

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

Committee/Subcommittee hearing bill: Criminal Justice
Subcommittee

Representative Baker offered the following:

Amendment

Remove lines 262-488 and insert:
the purpose of calculating a transient residence under this
paragraph, the first day that a career offender lives, remains,
or is located in a county for the purpose of abiding, lodging,
or residing is excluded and each subsequent day is counted. A
day includes any part of a calendar day.

(j) "Vehicles owned" means any motor vehicle as defined in
s. 320.01 which is registered, coregistered, leased, titled, or
rented by a career offender; a rented vehicle that a career
offender is authorized to drive; or a vehicle for which a career
offender is insured as a driver. The term also includes any

Amendment No. 1

17 motor vehicle as defined in s. 320.01 which is registered,
18 coregistered, leased, titled, or rented by a person or persons
19 residing at a career offender's permanent residence for 5 or
20 more consecutive days.

21 (3) CRITERIA FOR REGISTRATION AS A CAREER OFFENDER.—

22 (a) A career offender released on or after July 1, 2002,
23 from a sanction imposed in this state must register as required
24 under this section ~~subsection (4)~~ and is subject to community
25 and public notification as provided under subsection (11) ~~(5)~~.
26 If no sanction is imposed, the person is deemed to be released
27 upon conviction. For purposes of this section, a sanction
28 imposed in this state means ~~includes, but is not limited to, a~~
29 ~~fine,~~ probation, community control, parole, conditional release,
30 control release, or incarceration in a state prison, federal
31 prison, contractor-operated correctional facility, or local
32 detention facility, and:

33 1. The career offender has not received a pardon for any
34 felony or other qualified offense that is necessary for the
35 operation of this paragraph; or

36 2. A conviction of a felony or other qualified offense
37 necessary to the operation of this paragraph has not been set
38 aside in any postconviction proceeding.

39 (b) This section does not apply to any person who has been
40 designated as a sexual predator and who is required to register
41 under s. 775.21 or who is required to register as a sexual

Amendment No. 1

offender under s. 943.0435 or s. 944.607. However, if a person is no longer required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435 or s. 944.607, the person must register as a career offender under this section if the person is otherwise designated as a career offender as provided in this section.

(c) A person subject to registration as a career offender is not subject to registration as a convicted felon under s. 775.13. However, if the person is no longer required to register as a career offender under this section, the person must register under s. 775.13 if required to do so under that section.

(d) If a career offender is not sentenced to a term of imprisonment, the clerk of the court shall ensure that the career offender's fingerprints are taken and forwarded to the department within 48 hours after the court renders its finding that an offender is a career offender. The fingerprints shall be clearly marked, "Career Offender Registration."

(4) INITIAL REGISTRATION.—Upon initial registration, a career offender shall:

(a) Report in person at ~~A career offender must register with the department by providing the following information to the department, or to the sheriff's office:~~

1. In the county in which the career offender establishes or maintains a permanent, ~~or~~ temporary, or transient residence,

Amendment No. 1

67 within 48 hours ~~2 working days~~ after:

68 a. Establishing a permanent, ~~or~~ temporary, or transient
69 residence in this state; or

70 b. ~~Within 2 working days after~~ Being released from the
71 custody, control, or supervision of the Department of
72 Corrections or from the custody of a contractor-operated
73 correctional facility or local detention facility; or

74 2. In the county where he or she was convicted within 48
75 hours after being convicted for a qualifying offense for
76 registration under this section if the offender is not in the
77 custody or control of, or under the supervision of, the
78 Department of Corrections, or is not in the custody of a
79 contractor-operated correctional facility or local detention
80 facility.

81 (b)1. Provide his or her name; ~~;~~ social security number; ~~;~~
82 age; ~~;~~ race; ~~;~~ sex; ~~;~~ gender; ~~;~~ date of birth; ~~;~~ height; ~~;~~ weight; ~~;~~ hair
83 and eye color; ~~;~~ tattoos or other identifying marks; ~~;~~ fingerprints;
84 palm prints; ~~;~~ photograph; ~~;~~ employment information, including
85 occupation, business name, employment address, and telephone
86 number; address of permanent or legal residence and address of
87 any current temporary residence, within the state or out of
88 state, including a rural route address and ~~or~~ a post office box;
89 if he or she has no permanent or temporary address, any
90 transient residence within this state; address, location or
91 description, and dates of any current or known future temporary

Amendment No. 1

92 residence within this state or out of state; the make, model,
93 color, vehicle identification number (VIN), and license tag
94 number of all vehicles owned; all home telephone numbers and
95 cellular telephone numbers; ~~date and place of any employment,~~
96 date and place of each conviction; ~~fingerprints,~~ and a brief
97 description of the crime or crimes committed by the career
98 offender. A ~~career offender may not provide a post office box~~
99 may not be provided in lieu of a physical residential address.
100 The career offender shall also produce his or her passport, if
101 he or she has a passport, and, if he or she is an alien, shall
102 produce or provide information about documents establishing his
103 or her immigration status. The career offender shall also
104 provide information about any professional licenses he or she
105 has.

