

1 A bill to be entitled
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 distance required for a specified
10 offender to commit a specified offense of loitering or
11 prowling; prohibiting such offender from knowingly
12 contacting, communicating with, or approaching with
13 the intent to contact or communicate with certain
14 children at certain locations; providing an exception;
15 requiring such offender to provide notice to a school
16 or child care facility under certain circumstances;
17 providing definitions; amending s. 901.15, F.S.;
18 authorizing the warrantless arrest of a person if a
19 law enforcement officer has probable cause to believe
20 that such person has committed specified offenses;
21 amending s. 943.04351, F.S.; revising requirements for
22 the search of sexual predator or sexual offender
23 registration information by a state agency or
24 governmental subdivision before appointing or
25 employing a person to work at specified locations;

26 | amending s. 947.1405, F.S.; revising special
 27 | conditions for certain sexual offenders subject to
 28 | conditional release supervision for offenses committed
 29 | on or after a specified date; amending s. 948.30,
 30 | F.S.; revising conditions of probation or community
 31 | control for certain sexual offenders for offenses
 32 | committed on or after a specified date; providing an
 33 | effective date.

34 |

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

36 |

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

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

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

46 | (d) "Public swimming pool" means a structure which is
 47 | located either indoors or outdoors and used for recreational
 48 | bathing or swimming by humans. The term includes a conventional
 49 | pool, spa-type pool, wading pool, special purpose pool, spray
 50 | pool, splash pad, or other water recreation attraction, to which

51 admission may be gained with or without payment of a fee,
52 regardless of whether entry to the swimming pool is limited by a
53 gate or other method of controlling access. The term includes
54 swimming pools operated by or serving subdivisions, apartments,
55 condominiums, mobile home parks, or townhouses, or any pool
56 operated by a governmental entity which is held open to the
57 public. The term does not include a swimming pool at a private
58 single-family residence, hotel, motel, or recreational vehicle
59 park or a swimming pool where the operator prohibits the use of
60 such pool by persons younger than 18 years of age.

61 (2)

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

68 (3)

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

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

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

101 second or third degree or whose conviction in another
102 jurisdiction was substantially similar to a felony of the second
103 or third degree commits a misdemeanor of the first degree,
104 punishable as provided in s. 775.082 or s. 775.083.

105 (c) This subsection applies to:

106 1. Any person convicted of a violation described in
107 paragraph (a) for offenses that occur on or after July 1, 2026,
108 excluding persons who have been removed from the requirement to
109 register as a sexual offender or sexual predator pursuant to s.
110 943.04354.

111 2. Any person who is subject to the residency restrictions
112 in subsection (2) or subsection (3) who changes his or her
113 permanent residence on or after July 1, 2026. For purposes of
114 this paragraph, the term "permanent residence" means a place
115 where the person abides, lodges, or resides for 3 or more
116 consecutive days that is the person's home or other place where
117 the person primarily lives. For the purpose of calculating a
118 permanent residence under this paragraph, the first day that a
119 person abides, lodges, or resides at a place is excluded and
120 each subsequent day is counted. A day includes any part of a
121 calendar day.

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

124 856.022 Loitering or prowling by certain offenders in
125 close proximity to children; prohibition on contact or

126 communication with children in certain locations; penalty.—

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

146 (2) This section does not apply to a person who has been
147 removed from the requirement to register as a sexual offender or
148 sexual predator pursuant to s. 943.04354.

149 (3) A person described in subsection (1) commits loitering
150 and prowling by a person convicted of a sexual offense against a

151 minor if, in committing loitering and prowling, he or she was
152 within 500 ~~300~~ feet of a place where children were congregating.

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

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

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

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

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

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

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

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

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

197 | 3. The person is attending a religious service as defined
 198 | in s. 775.0861(1).

199 | (5) Any person who violates this section commits a
 200 | misdemeanor of the first degree, punishable as provided in s.

201 775.082 or s. 775.083.

202 (6) For purposes of this section, the term:

203 (a) "Child care facility" has the same meaning as in s.
 204 402.302.

205 (b) "Park," "playground," and "school" have the same
 206 meanings as in s. 775.215(1).

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

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

225 901.15 When arrest by officer without warrant is lawful.—A

226 law enforcement officer may arrest a person without a warrant
 227 when:

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

230 (h) A violation of s. 856.022(4)(a) by knowingly
 231 contacting, communicating with, or approaching with the intent
 232 to contact or communicate with a child under 18 years of age in
 233 any park building or on real property comprising any park,
 234 playground, or public swimming pool.

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

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

243 943.04351 Search of registration information regarding
 244 sexual predators and sexual offenders required before
 245 appointment or employment.—A state agency or governmental
 246 subdivision, before making any decision to appoint or employ a
 247 person to work, whether for compensation or as a volunteer, at
 248 any park, playground, public swimming pool, child care facility
 249 ~~day care center~~, or other place where children regularly
 250 congregate, must conduct a search of that person's name or other

251 identifying information against the registration information
252 regarding sexual predators and sexual offenders through the Dru
253 Sjodin National Sexual Offender Public Website maintained by the
254 United States Department of Justice. If for any reason that site
255 is not available, a search of the registration information
256 regarding sexual predators and sexual offenders maintained by
257 the Department of Law Enforcement under s. 943.043 shall be
258 performed. This section does not apply to those positions or
259 appointments within a state agency or governmental subdivision
260 for which a state and national criminal history background check
261 is conducted.

262 **Section 5. Subsections (15) and (16) are added to section**
263 **947.1405, Florida Statutes, to read:**

264 947.1405 Conditional release program.—

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

273 (a) A prohibition on living within 1,000 feet of any
274 public swimming pool, as defined in s. 775.215(1). A releasee
275 who is subject to this paragraph may not be forced to relocate

276 and does not violate his or her conditional release supervision
277 if he or she is living in a residence that meets the
278 requirements of this paragraph and a public swimming pool is
279 subsequently established within 1,000 feet of his or her
280 residence.

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

283 (16) In addition to all other conditions imposed, for a
284 releasee who is subject to conditional release for a crime that
285 was committed on or after July 1, 2026, and who has been
286 convicted at any time of committing, or attempting, soliciting,
287 or conspiring to commit, any of the criminal offenses listed in
288 s. 943.0435(1)(h)1.a.(I), or a similar offense in another
289 jurisdiction against a victim who was under 18 years of age at
290 the time of the offense, if the releasee has not received a
291 pardon for any felony or similar law of another jurisdiction
292 necessary for the operation of this subsection, if a conviction
293 of a felony or similar law of another jurisdiction necessary for
294 the operation of this subsection has not been set aside in any
295 postconviction proceeding, or if the releasee has not been
296 removed from the requirement to register as a sexual offender or
297 sexual predator pursuant to s. 943.04354, the commission must
298 impose a condition prohibiting the releasee from visiting a
299 public swimming pool, as defined in s. 856.022(6), without prior
300 approval from his or her supervising officer.

301 **Section 6. Subsections (6) and (7) are added to section**
302 **948.30, Florida Statutes, to read:**

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

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

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

325 (b) A prohibition on working for pay or as a volunteer at

326 any public swimming pool.

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

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