

BILL

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to sex offenses; amending s. 90.803,
 3 F.S.; providing that an out-of-court statement by a
 4 child victim with a physical, mental, emotional, or
 5 developmental age of 16 or less describing specified
 6 criminal acts is admissible in evidence in certain
 7 instances; amending s. 775.21, F.S.; replacing the
 8 definition of the term "instant message name" with the
 9 definition of the term "Internet identifier";
 10 providing that voluntary disclosure of specified
 11 information waives a disclosure exemption for such
 12 information; conforming provisions; adding additional
 13 offenses to the list of sexual predator qualifying
 14 offenses; requiring disclosure of additional
 15 information during the sexual predator registration
 16 process; requiring that a sexual predator who is
 17 unable to secure or update a driver license or
 18 identification card within a specified period must
 19 report specified information to the local sheriff's
 20 office within a specified period after such change
 21 with confirmation that he or she also reported such
 22 information to the Department of Highway Safety and
 23 Motor Vehicles; revising reporting requirements if a
 24 sexual predator plans to leave the United States for
 25 more than a specified period; providing criminal
 26 penalties for knowingly providing false registration
 27 information by act or omission; amending s. 800.03,
 28 F.S.; providing enhanced penalties for third or

BILL

ORIGINAL

YEAR

29 subsequent indecent exposure violations; amending s.
 30 903.046, F.S.; requiring a court considering whether
 31 to release a defendant on bail to determine whether
 32 the defendant is subject to registration as a sexual
 33 offender or sexual predator and, if so, to hold the
 34 defendant without bail until the first appearance on
 35 the case; providing an exception; amending s.
 36 943.0435, F.S.; adding additional offenses to the list
 37 of sexual offender qualifying offenses; replacing the
 38 definition of the term "instant message name" with the
 39 definition of the term "Internet identifier";
 40 conforming provisions; requiring disclosure of
 41 additional sexual offender registration information;
 42 requiring that a sexual offender who is unable to
 43 secure or update a driver license or identification
 44 card within a specified period must report specified
 45 information to the local sheriff's office within a
 46 specified period of such change with confirmation that
 47 he or she also reported such information to the
 48 Department of Highway Safety and Motor Vehicles;
 49 providing additional requirements for sexual offenders
 50 intending to reside outside of the United States;
 51 revising criteria applicable to provisions allowing
 52 removal from the requirement to register as a sexual
 53 offender; providing criminal penalties for knowingly
 54 providing false registration information by act or
 55 omission; amending s. 943.04351, F.S.; requiring a
 56 specified national search of registration information

BILL

ORIGINAL

YEAR

57 | regarding sexual predators and sexual offenders prior
 58 | to appointment or employment of persons by state
 59 | agencies and governmental subdivisions; amending s.
 60 | 943.04354, F.S.; revising the criteria applicable to
 61 | provisions allowing removal of the requirement to
 62 | register as a sexual offender or sexual predator;
 63 | amending s. 943.0437, F.S.; replacing the term
 64 | "instant message name" with the term "Internet
 65 | identifier"; amending ss. 944.606 and 944.607, F.S.;
 66 | adding additional offenses to the list of sexual
 67 | offender qualifying offenses; replacing the definition
 68 | of the term "instant message name" with the definition
 69 | of the term "Internet identifier"; conforming
 70 | provisions; requiring disclosure of additional
 71 | registration information; providing criminal penalties
 72 | for knowingly providing false registration information
 73 | by act or omission; amending s. 947.005, F.S.;
 74 | revising the definition of the term "risk assessment";
 75 | amending s. 948.31, F.S.; authorizing the court to
 76 | require sexual offenders and sexual predators who are
 77 | on probation or community control to undergo an
 78 | evaluation to determine whether the offender or
 79 | predator needs sexual offender treatment; requiring
 80 | the probationer or community controllee to pay for the
 81 | treatment; removing a provision prohibiting contact
 82 | with minors if sexual offender treatment is
 83 | recommended; amending ss. 985.481 and 985.4815, F.S.;
 84 | requiring disclosure of additional registration

BILL

ORIGINAL

YEAR

85 information by certain sexual offenders adjudicated
 86 delinquent and certain juvenile sexual offenders;
 87 providing criminal penalties for knowingly providing
 88 false registration information by act or omission;
 89 amending s. 921.0022, F.S.; correcting references;
 90 providing an effective date.

91
 92 Be It Enacted by the Legislature of the State of Florida:

93
 94 Section 1. Paragraph (a) of subsection (23) of section
 95 90.803, Florida Statutes, is amended to read:

96 90.803 Hearsay exceptions; availability of declarant
 97 immaterial.—The provision of s. 90.802 to the contrary
 98 notwithstanding, the following are not inadmissible as evidence,
 99 even though the declarant is available as a witness:

100 (23) HEARSAY EXCEPTION; STATEMENT OF CHILD VICTIM.—

101 (a) Unless the source of information or the method or
 102 circumstances by which the statement is reported indicates a
 103 lack of trustworthiness, an out-of-court statement made by a
 104 child victim with a physical, mental, emotional, or
 105 developmental age of 16 ~~11~~ or less describing any act of child
 106 abuse or neglect, any act of sexual abuse against a child, the
 107 offense of child abuse, the offense of aggravated child abuse,
 108 or any offense involving an unlawful sexual act, contact,
 109 intrusion, or penetration performed in the presence of, with,
 110 by, or on the declarant child, not otherwise admissible, is
 111 admissible in evidence in any civil or criminal proceeding if:

112 1. The court finds in a hearing conducted outside the

BILL

ORIGINAL

YEAR

113 presence of the jury that the time, content, and circumstances
 114 of the statement provide sufficient safeguards of reliability.
 115 In making its determination, the court may consider the mental
 116 and physical age and maturity of the child, the nature and
 117 duration of the abuse or offense, the relationship of the child
 118 to the offender, the reliability of the assertion, the
 119 reliability of the child victim, and any other factor deemed
 120 appropriate; and

121 2. The child either:

122 a. Testifies; or

123 b. Is unavailable as a witness, provided that there is
 124 other corroborative evidence of the abuse or offense.

125 Unavailability shall include a finding by the court that the
 126 child's participation in the trial or proceeding would result in
 127 a substantial likelihood of severe emotional or mental harm, in
 128 addition to findings pursuant to s. 90.804(1).

129 Section 2. Paragraph (i) of subsection (2), paragraph (a)
 130 of subsection (4), subsections (6) and (8), and paragraph (a) of
 131 subsection (10) of section 775.21, Florida Statutes, are amended
 132 to read:

133 775.21 The Florida Sexual Predators Act.—

134 (2) DEFINITIONS.—As used in this section, the term:

135 (i) "Internet identifier ~~Instant message name~~" means all
 136 electronic mail, chat, instant messenger, social networking, or
 137 similar name used for Internet communication, but does not
 138 include a date of birth, social security number, or personal
 139 identification number (PIN). Voluntary disclosure by the sexual
 140 predator of his or her date of birth, social security number, or

BILL

ORIGINAL

YEAR

141 personal identification number (PIN) as an Internet identifier
 142 waives the disclosure exemption in this paragraph for such
 143 personal information ~~an identifier that allows a person to~~
 144 ~~communicate in real time with another person using the Internet.~~

145 (4) SEXUAL PREDATOR CRITERIA.—

146 (a) For a current offense committed on or after October 1,
 147 1993, upon conviction, an offender shall be designated as a
 148 "sexual predator" under subsection (5), and subject to
 149 registration under subsection (6) and community and public
 150 notification under subsection (7) if:

151 1. The felony is:

152 a. A capital, life, or first-degree felony violation, or
 153 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
 154 is a minor and the defendant is not the victim's parent or
 155 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a
 156 violation of a similar law of another jurisdiction; or

157 b. Any felony violation, or any attempt thereof, of s.
 158 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
 159 787.025(2)(c), where the victim is a minor and the defendant is
 160 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
 161 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
 162 796.03; s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025; ~~s.~~
 163 ~~825.1025(2)(b);~~ s. 827.071; s. 847.0135(5); s. 847.0145; s.
 164 916.1075(2); or s. 985.701(1); or a violation of a similar law
 165 of another jurisdiction, and the offender has previously been
 166 convicted of or found to have committed, or has pled nolo
 167 contendere or guilty to, regardless of adjudication, any
 168 violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s.

BILL

ORIGINAL

YEAR

169 787.02, or s. 787.025(2)(c), where the victim is a minor and the
 170 defendant is not the victim's parent or guardian; s.
 171 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
 172 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 173 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
 174 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a
 175 violation of a similar law of another jurisdiction;

176 2. The offender has not received a pardon for any felony
 177 or similar law of another jurisdiction that is necessary for the
 178 operation of this paragraph; and

179 3. A conviction of a felony or similar law of another
 180 jurisdiction necessary to the operation of this paragraph has
 181 not been set aside in any postconviction proceeding.