106 2. If the career offender's place of residence is a motor
107 vehicle, trailer, mobile home, or manufactured home, as those
108 terms are defined in chapter 320, the career offender shall also
109 provide to the department through the sheriff's office written
110 notice of the vehicle identification number (VIN); the license
111 tag number; the registration number; and a description,
112 including color scheme, of the motor vehicle, trailer, mobile
113 home, or manufactured home. If a career offender's place of
114 residence is a vessel, live-aboard vessel, or houseboat, as
115 those terms are defined in chapter 327, the career offender
116 shall also provide to the department through the sheriff's

Amendment No. 1

117 office written notice of the hull identification number; the
118 manufacturer's serial number; the name of the vessel, live-
119 aboard vessel, or houseboat; the registration number of the
120 vessel, live-aboard vessel, or houseboat; and a description,
121 including color scheme, of the vessel, live-aboard vessel, or
122 houseboat.

123 3. Any change in any of the information required to be
124 provided pursuant to this paragraph, including, but not limited
125 to, any change in the career offender's permanent, temporary, or
126 transient residence; name; home telephone numbers and cellular
127 telephone numbers; employment information; and vehicles owned
128 after the career offender reports in person at the sheriff's
129 office must be reported in the manner provided in subsections
130 (5) - (8) .

131 (c)2- Provide any other information determined necessary
132 by the department, including criminal and corrections records;
133 nonprivileged personnel and treatment records; and evidentiary
134 genetic markers, when available. When

135 ~~(b)~~ If a career offender registers with the sheriff's
136 office, the sheriff shall take a photograph, and a set of
137 fingerprints, and palm prints of the career offender and forward
138 the photographs, and fingerprints, and palm prints to the
139 department, along with the information that the career offender
140 is required to provide pursuant to this section. The sheriff
141 shall promptly provide to the department the information

Amendment No. 1

142 received from the career offender.

143 (d)(e) Within 48 hours ~~2 working days~~ after the report
144 ~~registration~~ required under this subsection ~~paragraph (a)~~, a
145 career offender who is not incarcerated and who resides in the
146 community, including a career offender under the supervision of
147 the Department of Corrections pursuant to s. 944.608, shall
148 report ~~register~~ in person at a driver license office of the
149 Department of Highway Safety and Motor Vehicles, unless a driver
150 license or identification card that complies with s. 322.141(3)
151 was previously secured or updated under s. 944.608 ~~and shall~~
152 ~~present proof of registration~~. At the driver license office, the
153 career offender shall:

154 1. If otherwise qualified, secure a Florida driver
155 license, renew a Florida driver license, or secure an
156 identification card. The career offender shall identify himself
157 or herself as a career offender who is required to comply with
158 this section and shall provide proof that the career offender
159 reported as required in this subsection. The career offender
160 shall provide any of the information specified in this
161 subsection, if requested. The career offender shall submit to
162 the taking of a photograph for use in issuing a driver license,
163 renewed license, or identification card, and for use by the
164 department in maintaining current records of career offenders,
165 ~~provide his or her place of permanent or temporary residence,~~
166 ~~including a rural route address or a post office box, and submit~~

Amendment No. 1

~~to the taking of a photograph for use in issuing a driver license, renewed license, or identification card, and for use by the department in maintaining current records of career offenders. The career offender may not provide a post office box in lieu of a physical residential address. If the career offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the career offender shall also provide to the Department of Highway Safety and Motor Vehicles the vehicle identification number; the license tag number; the motor vehicle registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If a career offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the career offender shall also provide to the Department of Highway Safety and Motor Vehicles the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.~~

2. Pay the costs assessed by the Department of Highway Safety and Motor Vehicles for issuing or renewing a driver license or identification card as required by this section. The driver license or identification card issued must be in compliance with s. 322.141(3).

3. Provide, upon request, any additional information

Amendment No. 1

192 necessary to confirm the identity of the career offender,
193 including a set of fingerprints.

194 (5) MAINTAINING REGISTRATION.—

195 (a) ~~(d)~~ Each time a career offender's driver license or
196 identification card is subject to renewal, and, without regard
197 to the status of the career offender's driver license or
198 identification card, within 48 hours ~~2 working days~~ after any
199 change of the career offender's residence or change in the
200 career offender's name by reason of marriage or other legal
201 process, the career offender must report in person to a driver
202 license office, and shall be subject to the requirements
203 specified in paragraph (4) (d) ~~(e)~~. The Department of Highway
204 Safety and Motor Vehicles shall forward to the department and to
205 the Department of Corrections all photographs and information
206 provided by career offenders. Notwithstanding the restrictions
207 set forth in s. 322.142, the Department of Highway Safety and
208 Motor Vehicles may release a reproduction of a color-photograph
209 or digital-image license to the department for purposes of
210 public notification of career offenders as provided in this
211 section and ss. 775.26 and 944.609. A career offender who is
212 unable to secure or update a driver license or an identification
213 card with the Department of Highway Safety and Motor Vehicles as
214 provided in paragraph (4) (d) and this subsection shall report
215 any change in the career offender's name by reason of marriage
216 or other legal process within 48 hours after the change in

Amendment No. 1

217 person to the sheriff's office in the county where the career
218 offender resides or is located. The reporting requirements under
219 this paragraph do not negate the requirement for a career
220 offender to obtain a Florida driver license or an identification
221 card as required in this section.

222 (b) A career offender shall report in person to the
223 sheriff's office within 48 hours after any change in vehicles
224 owned to report those vehicle information changes.

225 (c) A career offender shall register all changes to home
226 telephone numbers and cellular telephone numbers, including
227 added and deleted numbers, and all changes to employment
228 information, including the creation of a new business if self-
229 employed, in person at the sheriff's office, or in person at the
230 Department of Corrections if the career offender is in the
231 custody or control, or under the supervision, of the Department
232 of Corrections. All changes required to be reported under this
233 paragraph must be reported within 48 hours after the change.