (III) The sex offender's history of adult charges without  
198 apparent sexual motivation;  
199           (IV) The sex offender's history of juvenile charges,  
200 whenever available;

(V) The sex offender's offender treatment history, including a consultation from the sex offender's treating, or most recent treating, therapist;

(VI) The sex offender's current mental status;

(VII) The sex offender's mental health and substance abuse history as provided by the Department of Corrections;

(VIII) The sex offender's personal, social, educational, and work history;

(IX) The results of current psychological testing of the sex offender if determined necessary by the qualified practitioner;

(X) A description of the proposed contact, including the location, frequency, duration, and supervisory arrangement;

(XI) The child's preference and relative comfort level with the proposed contact, when age-appropriate;

(XII) The parent's or legal guardian's preference regarding the proposed contact; and

(XIII) The qualified practitioner's opinion, along with the basis for that opinion, as to whether the proposed contact would likely pose significant risk of emotional or physical harm to the child.

The written report of the assessment must be given to the commission.

b. A recommendation made as a part of the risk-assessment

226 report as to whether supervised contact with the child should be  
227 approved;

228 c. A written consent signed by the child's parent or legal  
229 guardian, if the parent or legal guardian is not the sex  
230 offender, agreeing to the sex offender having supervised contact  
231 with the child after receiving full disclosure of the sex  
232 offender's present legal status, past criminal history, and the  
233 results of the risk assessment. The commission may not approve  
234 contact with the child if the parent or legal guardian refuses  
235 to give written consent for supervised contact;

236 d. A safety plan prepared by the qualified practitioner,  
237 who provides treatment to the offender, in collaboration with  
238 the sex offender, the child's parent or legal guardian, and the  
239 child, when age appropriate, which details the acceptable  
240 conditions of contact between the sex offender and the child.  
241 The safety plan must be reviewed and approved by the Department  
242 of Corrections before being submitted to the commission; and

243 e. Evidence that the child's parent or legal guardian, if  
244 the parent or legal guardian is not the sex offender,  
245 understands the need for and agrees to the safety plan and has  
246 agreed to provide, or to designate another adult to provide,  
247 constant supervision any time the child is in contact with the  
248 offender.

249  
250 The commission may not appoint a person to conduct a risk

251 assessment and may not accept a risk assessment from a person  
252 who has not demonstrated to the commission that he or she has  
253 met the requirements of a qualified practitioner as defined in  
254 this section.

255 6. If the victim was under age 18, a prohibition on  
256 working for pay or as a volunteer at any school, child care  
257 facility, park, playground, public swimming pool, public bathing  
258 place, or other place where children regularly congregate, as  
259 prescribed by the commission.

260 7. Unless otherwise indicated in the treatment plan  
261 provided by a qualified practitioner in the sexual offender  
262 treatment program, a prohibition on viewing, owning, or  
263 possessing any obscene, pornographic, or sexually stimulating  
264 visual or auditory material, including telephone, electronic  
265 media, computer programs, or computer services that are relevant  
266 to the offender's deviant behavior pattern.

267 8. Effective for a releasee whose crime is committed on or  
268 after July 1, 2005, a prohibition on accessing the Internet or  
269 other computer services until a qualified practitioner in the  
270 offender's sex offender treatment program, after a risk  
271 assessment is completed, approves and implements a safety plan  
272 for the offender's accessing or using the Internet or other  
273 computer services.

274 9. A requirement that the releasee must submit two  
275 specimens of blood to the Department of Law Enforcement to be

276 registered with the DNA database.

277 10. A requirement that the releasee make restitution to  
278 the victim, as determined by the sentencing court or the  
279 commission, for all necessary medical and related professional  
280 services relating to physical, psychiatric, and psychological  
281 care.

282 11. Submission to a warrantless search by the community  
283 control or probation officer of the probationer's or community  
284 controllee's person, residence, or vehicle.