182 (6) REGISTRATION.—

183 (a) A sexual predator must register with the department
 184 through the sheriff's office by providing the following
 185 information to the department:

186 1. Name; social security number; age; race; sex; date of
 187 birth; height; weight; tattoos or other identifying marks; hair
 188 and eye color; photograph; address of legal residence and
 189 address of any current temporary residence, within the state or
 190 out of state, including a rural route address and a post office
 191 box; if no permanent or temporary address, any transient
 192 residence within the state; address, location or description,
 193 and dates of any current or known future temporary residence
 194 within the state or out of state; all ~~any~~ electronic mail
 195 addresses ~~address~~ and all Internet identifiers ~~any instant~~
 196 ~~message name~~ required to be provided pursuant to subparagraph

BILL

ORIGINAL

YEAR

197 | (g)4.; all home telephone numbers ~~number~~ and ~~any~~ cellular
 198 | telephone numbers ~~number~~; date and place of any employment; the
 199 | make, model, color, registration number, and license tag number
 200 | of all vehicles owned; date and place of each conviction;
 201 | fingerprints; palm prints; and a brief description of the crime
 202 | or crimes committed by the offender. A post office box shall not
 203 | be provided in lieu of a physical residential address. The
 204 | sexual predator must also produce his or her passport, if he or
 205 | she has a passport, and, if he or she is an alien, must produce
 206 | or provide information about documents establishing his or her
 207 | immigration status. The sexual predator must also provide
 208 | information about any professional licenses he or she may have.

209 | a. If the sexual predator's place of residence is a motor
 210 | vehicle, trailer, mobile home, or manufactured home, as defined
 211 | in chapter 320, the sexual predator shall also provide to the
 212 | department written notice of the vehicle identification number;
 213 | the license tag number; the registration number; and a
 214 | description, including color scheme, of the motor vehicle,
 215 | trailer, mobile home, or manufactured home. If a sexual
 216 | predator's place of residence is a vessel, live-aboard vessel,
 217 | or houseboat, as defined in chapter 327, the sexual predator
 218 | shall also provide to the department written notice of the hull
 219 | identification number; the manufacturer's serial number; the
 220 | name of the vessel, live-aboard vessel, or houseboat; the
 221 | registration number; and a description, including color scheme,
 222 | of the vessel, live-aboard vessel, or houseboat.

223 | b. If the sexual predator is enrolled, employed,
 224 | volunteering, or carrying on a vocation at an institution of

BILL

ORIGINAL

YEAR

225 | higher education in this state, the sexual predator shall also
 226 | provide to the department the name, address, and county of each
 227 | institution, including each campus attended, and the sexual
 228 | predator's enrollment, volunteer, or employment status. Each
 229 | change in enrollment, volunteer, or employment status shall be
 230 | reported in person at the sheriff's office, or the Department of
 231 | Corrections if the sexual predator is in the custody or control
 232 | of or under the supervision of the Department of Corrections,
 233 | within 48 hours after any change in status. The sheriff or the
 234 | Department of Corrections shall promptly notify each institution
 235 | of the sexual predator's presence and any change in the sexual
 236 | predator's enrollment, volunteer, or employment status.

237 | 2. Any other information determined necessary by the
 238 | department, including criminal and corrections records;
 239 | nonprivileged personnel and treatment records; and evidentiary
 240 | genetic markers when available.

241 | (b) If the sexual predator is in the custody or control
 242 | of, or under the supervision of, the Department of Corrections,
 243 | or is in the custody of a private correctional facility, the
 244 | sexual predator must register with the Department of
 245 | Corrections. A sexual predator who is under the supervision of
 246 | the Department of Corrections but who is not incarcerated must
 247 | register with the Department of Corrections within 3 business
 248 | days after the court finds the offender to be a sexual predator.
 249 | The Department of Corrections shall provide to the department
 250 | registration information and the location of, and local
 251 | telephone number for, any Department of Corrections office that
 252 | is responsible for supervising the sexual predator. In addition,

BILL

ORIGINAL

YEAR

253 | the Department of Corrections shall notify the department if the
 254 | sexual predator escapes or absconds from custody or supervision
 255 | or if the sexual predator dies.

256 | (c) If the sexual predator is in the custody of a local
 257 | jail, the custodian of the local jail shall register the sexual
 258 | predator within 3 business days after intake of the sexual
 259 | predator for any reason and upon release, and shall forward the
 260 | registration information to the department. The custodian of the
 261 | local jail shall also take a digitized photograph of the sexual
 262 | predator while the sexual predator remains in custody and shall
 263 | provide the digitized photograph to the department. The
 264 | custodian shall notify the department if the sexual predator
 265 | escapes from custody or dies.

266 | (d) If the sexual predator is under federal supervision,
 267 | the federal agency responsible for supervising the sexual
 268 | predator may forward to the department any information regarding
 269 | the sexual predator which is consistent with the information
 270 | provided by the Department of Corrections under this section,
 271 | and may indicate whether use of the information is restricted to
 272 | law enforcement purposes only or may be used by the department
 273 | for purposes of public notification.

274 | (e)1. If the sexual predator is not in the custody or
 275 | control of, or under the supervision of, the Department of
 276 | Corrections or is not in the custody of a private correctional
 277 | facility, the sexual predator shall register in person:

278 | a. At the sheriff's office in the county where he or she
 279 | establishes or maintains a residence within 48 hours after
 280 | establishing or maintaining a residence in this state; and

BILL

ORIGINAL

YEAR

281 b. At the sheriff's office in the county where he or she
 282 was designated a sexual predator by the court within 48 hours
 283 after such finding is made.

284 2. Any change in the sexual predator's permanent or
 285 temporary residence, name, ~~or any~~ electronic mail addresses, or
 286 Internet identifiers address and any instant message name
 287 required to be provided pursuant to subparagraph (g)4., after
 288 the sexual predator registers in person at the sheriff's office
 289 as provided in subparagraph 1., shall be accomplished in the
 290 manner provided in paragraphs (g), (i), and (j). When a sexual
 291 predator registers with the sheriff's office, the sheriff shall
 292 take a photograph, ~~and~~ a set of fingerprints, and palm prints of
 293 the predator and forward the photographs, palm prints, and
 294 fingerprints to the department, along with the information that
 295 the predator is required to provide pursuant to this section.

296 (f) Within 48 hours after the registration required under
 297 paragraph (a) or paragraph (e), a sexual predator who is not
 298 incarcerated and who resides in the community, including a
 299 sexual predator under the supervision of the Department of
 300 Corrections, shall register in person at a driver ~~driver's~~
 301 license office of the Department of Highway Safety and Motor
 302 Vehicles and shall present proof of registration. At the driver
 303 ~~driver's~~ license office the sexual predator shall:

304 1. If otherwise qualified, secure a Florida driver
 305 ~~driver's~~ license, renew a Florida driver ~~driver's~~ license, or
 306 secure an identification card. The sexual predator shall
 307 identify himself or herself as a sexual predator who is required
 308 to comply with this section, provide his or her place of

BILL

ORIGINAL

YEAR

309 permanent, temporary, or transient residence, including a rural
 310 route address and a post office box, and submit to the taking of
 311 a photograph for use in issuing a driver ~~driver's~~ license,
 312 renewed license, or identification card, and for use by the
 313 department in maintaining current records of sexual predators. A
 314 post office box shall not be provided in lieu of a physical
 315 residential address. If the sexual predator's place of residence
 316 is a motor vehicle, trailer, mobile home, or manufactured home,
 317 as defined in chapter 320, the sexual predator shall also
 318 provide to the Department of Highway Safety and Motor Vehicles
 319 the vehicle identification number; the license tag number; the
 320 registration number; and a description, including color scheme,
 321 of the motor vehicle, trailer, mobile home, or manufactured
 322 home. If a sexual predator's place of residence is a vessel,
 323 live-aboard vessel, or houseboat, as defined in chapter 327, the
 324 sexual predator shall also provide to the Department of Highway
 325 Safety and Motor Vehicles the hull identification number; the
 326 manufacturer's serial number; the name of the vessel, live-
 327 aboard vessel, or houseboat; the registration number; and a
 328 description, including color scheme, of the vessel, live-aboard
 329 vessel, or houseboat.

330 2. Pay the costs assessed by the Department of Highway
 331 Safety and Motor Vehicles for issuing or renewing a driver
 332 ~~driver's~~ license or identification card as required by this
 333 section. The driver ~~driver's~~ license or identification card
 334 issued to the sexual predator must be in compliance with s.
 335 322.141(3).

336 3. Provide, upon request, any additional information

BILL

ORIGINAL

YEAR

337 necessary to confirm the identity of the sexual predator,
 338 including a set of fingerprints.

339 (g)1. Each time a sexual predator's driver ~~driver's~~
 340 license or identification card is subject to renewal, and,
 341 without regard to the status of the predator's driver ~~driver's~~
 342 license or identification card, within 48 hours after any change
 343 of the predator's residence or change in the predator's name by
 344 reason of marriage or other legal process, the predator shall
 345 report in person to a driver ~~driver's~~ license office and shall
 346 be subject to the requirements specified in paragraph (f). The
 347 Department of Highway Safety and Motor Vehicles shall forward to
 348 the department and to the Department of Corrections all
 349 photographs and information provided by sexual predators.
 350 Notwithstanding the restrictions set forth in s. 322.142, the
 351 Department of Highway Safety and Motor Vehicles is authorized to
 352 release a reproduction of a color-photograph or digital-image
 353 license to the Department of Law Enforcement for purposes of
 354 public notification of sexual predators as provided in this
 355 section. A sexual predator who is unable to secure or update a
 356 driver license or identification card with the Department of
 357 Highway Safety and Motor Vehicles as provided in paragraph (f)
 358 and this paragraph must also report any change of the predator's
 359 residence or change in the predator's name by reason of marriage
 360 or other legal process within 48 hours after the change to the
 361 sheriff's office in the county where the predator resides or is
 362 located and provide confirmation that he or she reported such
 363 information to the Department of Highway Safety and Motor
 364 Vehicles.

BILL

ORIGINAL

YEAR

365 2. A sexual predator who vacates a permanent, temporary,
 366 or transient residence and fails to establish or maintain
 367 another permanent, temporary, or transient residence shall,
 368 within 48 hours after vacating the permanent, temporary, or
 369 transient residence, report in person to the sheriff's office of
 370 the county in which he or she is located. The sexual predator
 371 shall specify the date upon which he or she intends to or did
 372 vacate such residence. The sexual predator must provide or
 373 update all of the registration information required under
 374 paragraph (a). The sexual predator must provide an address for
 375 the residence or other place that he or she is or will be
 376 located during the time in which he or she fails to establish or
 377 maintain a permanent or temporary residence.

378 3. A sexual predator who remains at a permanent,
 379 temporary, or transient residence after reporting his or her
 380 intent to vacate such residence shall, within 48 hours after the
 381 date upon which the predator indicated he or she would or did
 382 vacate such residence, report in person to the sheriff's office
 383 to which he or she reported pursuant to subparagraph 2. for the
 384 purpose of reporting his or her address at such residence. When
 385 the sheriff receives the report, the sheriff shall promptly
 386 convey the information to the department. An offender who makes
 387 a report as required under subparagraph 2. but fails to make a
 388 report as required under this subparagraph commits a felony of
 389 the second degree, punishable as provided in s. 775.082, s.
 390 775.083, or s. 775.084.

391 4. A sexual predator must register all ~~any~~ electronic mail
 392 addresses and Internet identifiers ~~address or instant message~~

BILL

ORIGINAL

YEAR

393 ~~name~~ with the department prior to using such electronic mail
 394 addresses and Internet identifiers ~~address or instant message~~
 395 ~~name on or after October 1, 2007~~. The department shall establish
 396 an online system through which sexual predators may securely
 397 access and update all electronic mail address and Internet
 398 identifier ~~instant message name~~ information.

399 (h) The department must notify the sheriff and the state
 400 attorney of the county and, if applicable, the police chief of
 401 the municipality, where the sexual predator maintains a
 402 residence.

403 (i) A sexual predator who intends to establish a
 404 permanent, temporary, or transient residence in another state or
 405 jurisdiction other than the State of Florida shall report in
 406 person to the sheriff of the county of current residence within
 407 48 hours before the date he or she intends to leave this state
 408 to establish residence in another state or jurisdiction or
 409 within 21 days before his or her planned departure date if the
 410 intended residence of 5 days or more is outside of the United
 411 States. The sexual predator must provide to the sheriff the
 412 address, municipality, county, ~~and~~ state, and country of
 413 intended residence. The sheriff shall promptly provide to the
 414 department the information received from the sexual predator.
 415 The department shall notify the statewide law enforcement
 416 agency, or a comparable agency, in the intended state, ~~or~~
 417 jurisdiction, or country of residence of the sexual predator's
 418 intended residence. The failure of a sexual predator to provide
 419 his or her intended place of residence is punishable as provided
 420 in subsection (10).

BILL

ORIGINAL

YEAR

421 (j) A sexual predator who indicates his or her intent to
 422 establish a permanent, temporary, or transient residence in
 423 another state, a ~~or~~ jurisdiction other than the State of
 424 Florida, or another country and later decides to remain in this
 425 state shall, within 48 hours after the date upon which the
 426 sexual predator indicated he or she would leave this state,
 427 report in person to the sheriff to which the sexual predator
 428 reported the intended change of residence, and report his or her
 429 intent to remain in this state. If the sheriff is notified by
 430 the sexual predator that he or she intends to remain in this
 431 state, the sheriff shall promptly report this information to the
 432 department. A sexual predator who reports his or her intent to
 433 establish a permanent, temporary, or transient residence in
 434 another state, a ~~or~~ jurisdiction other than the state of
 435 Florida, or another country, but who remains in this state
 436 without reporting to the sheriff in the manner required by this
 437 paragraph, commits a felony of the second degree, punishable as
 438 provided in s. 775.082, s. 775.083, or s. 775.084.

439 (k)1. The department is responsible for the online
 440 maintenance of current information regarding each registered
 441 sexual predator. The department must maintain hotline access for
 442 state, local, and federal law enforcement agencies to obtain
 443 instantaneous locator file and offender characteristics
 444 information on all released registered sexual predators for
 445 purposes of monitoring, tracking, and prosecution. The
 446 photograph and fingerprints do not have to be stored in a
 447 computerized format.

448 2. The department's sexual predator registration list,

BILL

ORIGINAL

YEAR

449 containing the information described in subparagraph (a)1., is a
 450 public record. The department is authorized to disseminate this
 451 public information by any means deemed appropriate, including
 452 operating a toll-free telephone number for this purpose. When
 453 the department provides information regarding a registered
 454 sexual predator to the public, department personnel must advise
 455 the person making the inquiry that positive identification of a
 456 person believed to be a sexual predator cannot be established
 457 unless a fingerprint comparison is made, and that it is illegal
 458 to use public information regarding a registered sexual predator
 459 to facilitate the commission of a crime.

460 3. The department shall adopt guidelines as necessary
 461 regarding the registration of sexual predators and the
 462 dissemination of information regarding sexual predators as
 463 required by this section.

464 (1) A sexual predator must maintain registration with the
 465 department for the duration of his or her life, unless the
 466 sexual predator has received a full pardon or has had a
 467 conviction set aside in a postconviction proceeding for any
 468 offense that met the criteria for the sexual predator
 469 designation.

470 (8) VERIFICATION.—The department and the Department of
 471 Corrections shall implement a system for verifying the addresses
 472 of sexual predators. The system must be consistent with the
 473 provisions of the federal Adam Walsh Child Protection and Safety
 474 Act of 2006 and any other federal standards applicable to such
 475 verification or required to be met as a condition for the
 476 receipt of federal funds by the state. The Department of

BILL

ORIGINAL

YEAR

477 | Corrections shall verify the addresses of sexual predators who
 478 | are not incarcerated but who reside in the community under the
 479 | supervision of the Department of Corrections and shall report to
 480 | the department any failure by a sexual predator to comply with
 481 | registration requirements. County and local law enforcement
 482 | agencies, in conjunction with the department, shall verify the
 483 | addresses of sexual predators who are not under the care,
 484 | custody, control, or supervision of the Department of
 485 | Corrections. Local law enforcement agencies shall report to the
 486 | department any failure by a sexual predator to comply with
 487 | registration requirements.

488 | (a) A sexual predator must report in person each year
 489 | during the month of the sexual predator's birthday and during
 490 | every third month thereafter to the sheriff's office in the
 491 | county in which he or she resides or is otherwise located to
 492 | reregister. The sheriff's office may determine the appropriate
 493 | times and days for reporting by the sexual predator, which shall
 494 | be consistent with the reporting requirements of this paragraph.
 495 | Reregistration shall include any changes to the following
 496 | information:

497 | 1. Name; social security number; age; race; sex; date of
 498 | birth; height; weight; tattoos or other identifying marks; hair
 499 | and eye color; address of any permanent residence and address of
 500 | any current temporary residence, within the state or out of
 501 | state, including a rural route address and a post office box; if
 502 | no permanent or temporary address, any transient residence
 503 | within the state; address, location or description, and dates of
 504 | any current or known future temporary residence within the state

BILL

ORIGINAL

YEAR

505 or out of state; ~~any~~ electronic mail addresses or Internet
 506 identifiers ~~address and any instant message name~~ required to be
 507 provided pursuant to subparagraph (6) (g)4.; home telephone
 508 numbers or ~~number and any~~ cellular telephone numbers ~~number~~;
 509 date and place of any employment; the ~~vehicle~~ make, model,
 510 color, registration number, and license tag number of any
 511 vehicles owned; fingerprints; palm prints; and photograph. A
 512 post office box shall not be provided in lieu of a physical
 513 residential address. The sexual predator must also produce his
 514 or her passport, if he or she has a passport, and, if he or she
 515 is an alien, must produce or provide information about documents
 516 establishing his or her immigration status. The sexual predator
 517 must also provide information about any professional licenses he
 518 or she may have.

519 2. If the sexual predator is enrolled, employed,
 520 volunteering, or carrying on a vocation at an institution of
 521 higher education in this state, the sexual predator shall also
 522 provide to the department the name, address, and county of each
 523 institution, including each campus attended, and the sexual
 524 predator's enrollment, volunteer, or employment status.

525 3. If the sexual predator's place of residence is a motor
 526 vehicle, trailer, mobile home, or manufactured home, as defined
 527 in chapter 320, the sexual predator shall also provide the
 528 vehicle identification number; the license tag number; the
 529 registration number; and a description, including color scheme,
 530 of the motor vehicle, trailer, mobile home, or manufactured
 531 home. If the sexual predator's place of residence is a vessel,
 532 live-aboard vessel, or houseboat, as defined in chapter 327, the

BILL

ORIGINAL

YEAR

533 sexual predator shall also provide the hull identification
 534 number; the manufacturer's serial number; the name of the
 535 vessel, live-aboard vessel, or houseboat; the registration
 536 number; and a description, including color scheme, of the
 537 vessel, live-aboard vessel, or houseboat.