285 (12) In addition to all other conditions imposed, for a  
286 releasee who is subject to conditional release for a crime that  
287 was committed on or after May 26, 2010, and who has been  
288 convicted at any time of committing, or attempting, soliciting,  
289 or conspiring to commit, any of the criminal offenses listed in  
290 s. 943.0435(1)(h)1.a.(I), or a similar offense in another  
291 jurisdiction against a victim who was under 18 years of age at  
292 the time of the offense, if the releasee has not received a  
293 pardon for any felony or similar law of another jurisdiction  
294 necessary for the operation of this subsection, if a conviction  
295 of a felony or similar law of another jurisdiction necessary for  
296 the operation of this subsection has not been set aside in any  
297 postconviction proceeding, or if the releasee has not been  
298 removed from the requirement to register as a sexual offender or  
299 sexual predator pursuant to s. 943.04354, the commission must  
300 impose the following conditions:

(a) A prohibition on visiting schools, child care facilities, parks, public swimming pools, public bathing places, and playgrounds without prior approval from the releasee's supervising officer. The commission may also designate additional prohibited locations to protect a victim. The prohibition ordered under this paragraph does not prohibit the releasee from visiting a school, child care facility, park, public swimming pool, public bathing place, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the releasee's child or grandchild at a child care facility or school.

**Section 6. Subsections (9) through (13) of section 948.001, Florida Statutes, are renumbered as subsections (11) through (15), respectively, and new subsections (9) and (10) are added to that section, to read:**

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

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

(10) "Public swimming pool" has the same meaning as provided in s. 514.011(2)

**Section 7. Paragraphs (b) and (f) of subsection (1) and paragraph (a) of subsection (4) of section 948.30, Florida Statutes, are amended to read:**

948.30 Additional terms and conditions of probation or community control for certain sex offenses.—Conditions imposed

326 pursuant to this section do not require oral pronouncement at  
327 the time of sentencing and shall be considered standard  
328 conditions of probation or community control for offenders  
329 specified in this section.

330 (1) Effective for probationers or community controllees  
331 whose crime was committed on or after October 1, 1995, and who  
332 are placed under supervision for a violation of chapter 794, s.  
333 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, or whose  
334 crime was committed on or after July 1, 2021, and who are placed  
335 under supervision for a violation of s. 787.06(3)(b), (d), (f),  
336 or (g), or whose crime was committed on or after July 1, 2023,  
337 and who are placed under supervision for attempting, soliciting,  
338 or conspiring to commit a violation of s. 787.06(3)(b), (d),  
339 (f), or (g); chapter 794; s. 800.04; s. 827.071; s. 847.0135(5);  
340 or s. 847.0145, the court must impose the following conditions  
341 in addition to all other standard and special conditions  
342 imposed:

343 (b) If the victim was under the age of 18, a prohibition  
344 on living within 1,000 feet of a school, child care facility,  
345 park, playground, public swimming pool, public bathing place, or  
346 other place where children regularly congregate, as prescribed  
347 by the court. The 1,000-foot distance shall be measured in a  
348 straight line from the offender's place of residence to the  
349 nearest boundary line of the school, child care facility, park,  
350 playground, public swimming pool, public bathing place, or other

place where children congregate. The distance may not be measured by a pedestrian route or automobile route. 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 school, child care facility, park, playground, public swimming pool, public bathing place, or other place where children regularly congregate is subsequently established within 1,000 feet of his or her residence.

(f) If the victim was under age 18, a prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to, schools, child care facilities, parks, playgrounds, public swimming pools, public bathing places, pet stores, libraries, zoos, theme parks, and malls.

(4) 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 May 26, 2010, 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 under the age of 18 at the time of the offense; if the offender has not received a pardon for any felony or similar law

376 of another jurisdiction necessary for the operation of this  
377 subsection, if a conviction of a felony or similar law of  
378 another jurisdiction necessary for the operation of this  
379 subsection has not been set aside in any postconviction  
380 proceeding, or if the offender has not been removed from the  
381 requirement to register as a sexual offender or sexual predator  
382 pursuant to s. 943.04354, the court must impose the following  
383 conditions:

384 (a) A prohibition on visiting schools, child care  
385 facilities, parks, public swimming pools, public bathing places,  
386 and playgrounds, without prior approval from the offender's  
387 supervising officer. The court may also designate additional  
388 locations to protect a victim. The prohibition ordered under  
389 this paragraph does not prohibit the offender from visiting a  
390 school, child care facility, park, public swimming pool, public  
391 bathing place, or playground for the sole purpose of attending a  
392 religious service as defined in s. 775.0861 or picking up or  
393 dropping off the offender's children or grandchildren at a child  
394 care facility or school.

395 **Section 8.** This act shall take effect July 1, 2026.