538 (b) The sheriff's office shall, within 2 working days,
 539 electronically submit and update all information provided by the
 540 sexual predator to the department in a manner prescribed by the
 541 department.

542 (10) PENALTIES.—

543 (a) Except as otherwise specifically provided, a sexual
 544 predator who fails to register; who fails, after registration,
 545 to maintain, acquire, or renew a driver ~~driver's~~ license or
 546 identification card; who fails to provide required location
 547 information, electronic mail address information prior to use,
 548 Internet identifier ~~instant message name~~ information prior to
 549 use, all home telephone numbers ~~number~~ and ~~any~~ cellular
 550 telephone numbers ~~number~~, or change-of-name information; who
 551 fails to make a required report in connection with vacating a
 552 permanent residence; who fails to reregister as required; who
 553 fails to respond to any address verification correspondence from
 554 the department within 3 weeks of the date of the correspondence;
 555 who knowingly provides false registration information by act or
 556 omission; or who otherwise fails, by act or omission, to comply
 557 with the requirements of this section, commits a felony of the
 558 third degree, punishable as provided in s. 775.082, s. 775.083,
 559 or s. 775.084.

560 Section 3. Section 800.03, Florida Statutes, is amended to

BILL

ORIGINAL

YEAR

561 read:

562 800.03 Exposure of sexual organs.—

563 (1) It is unlawful to expose or exhibit one's sexual
 564 organs in public or on the private premises of another, or so
 565 near thereto as to be seen from such private premises, in a
 566 vulgar or indecent manner, or to be naked in public except in
 567 any place provided or set apart for that purpose.

568 (2) (a) Except as provided in paragraph (b), a violation of
 569 this section is a misdemeanor of the first degree, punishable as
 570 provided in s. 775.082 or s. 775.083.

571 (b) A third or subsequent violation of this section is a
 572 felony of the third degree, punishable as provided in s.
 573 775.082, s. 775.083, or s. 775.084.

574 (3) A mother's breastfeeding of her baby does not under
 575 any circumstance violate this section.

576 Section 4. Paragraph (m) is added to subsection (2) of
 577 section 903.046, Florida Statutes, to read:

578 903.046 Purpose of and criteria for bail determination.—

579 (2) When determining whether to release a defendant on
 580 bail or other conditions, and what that bail or those conditions
 581 may be, the court shall consider:

582 (m) Whether the defendant, other than a defendant whose
 583 only criminal charge is a misdemeanor offense under chapter 316,
 584 is required to register as a sexual offender under s. 943.0435
 585 or a sexual predator under s. 775.21; and, if so, he or she is
 586 not eligible for release on bail or surety bond until the first
 587 appearance on the case in order to ensure the full participation
 588 of the prosecutor and the protection of the public.

BILL

ORIGINAL

YEAR

589 Section 5. Paragraphs (a) and (g) of subsection (1),
 590 subsection (2), paragraphs (a) and (d) of subsection (4),
 591 subsections (7), (8), and (11), and paragraph (c) of subsection
 592 (14) of section 943.0435, Florida Statutes, are amended to read:

593 943.0435 Sexual offenders required to register with the
 594 department; penalty.—

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

596 (a)1. "Sexual offender" means a person who meets the
 597 criteria in sub-subparagraph a., sub-subparagraph b., sub-
 598 subparagraph c., or sub-subparagraph d., as follows:

599 a.(I) Has been convicted of committing, or attempting,
 600 soliciting, or conspiring to commit, any of the criminal
 601 offenses proscribed in the following statutes in this state or
 602 similar offenses in another jurisdiction: s. 393.135(2); s.
 603 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
 604 the victim is a minor and the defendant is not the victim's
 605 parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s.
 606 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 607 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s.
 608 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 609 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
 610 similar offense committed in this state which has been
 611 redesignated from a former statute number to one of those listed
 612 in this sub-sub-subparagraph; and

613 (II) Has been released on or after October 1, 1997, from
 614 the sanction imposed for any conviction of an offense described
 615 in sub-sub-subparagraph (I). For purposes of sub-sub-
 616 subparagraph (I), a sanction imposed in this state or in any

BILL

ORIGINAL

YEAR

617 other jurisdiction includes, but is not limited to, a fine,
 618 probation, community control, parole, conditional release,
 619 control release, or incarceration in a state prison, federal
 620 prison, private correctional facility, or local detention
 621 facility;

622 b. Establishes or maintains a residence in this state and
 623 who has not been designated as a sexual predator by a court of
 624 this state but who has been designated as a sexual predator, as
 625 a sexually violent predator, or by another sexual offender
 626 designation in another state or jurisdiction and was, as a
 627 result of such designation, subjected to registration or
 628 community or public notification, or both, or would be if the
 629 person were a resident of that state or jurisdiction, without
 630 regard to whether the person otherwise meets the criteria for
 631 registration as a sexual offender;

632 c. Establishes or maintains a residence in this state who
 633 is in the custody or control of, or under the supervision of,
 634 any other state or jurisdiction as a result of a conviction for
 635 committing, or attempting, soliciting, or conspiring to commit,
 636 any of the criminal offenses proscribed in the following
 637 statutes or similar offense in another jurisdiction: s.
 638 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
 639 787.025(2)(c), where the victim is a minor and the defendant is
 640 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
 641 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
 642 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.
 643 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
 644 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.

BILL

ORIGINAL

YEAR

645 985.701(1); or any similar offense committed in this state which
 646 has been redesignated from a former statute number to one of
 647 those listed in this sub-subparagraph; or

648 d. On or after July 1, 2007, has been adjudicated
 649 delinquent for committing, or attempting, soliciting, or
 650 conspiring to commit, any of the criminal offenses proscribed in
 651 the following statutes in this state or similar offenses in
 652 another jurisdiction when the juvenile was 14 years of age or
 653 older at the time of the offense:

654 (I) Section 794.011, excluding s. 794.011(10);

655 (II) Section 800.04(4)(b) where the victim is under 12
 656 years of age or where the court finds sexual activity by the use
 657 of force or coercion;

658 (III) Section 800.04(5)(c)1. where the court finds
 659 molestation involving unclothed genitals; or

660 (IV) Section 800.04(5)(d) where the court finds the use of
 661 force or coercion and unclothed genitals.

662 2. For all qualifying offenses listed in sub-subparagraph
 663 (1)(a)1.d., the court shall make a written finding of the age of
 664 the offender at the time of the offense.

665
 666 For each violation of a qualifying offense listed in this
 667 subsection, except for a violation of s. 794.011, the court
 668 shall make a written finding of the age of the victim at the
 669 time of the offense. For a violation of s. 800.04(4), the court
 670 shall additionally make a written finding indicating that the
 671 offense did or did not involve sexual activity and indicating
 672 that the offense did or did not involve force or coercion. For a

BILL

ORIGINAL

YEAR

673 violation of s. 800.04(5), the court shall additionally make a
 674 written finding that the offense did or did not involve
 675 unclothed genitals or genital area and that the offense did or
 676 did not involve the use of force or coercion.

677 (g) "Internet identifier ~~Instant message name~~" has the
 678 same meaning as provided in s. 775.21 ~~means an identifier that~~
 679 ~~allows a person to communicate in real time with another person~~
 680 ~~using the Internet.~~

681 (2) A sexual offender shall:

682 (a) Report in person at the sheriff's office:

683 1. In the county in which the offender establishes or
 684 maintains a permanent, temporary, or transient residence within
 685 48 hours after:

686 a. Establishing permanent, temporary, or transient
 687 residence in this state; or

688 b. Being released from the custody, control, or
 689 supervision of the Department of Corrections or from the custody
 690 of a private correctional facility; or

691 2. In the county where he or she was convicted within 48
 692 hours after being convicted for a qualifying offense for
 693 registration under this section if the offender is not in the
 694 custody or control of, or under the supervision of, the
 695 Department of Corrections, or is not in the custody of a private
 696 correctional facility.

697 Any change in the information required to be provided pursuant
 698 to paragraph (b), including, but not limited to, any change in
 699 the sexual offender's permanent, temporary, or transient
 700 residence, name, ~~any~~ electronic mail addresses, or Internet

BILL

ORIGINAL

YEAR

701 identifiers ~~address and any instant message name~~ required to be
 702 provided pursuant to paragraph (4) (d), after the sexual offender
 703 reports in person at the sheriff's office, shall be accomplished
 704 in the manner provided in subsections (4), (7), and (8).

705 (b) Provide his or her name; date of birth; social
 706 security number; race; sex; height; weight; hair and eye color;
 707 tattoos or other identifying marks; occupation and place of
 708 employment; address of permanent or legal residence or address
 709 of any current temporary residence, within the state or out of
 710 state, including a rural route address and a post office box; if
 711 no permanent or temporary address, any transient residence
 712 within the state, address, location or description, and dates of
 713 any current or known future temporary residence within the state
 714 or out of state; the make, model, color, registration number,
 715 and license tag number of all vehicles owned; all home telephone
 716 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; all
 717 ~~any~~ electronic mail addresses ~~address~~ and all Internet
 718 identifiers ~~any instant message name~~ required to be provided
 719 pursuant to paragraph (4) (d); fingerprints; palm prints;
 720 photograph; date and place of each conviction; and a brief
 721 description of the crime or crimes committed by the offender. A
 722 post office box shall not be provided in lieu of a physical
 723 residential address. The sexual offender must also produce his
 724 or her passport, if he or she has a passport, and, if he or she
 725 is an alien, must produce or provide information about documents
 726 establishing his or her immigration status. The sexual offender
 727 must also provide information about any professional licenses he
 728 or she may have.

BILL

ORIGINAL

YEAR

729 | 1. If the sexual offender's place of residence is a motor
 730 | vehicle, trailer, mobile home, or manufactured home, as defined
 731 | in chapter 320, the sexual offender shall also provide to the
 732 | department through the sheriff's office written notice of the
 733 | vehicle identification number; the license tag number; the
 734 | registration number; and a description, including color scheme,
 735 | of the motor vehicle, trailer, mobile home, or manufactured
 736 | home. If the sexual offender's place of residence is a vessel,
 737 | live-aboard vessel, or houseboat, as defined in chapter 327, the
 738 | sexual offender shall also provide to the department written
 739 | notice of the hull identification number; the manufacturer's
 740 | serial number; the name of the vessel, live-aboard vessel, or
 741 | houseboat; the registration number; and a description, including
 742 | color scheme, of the vessel, live-aboard vessel, or houseboat.

743 | 2. If the sexual offender is enrolled, employed,
 744 | volunteering, or carrying on a vocation at an institution of
 745 | higher education in this state, the sexual offender shall also
 746 | provide to the department through the sheriff's office the name,
 747 | address, and county of each institution, including each campus
 748 | attended, and the sexual offender's enrollment, volunteer, or
 749 | employment status. Each change in enrollment, volunteer, or
 750 | employment status shall be reported in person at the sheriff's
 751 | office, within 48 hours after any change in status. The sheriff
 752 | shall promptly notify each institution of the sexual offender's
 753 | presence and any change in the sexual offender's enrollment,
 754 | volunteer, or employment status.

755 | (c) Provide any other information determined necessary by
 756 | the department, including criminal and corrections records;

BILL

ORIGINAL

YEAR

757 | nonprivileged personnel and treatment records; and evidentiary
 758 | genetic markers, when available.

759 | When a sexual offender reports at the sheriff's office, the
 760 | sheriff shall take a photograph, ~~and~~ a set of fingerprints, and
 761 | palm prints of the offender and forward the photographs, palm
 762 | prints, and fingerprints to the department, along with the
 763 | information provided by the sexual offender. The sheriff shall
 764 | promptly provide to the department the information received from
 765 | the sexual offender.

766 | (4) (a) Each time a sexual offender's driver ~~driver's~~
 767 | license or identification card is subject to renewal, and,
 768 | without regard to the status of the offender's driver ~~driver's~~
 769 | license or identification card, within 48 hours after any change
 770 | in the offender's permanent, temporary, or transient residence
 771 | or change in the offender's name by reason of marriage or other
 772 | legal process, the offender shall report in person to a driver
 773 | ~~driver's~~ license office, and shall be subject to the
 774 | requirements specified in subsection (3). The Department of
 775 | Highway Safety and Motor Vehicles shall forward to the
 776 | department all photographs and information provided by sexual
 777 | offenders. Notwithstanding the restrictions set forth in s.
 778 | 322.142, the Department of Highway Safety and Motor Vehicles is
 779 | authorized to release a reproduction of a color-photograph or
 780 | digital-image license to the Department of Law Enforcement for
 781 | purposes of public notification of sexual offenders as provided
 782 | in this section and ss. 943.043 and 944.606. A sexual offender
 783 | who is unable to secure or update a driver license or
 784 | identification card with the Department of Highway Safety and

BILL

ORIGINAL

YEAR

785 Motor Vehicles as provided in subsection (3) and this subsection
 786 must also report any change in the sexual offender's permanent,
 787 temporary, or transient residence or change in the offender's
 788 name by reason of marriage or other legal process within 48
 789 hours after the change to the sheriff's office in the county
 790 where the offender resides or is located and provide
 791 confirmation that he or she reported such information to the
 792 Department of Highway Safety and Motor Vehicles.

793 (d) A sexual offender must register all ~~any~~ electronic
 794 mail addresses and Internet identifiers ~~address or instant~~
 795 ~~message name~~ with the department prior to using such electronic
 796 mail addresses and Internet identifiers ~~address or instant~~
 797 ~~message name on or after October 1, 2007.~~ The department shall
 798 establish an online system through which sexual offenders may
 799 securely access and update all electronic mail address and
 800 Internet identifier ~~instant message name~~ information.

801 (7) A sexual offender who intends to establish a
 802 permanent, temporary, or transient residence in another state or
 803 jurisdiction other than the State of Florida shall report in
 804 person to the sheriff of the county of current residence within
 805 48 hours before the date he or she intends to leave this state
 806 to establish residence in another state or jurisdiction or
 807 within 21 days before his or her planned departure date if the
 808 intended residence of 5 days or more is outside of the United
 809 States. The notification must include the address, municipality,
 810 county, ~~and state,~~ and country of intended residence. The
 811 sheriff shall promptly provide to the department the information
 812 received from the sexual offender. The department shall notify

BILL

ORIGINAL

YEAR

813 | the statewide law enforcement agency, or a comparable agency, in
 814 | the intended state, ~~or~~ jurisdiction, or country of residence of
 815 | the sexual offender's intended residence. The failure of a
 816 | sexual offender to provide his or her intended place of
 817 | residence is punishable as provided in subsection (9).

818 | (8) A sexual offender who indicates his or her intent to
 819 | establish a permanent, temporary, or transient residence in
 820 | another state, a ~~or~~ jurisdiction other than the State of
 821 | Florida, or another country and later decides to remain in this
 822 | state shall, within 48 hours after the date upon which the
 823 | sexual offender indicated he or she would leave this state,
 824 | report in person to the sheriff to which the sexual offender
 825 | reported the intended change of permanent, temporary, or
 826 | transient residence, and report his or her intent to remain in
 827 | this state. The sheriff shall promptly report this information
 828 | to the department. A sexual offender who reports his or her
 829 | intent to establish a permanent, temporary, or transient
 830 | residence in another state, a ~~or~~ jurisdiction other than the
 831 | State of Florida, or another country but who remains in this
 832 | state without reporting to the sheriff in the manner required by
 833 | this subsection commits a felony of the second degree,
 834 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

835 | (11) Except as provided in this subsection and s.
 836 | 943.04354, a sexual offender must maintain registration with the
 837 | department for the duration of his or her life, unless the
 838 | sexual offender has received a full pardon or has had a
 839 | conviction set aside in a postconviction proceeding for any
 840 | offense that meets the criteria for classifying the person as a

BILL

ORIGINAL

YEAR

841 sexual offender for purposes of registration. ~~However, a sexual~~
 842 ~~offender:~~

843 (a)1. A sexual offender may petition the criminal division
 844 of the circuit court of the circuit in which the sexual offender
 845 resides for the purpose of removing the requirement for
 846 registration as a sexual offender if ~~Who has been lawfully~~
 847 ~~released from confinement, supervision, or sanction, whichever~~
 848 ~~is later, for at least 25 years and has not been arrested for~~
 849 ~~any felony or misdemeanor offense since release, provided that~~
 850 ~~the sexual offender's requirement to register was not based upon~~
 851 ~~an adult conviction:~~

852 a. Twenty-five years have elapsed since the sexual
 853 offender's registration period for the most recent conviction
 854 that required the offender to register began;

855 b. The sexual offender has not been convicted or
 856 adjudicated delinquent of any felony offense or of an offense
 857 punishable by more than 1 year of imprisonment during the 25
 858 years preceding the petition to the court;

859 c. The sexual offender has successfully completed all
 860 sanctions imposed for all offenses that required the offender to
 861 register;

862 d. The sexual offender's requirement to register was not
 863 based upon an adult conviction for a violation of s. 787.01, s.
 864 794.011, excluding s. 794.011(10), s. 800.04(4)(b) where the
 865 court finds the offense involved a victim under 12 years of age
 866 or sexual activity by the use of force or coercion, s.
 867 800.04(5)(b), or s. 800.04(5)(c)2. where the court finds the
 868 offense involved unclothed genitals or genital area; for any

BILL

ORIGINAL

YEAR

869 attempt or conspiracy to commit any offense listed in this sub-
 870 subparagraph; or for a violation of similar law of another
 871 jurisdiction; and

872 e. For sexual offenders whose requirement to register is
 873 based upon a conviction in another state, the sexual offender is
 874 not required to register as a sexual offender pursuant to the
 875 laws of the state where the conviction occurred. Such an
 876 offender must provide the court written confirmation that he or
 877 she is not required to register in the state where the
 878 conviction occurred.

879 ~~a. For a violation of s. 787.01 or s. 787.02;~~

880 ~~b. For a violation of s. 794.011, excluding s.~~
 881 ~~794.011(10);~~

882 ~~c. For a violation of s. 800.04(4)(b) where the court~~
 883 ~~finds the offense involved a victim under 12 years of age or~~
 884 ~~sexual activity by the use of force or coercion;~~

885 ~~d. For a violation of s. 800.04(5)(b);~~

886 ~~e. For a violation of s. 800.04(5)c.2. where the court~~
 887 ~~finds the offense involved unclothed genitals or genital area;~~

888 ~~f. For any attempt or conspiracy to commit any such~~
 889 ~~offense; or~~

890 ~~g. For a violation of similar law of another jurisdiction,~~
 891 ~~may petition the criminal division of the circuit court of the~~
 892 ~~circuit in which the sexual offender resides for the purpose of~~
 893 ~~removing the requirement for registration as a sexual offender.~~

894 2. A sexual offender whose requirement to register was
 895 based upon an adult conviction for a violation of s. 787.02 or
 896 s. 827.071(5), for any attempt or conspiracy to commit any

BILL

ORIGINAL

YEAR

897 | offense listed in this subparagraph, or for a violation of
 898 | similar law of another jurisdiction may petition the criminal
 899 | division of the circuit court of the circuit in which the sexual
 900 | offender resides for the purpose of removing the requirement for
 901 | registration as a sexual offender if:

902 | a. Fifteen years have elapsed since the sexual offender's
 903 | registration period for the most recent conviction that required
 904 | the offender to register began;

905 | b. The sexual offender has not been convicted or
 906 | adjudicated delinquent of any felony offense or of an offense
 907 | punishable by more than 1 year of imprisonment during the 10
 908 | years preceding the petition to the court;

909 | c. The sexual offender has successfully completed all
 910 | sanctions imposed for all offenses that required the offender to
 911 | register; and

912 | d. For sexual offenders whose requirement to register is
 913 | based upon a conviction in another state, the sexual offender is
 914 | not required to register as a sexual offender pursuant to the
 915 | laws of the state where the conviction occurred. Such an
 916 | offender must provide the court written confirmation that he or
 917 | she is not required to register in the state where the
 918 | conviction occurred.

919 | 3. A sexual offender required to register under sub-
 920 | subparagraph (1)(a)1.d. may petition the criminal division of
 921 | the circuit court of the circuit in which the sexual offender
 922 | resides for the purpose of removing the requirement for
 923 | registration as a sexual offender if:

924 | a. Twenty-five years have elapsed since the sexual

BILL

ORIGINAL

YEAR

925 offender's registration period for the most recent adjudication
 926 that required the offender to register began;

927 b. The sexual offender has not been convicted or
 928 adjudicated delinquent of any felony offense or of an offense
 929 punishable by more than 1 year of imprisonment during the 25
 930 years preceding the petition to the court; and

931 c. The sexual offender has successfully completed all
 932 sanctions imposed for any offense that required the offender to
 933 register.

934 ~~4.2.~~ The court may grant or deny relief if the offender
 935 demonstrates to the court that ~~he or she has not been arrested~~
 936 ~~for any crime since release;~~ the requested relief complies with
 937 this paragraph, the provisions of the federal Adam Walsh Child
 938 Protection and Safety Act of 2006, and any other federal
 939 standards applicable to the removal of registration requirements
 940 for a sexual offender or required to be met as a condition for
 941 the receipt of federal funds by the state; and the court is
 942 otherwise satisfied that the offender is not a current or
 943 potential threat to public safety. The state attorney in the
 944 circuit in which the petition is filed and the department must
 945 be given notice of the petition at least 3 weeks before the
 946 hearing on the matter. The state attorney may present evidence
 947 in opposition to the requested relief or may otherwise
 948 demonstrate the reasons why the petition should be denied. If
 949 the court grants the petition, the court shall instruct the
 950 petitioner to provide the department with a certified copy of
 951 the order granting relief. If the court denies the petition, the
 952 court may set a future date at which the sexual offender may

BILL

ORIGINAL

YEAR

953 again petition the court for relief, subject to the standards
 954 for relief provided in this subsection.

955 ~~5.3.~~ The department shall remove an offender from
 956 classification as a sexual offender for purposes of registration
 957 if the offender provides to the department a certified copy of
 958 the court's written findings or order that indicates that the
 959 offender is no longer required to comply with the requirements
 960 for registration as a sexual offender.

961 6. For purposes of this paragraph:

962 a. The registration period of a sexual offender sentenced
 963 to a term of incarceration or committed to a residential program
 964 begins upon the offender's release from incarceration or
 965 commitment for the most recent conviction that required the
 966 offender to register.

967 b. A sexual offender's registration period is tolled
 968 during any period in which the offender is incarcerated, civilly
 969 committed, detained pursuant to chapter 985, or committed to a
 970 residential program.

971 (b) A sexual offender as defined in sub-subparagraph
 972 (1)(a)1.b. must maintain registration with the department for
 973 the duration of his or her life until the person provides the
 974 department with an order issued by the court that designated the
 975 person as a sexual predator, as a sexually violent predator, or
 976 by another sexual offender designation in the state or
 977 jurisdiction in which the order was issued which states that
 978 such designation has been removed or demonstrates to the
 979 department that such designation, if not imposed by a court, has
 980 been removed by operation of law or court order in the state or

BILL

ORIGINAL

YEAR

981 jurisdiction in which the designation was made, and provided
 982 such person no longer meets the criteria for registration as a
 983 sexual offender under the laws of this state.

984 (14)

985 (c) The sheriff's office may determine the appropriate
 986 times and days for reporting by the sexual offender, which shall
 987 be consistent with the reporting requirements of this
 988 subsection. Reregistration shall include any changes to the
 989 following information:

990 1. Name; social security number; age; race; sex; date of
 991 birth; height; weight; hair and eye color; address of any
 992 permanent residence and address of any current temporary
 993 residence, within the state or out of state, including a rural
 994 route address and a post office box; if no permanent or
 995 temporary address, any transient residence within the state;
 996 address, location or description, and dates of any current or
 997 known future temporary residence within the state or out of
 998 state; ~~any~~ electronic mail addresses or Internet identifiers
 999 ~~address and any instant message name~~ required to be provided
 1000 pursuant to paragraph (4) (d); home telephone numbers or number
 1001 ~~and any~~ cellular telephone numbers number; date and place of any
 1002 employment; the ~~vehicle~~ make, model, color, registration number,
 1003 and license tag number of any vehicles owned; fingerprints; palm
 1004 prints; and photograph. A post office box may ~~shall~~ not be
 1005 provided in lieu of a physical residential address. The sexual
 1006 offender must also produce his or her passport, if he or she has
 1007 a passport, and, if he or she is an alien, must produce or
 1008 provide information about documents establishing his or her

BILL

ORIGINAL

YEAR

1009 | immigration status. The sexual offender must also provide
 1010 | information about any professional licenses he or she may have.

1011 | 2. If the sexual offender is enrolled, volunteering,
 1012 | employed, or carrying on a vocation at an institution of higher
 1013 | education in this state, the sexual offender shall also provide
 1014 | to the department the name, address, and county of each
 1015 | institution, including each campus attended, and the sexual
 1016 | offender's enrollment, volunteer, or employment status.

1017 | 3. If the sexual offender's place of residence is a motor
 1018 | vehicle, trailer, mobile home, or manufactured home, as defined
 1019 | in chapter 320, the sexual offender shall also provide the
 1020 | vehicle identification number; the license tag number; the
 1021 | registration number; and a description, including color scheme,
 1022 | of the motor vehicle, trailer, mobile home, or manufactured
 1023 | home. If the sexual offender's place of residence is a vessel,
 1024 | live-aboard vessel, or houseboat, as defined in chapter 327, the
 1025 | sexual offender shall also provide the hull identification
 1026 | number; the manufacturer's serial number; the name of the
 1027 | vessel, live-aboard vessel, or houseboat; the registration
 1028 | number; and a description, including color scheme, of the
 1029 | vessel, live-aboard vessel or houseboat.

1030 | 4. Any sexual offender who fails to report in person as
 1031 | required at the sheriff's office, ~~or~~ who fails to respond to any
 1032 | address verification correspondence from the department within 3
 1033 | weeks of the date of the correspondence, ~~or~~ who fails to report
 1034 | all electronic mail addresses and all Internet identifiers prior
 1035 | to use ~~or instant message names,~~ or who knowingly provides false
 1036 | registration information by act or omission commits a felony of

BILL

ORIGINAL

YEAR

1037 | the third degree, punishable as provided in s. 775.082, s.
 1038 | 775.083, or s. 775.084.

1039 | Section 6. Section 943.04351, Florida Statutes, is amended
 1040 | to read:

1041 | 943.04351 Search of registration information regarding
 1042 | sexual predators and sexual offenders required prior to
 1043 | appointment or employment.—A state agency or governmental
 1044 | subdivision, prior to making any decision to appoint or employ a
 1045 | person to work, whether for compensation or as a volunteer, at
 1046 | any park, playground, day care center, or other place where
 1047 | children regularly congregate, must conduct a search of that
 1048 | person's name or other identifying information against the
 1049 | registration information regarding sexual predators and sexual
 1050 | offenders maintained by the Department of Law Enforcement under
 1051 | s. 943.043. The agency or governmental subdivision may conduct
 1052 | the search using the Internet site maintained by the Department
 1053 | of Law Enforcement. Also, a national search must be conducted
 1054 | through the Dru Sjodin National Sex Offender Public Website
 1055 | maintained by the United States Department of Justice. This
 1056 | section does not apply to those positions or appointments within
 1057 | a state agency or governmental subdivision for which a state and
 1058 | national criminal history background check is conducted.

1059 | Section 7. Section 943.04354, Florida Statutes, is amended
 1060 | to read:

1061 | 943.04354 Removal of the requirement to register as a
 1062 | sexual offender or sexual predator in special circumstances.—

1063 | (1) For purposes of this section, a person shall be
 1064 | considered for removal of the requirement to register as a

BILL

ORIGINAL

YEAR

1065 sexual offender or sexual predator only if the person:
 1066 (a) Was ~~or will be~~ convicted, regardless of adjudication,
 1067 or adjudicated delinquent of a violation of s. 794.011, s.
 1068 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in
 1069 another jurisdiction, ~~or the person committed a violation of s.~~
 1070 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~
 1071 ~~adjudication of guilt was or will be withheld,~~ and the person
 1072 does not have any other conviction, regardless of adjudication,
 1073 or adjudication of delinquency, ~~or withhold of adjudication of~~
 1074 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or
 1075 s. 847.0135(5), or a similar offense in another jurisdiction;
 1076 (b)1. Was convicted, regardless of adjudication, or
 1077 adjudicated delinquent of an offense listed in paragraph (a) and
 1078 is required to register as a sexual offender or sexual predator
 1079 solely on the basis of this conviction or adjudication
 1080 violation; or and
 1081 2. Was convicted, regardless of adjudication, or
 1082 adjudicated delinquent of an offense in another jurisdiction
 1083 that is similar to an offense listed in paragraph (a) and no
 1084 longer meets the criteria for registration as a sexual offender
 1085 or sexual predator under the laws of the jurisdiction where the
 1086 similar offense occurred; and
 1087 (c) Is not more than 4 years older than the victim of this
 1088 violation who was 13 ~~14~~ years of age or older but less ~~not more~~
 1089 than 18 ~~17~~ years of age at the time the person committed this
 1090 violation.
 1091 (2) If a person meets the criteria in subsection (1) ~~and~~
 1092 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~

BILL

ORIGINAL

YEAR

1093 | ~~847.0135(5) was committed on or after July 1, 2007,~~ the person
 1094 | may move the criminal court of the circuit in which the offense
 1095 | occurred or the sentencing court or, for persons convicted or
 1096 | adjudicated delinquent of a qualifying offense in another
 1097 | jurisdiction, the criminal circuit court of the circuit in which
 1098 | the person resides ~~that will sentence or dispose of this~~
 1099 | ~~violation~~ to remove the requirement that the person register as
 1100 | a sexual offender or sexual predator. The person must allege in
 1101 | the motion that he or she meets the criteria in subsection (1)
 1102 | and that removal of the registration requirement will not
 1103 | conflict with federal law. Persons convicted or adjudicated
 1104 | delinquent of an offense in another jurisdiction that is similar
 1105 | to an offense listed in paragraph (1)(a) must provide the court
 1106 | written confirmation that he or she is not required to register
 1107 | in the state where the conviction or adjudication occurred. The
 1108 | state attorney and the department must be given notice of the
 1109 | motion at least 21 days before the date of sentencing, ~~or~~
 1110 | disposition of the this violation, or hearing on the motion and
 1111 | may present evidence in opposition to the requested relief or
 1112 | may otherwise demonstrate why the motion should be denied. At
 1113 | sentencing, ~~or~~ disposition of the this violation, or hearing on
 1114 | the motion, the court shall rule on this motion and, if the
 1115 | court determines the person meets the criteria in subsection (1)
 1116 | and the removal of the registration requirement will not
 1117 | conflict with federal law, it may grant the motion and order the
 1118 | removal of the registration requirement. The court shall
 1119 | instruct the person to provide the department a certified copy
 1120 | of the order granting relief. If the court denies the motion,

BILL

ORIGINAL

YEAR

1121 the person is not authorized under this section to file another
 1122 motion ~~petition~~ for removal of the registration requirement.

1123 ~~(3)(a) This subsection applies to a person who:~~

1124 ~~1. Is not a person described in subsection (2) because the~~
 1125 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
 1126 ~~committed on or after July 1, 2007;~~

1127 ~~2. Is subject to registration as a sexual offender or~~
 1128 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
 1129 ~~827.071; and~~

1130 ~~3. Meets the criteria in subsection (1).~~

1131 ~~(b) A person may petition the court in which the sentence~~
 1132 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~
 1133 ~~827.071 occurred for removal of the requirement to register as a~~
 1134 ~~sexual offender or sexual predator. The person must allege in~~
 1135 ~~the petition that he or she meets the criteria in subsection (1)~~
 1136 ~~and removal of the registration requirement will not conflict~~
 1137 ~~with federal law. The state attorney must be given notice of the~~
 1138 ~~petition at least 21 days before the hearing on the petition and~~
 1139 ~~may present evidence in opposition to the requested relief or~~
 1140 ~~may otherwise demonstrate why the petition should be denied. The~~
 1141 ~~court shall rule on the petition and, if the court determines~~
 1142 ~~the person meets the criteria in subsection (1) and removal of~~
 1143 ~~the registration requirement will not conflict with federal law,~~
 1144 ~~it may grant the petition and order the removal of the~~
 1145 ~~registration requirement. If the court denies the petition, the~~
 1146 ~~person is not authorized under this section to file any further~~
 1147 ~~petition for removal of the registration requirement.~~

1148 ~~(3)(4)~~ If a person provides to the Department of Law

BILL

ORIGINAL

YEAR

1149 Enforcement a certified copy of the court's order removing the
 1150 requirement that the person register as a sexual offender or
 1151 sexual predator for the violation of s. 794.011, s. 800.04, s.
 1152 827.071, or s. 847.0135(5), or a similar offense in another
 1153 jurisdiction, the registration requirement will not apply to the
 1154 person and the department shall remove all information about the
 1155 person from the public registry of sexual offenders and sexual
 1156 predators maintained by the department. However, the removal of
 1157 this information from the public registry does not mean that the
 1158 public is denied access to information about the person's
 1159 criminal history or record that is otherwise available as a
 1160 public record.

1161 Section 8. Subsection (2) and paragraph (a) of subsection
 1162 (3) of section 943.0437, Florida Statutes, are amended to read:

1163 943.0437 Commercial social networking websites.—

1164 (2) The department may provide information relating to
 1165 electronic mail addresses and Internet identifiers ~~instant~~
 1166 ~~message names~~ maintained as part of the sexual offender registry
 1167 to commercial social networking websites or third parties
 1168 designated by commercial social networking websites. The
 1169 commercial social networking website may use this information
 1170 for the purpose of comparing registered users and screening
 1171 potential users of the commercial social networking website
 1172 against the list of electronic mail addresses and Internet
 1173 identifiers ~~instant message names~~ provided by the department.

1174 (3) This section shall not be construed to impose any
 1175 civil liability on a commercial social networking website for:

1176 (a) Any action voluntarily taken in good faith to remove

BILL

ORIGINAL

YEAR

1177 or disable any profile of a registered user associated with an
 1178 electronic mail address or Internet identifier ~~instant message~~
 1179 ~~name~~ contained in the sexual offender registry.

1180 Section 9. Paragraphs (b) and (d) of subsection (1) and
 1181 paragraph (a) of subsection (3) of section 944.606, Florida
 1182 Statutes, are amended to read:

1183 944.606 Sexual offenders; notification upon release.—

1184 (1) As used in this section:

1185 (b) "Sexual offender" means a person who has been
 1186 convicted of committing, or attempting, soliciting, or
 1187 conspiring to commit, any of the criminal offenses proscribed in
 1188 the following statutes in this state or similar offenses in
 1189 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1190 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 1191 the defendant is not the victim's parent or guardian; s.
 1192 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
 1193 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 1194 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
 1195 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
 1196 916.1075(2); or s. 985.701(1); or any similar offense committed
 1197 in this state which has been redesignated from a former statute
 1198 number to one of those listed in this subsection, when the
 1199 department has received verified information regarding such
 1200 conviction; an offender's computerized criminal history record
 1201 is not, in and of itself, verified information.

1202 (d) "Internet identifier ~~Instant message name~~" has the
 1203 same meaning as provided in s. 775.21 ~~means an identifier that~~
 1204 ~~allows a person to communicate in real time with another person~~

BILL

ORIGINAL

YEAR

1205 | ~~using the Internet.~~
 1206 | (3) (a) The department must provide information regarding
 1207 | any sexual offender who is being released after serving a period
 1208 | of incarceration for any offense, as follows:
 1209 | 1. The department must provide: the sexual offender's
 1210 | name, any change in the offender's name by reason of marriage or
 1211 | other legal process, and any alias, if known; the correctional
 1212 | facility from which the sexual offender is released; the sexual
 1213 | offender's social security number, race, sex, date of birth,
 1214 | height, weight, and hair and eye color; address of any planned
 1215 | permanent residence or temporary residence, within the state or
 1216 | out of state, including a rural route address and a post office
 1217 | box; if no permanent or temporary address, any transient
 1218 | residence within the state; address, location or description,
 1219 | and dates of any known future temporary residence within the
 1220 | state or out of state; date and county of sentence and each
 1221 | crime for which the offender was sentenced; a copy of the
 1222 | offender's fingerprints, palm prints, and a digitized photograph
 1223 | taken within 60 days before release; the date of release of the
 1224 | sexual offender; all ~~any~~ electronic mail addresses ~~address~~ and
 1225 | all Internet identifiers ~~any instant message name~~ required to be
 1226 | provided pursuant to s. 943.0435(4) (d); all ~~and~~ home telephone
 1227 | numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
 1228 | about any professional licenses the offender may have, if known;
 1229 | and passport information, if he or she has a passport, and, if
 1230 | he or she is an alien, information about documents establishing
 1231 | his or her immigration status ~~number~~. The department shall
 1232 | notify the Department of Law Enforcement if the sexual offender

BILL

ORIGINAL

YEAR

1233 escapes, absconds, or dies. If the sexual offender is in the
 1234 custody of a private correctional facility, the facility shall
 1235 take the digitized photograph of the sexual offender within 60
 1236 days before the sexual offender's release and provide this
 1237 photograph to the Department of Corrections and also place it in
 1238 the sexual offender's file. If the sexual offender is in the
 1239 custody of a local jail, the custodian of the local jail shall
 1240 register the offender within 3 business days after intake of the
 1241 offender for any reason and upon release, and shall notify the
 1242 Department of Law Enforcement of the sexual offender's release
 1243 and provide to the Department of Law Enforcement the information
 1244 specified in this paragraph and any information specified in
 1245 subparagraph 2. that the Department of Law Enforcement requests.

1246 2. The department may provide any other information deemed
 1247 necessary, including criminal and corrections records,
 1248 nonprivileged personnel and treatment records, when available.

1249 Section 10. Paragraphs (a) and (f) of subsection (1),
 1250 subsection (4), and paragraph (c) of subsection (13) of section
 1251 944.607, Florida Statutes, are amended to read:

1252 944.607 Notification to Department of Law Enforcement of
 1253 information on sexual offenders.—

1254 (1) As used in this section, the term:

1255 (a) "Sexual offender" means a person who is in the custody
 1256 or control of, or under the supervision of, the department or is
 1257 in the custody of a private correctional facility:

1258 1. On or after October 1, 1997, as a result of a
 1259 conviction for committing, or attempting, soliciting, or
 1260 conspiring to commit, any of the criminal offenses proscribed in

BILL

ORIGINAL

YEAR

1261 the following statutes in this state or similar offenses in
 1262 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1263 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 1264 the defendant is not the victim's parent or guardian; s.
 1265 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
 1266 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 1267 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
 1268 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
 1269 s. 916.1075(2); or s. 985.701(1); or any similar offense
 1270 committed in this state which has been redesignated from a
 1271 former statute number to one of those listed in this paragraph;
 1272 or

1273 2. Who establishes or maintains a residence in this state
 1274 and who has not been designated as a sexual predator by a court
 1275 of this state but who has been designated as a sexual predator,
 1276 as a sexually violent predator, or by another sexual offender
 1277 designation in another state or jurisdiction and was, as a
 1278 result of such designation, subjected to registration or
 1279 community or public notification, or both, or would be if the
 1280 person were a resident of that state or jurisdiction, without
 1281 regard as to whether the person otherwise meets the criteria for
 1282 registration as a sexual offender.

1283 (f) "Internet identifier ~~Instant message name~~" has the
 1284 same meaning as provided in s. 775.21 ~~means an identifier that~~
 1285 ~~allows a person to communicate in real time with another person~~
 1286 ~~using the Internet.~~

1287 (4) A sexual offender, as described in this section, who
 1288 is under the supervision of the Department of Corrections but is

BILL

ORIGINAL

YEAR

1289 | not incarcerated must register with the Department of
 1290 | Corrections within 3 business days after sentencing for a
 1291 | registrable offense and otherwise provide information as
 1292 | required by this subsection.

1293 | (a) The sexual offender shall provide his or her name;
 1294 | date of birth; social security number; race; sex; height;
 1295 | weight; hair and eye color; tattoos or other identifying marks;
 1296 | all ~~any~~ electronic mail addresses ~~address~~ and all Internet
 1297 | identifiers ~~any instant message name~~ required to be provided
 1298 | pursuant to s. 943.0435(4)(d); all home telephone numbers and
 1299 | cellular telephone numbers; the make, model, color, registration
 1300 | number, and license tag number of all vehicles owned; permanent
 1301 | or legal residence and address of temporary residence within the
 1302 | state or out of state while the sexual offender is under
 1303 | supervision in this state, including any rural route address or
 1304 | post office box; if no permanent or temporary address, any
 1305 | transient residence within the state; and address, location or
 1306 | description, and dates of any current or known future temporary
 1307 | residence within the state or out of state. The sexual offender
 1308 | must also produce his or her passport, if he or she has a
 1309 | passport, and, if he or she is an alien, must produce or provide
 1310 | information about documents establishing his or her immigration
 1311 | status. The sexual offender must also provide information about
 1312 | any professional licenses he or she may have. The Department of
 1313 | Corrections shall verify the address of each sexual offender in
 1314 | the manner described in ss. 775.21 and 943.0435. The department
 1315 | shall report to the Department of Law Enforcement any failure by
 1316 | a sexual predator or sexual offender to comply with registration

BILL

ORIGINAL

YEAR

1317 requirements.

1318 (b) If the sexual offender is enrolled, employed,

1319 volunteering, or carrying on a vocation at an institution of

1320 higher education in this state, the sexual offender shall

1321 provide the name, address, and county of each institution,

1322 including each campus attended, and the sexual offender's

1323 enrollment, volunteer, or employment status. Each change in

1324 enrollment, volunteer, or employment status shall be reported to

1325 the department within 48 hours after the change in status. The

1326 Department of Corrections shall promptly notify each institution

1327 of the sexual offender's presence and any change in the sexual

1328 offender's enrollment, volunteer, or employment status.

1329 (13)

1330 (c) The sheriff's office may determine the appropriate

1331 times and days for reporting by the sexual offender, which shall

1332 be consistent with the reporting requirements of this

1333 subsection. Reregistration shall include any changes to the

1334 following information:

1335 1. Name; social security number; age; race; sex; date of

1336 birth; height; weight; hair and eye color; address of any

1337 permanent residence and address of any current temporary

1338 residence, within the state or out of state, including a rural

1339 route address and a post office box; if no permanent or

1340 temporary address, any transient residence; address, location or

1341 description, and dates of any current or known future temporary

1342 residence within the state or out of state; ~~any~~ electronic mail

1343 addresses or Internet identifiers ~~address and any instant~~

1344 ~~message name~~ required to be provided pursuant to s.

BILL

ORIGINAL

YEAR

1345 | 943.0435(4)(d); home telephone numbers or cellular telephone
 1346 | numbers; date and place of any employment; ~~the vehicle~~ make,
 1347 | model, color, registration number, and license tag number of any
 1348 | vehicles owned; fingerprints; palm prints; and photograph. A
 1349 | post office box shall not be provided in lieu of a physical
 1350 | residential address. The sexual offender must also produce his
 1351 | or her passport, if he or she has a passport, and, if he or she
 1352 | is an alien, must produce or provide information about documents
 1353 | establishing his or her immigration status. The sexual offender
 1354 | must also provide information about any professional licenses he
 1355 | or she may have.

1356 | 2. If the sexual offender is enrolled, employed,
 1357 | volunteering, or carrying on a vocation at an institution of
 1358 | higher education in this state, the sexual offender shall also
 1359 | provide to the department the name, address, and county of each
 1360 | institution, including each campus attended, and the sexual
 1361 | offender's enrollment, volunteer, or employment status.

1362 | 3. If the sexual offender's place of residence is a motor
 1363 | vehicle, trailer, mobile home, or manufactured home, as defined
 1364 | in chapter 320, the sexual offender shall also provide the
 1365 | vehicle identification number; the license tag number; the
 1366 | registration number; and a description, including color scheme,
 1367 | of the motor vehicle, trailer, mobile home, or manufactured
 1368 | home. If the sexual offender's place of residence is a vessel,
 1369 | live-aboard vessel, or houseboat, as defined in chapter 327, the
 1370 | sexual offender shall also provide the hull identification
 1371 | number; the manufacturer's serial number; the name of the
 1372 | vessel, live-aboard vessel, or houseboat; the registration

BILL

ORIGINAL

YEAR

1373 | number; and a description, including color scheme, of the
 1374 | vessel, live-aboard vessel or houseboat.

1375 | 4. Any sexual offender who fails to report in person as
 1376 | required at the sheriff's office, ~~or~~ who fails to respond to any
 1377 | address verification correspondence from the department within 3
 1378 | weeks of the date of the correspondence, ~~or~~ who fails to report
 1379 | all electronic mail addresses or Internet identifiers prior to
 1380 | use or instant message names, or who knowingly provides false
 1381 | registration information by act or omission commits a felony of
 1382 | the third degree, punishable as provided in s. 775.082, s.
 1383 | 775.083, or s. 775.084.

1384 | Section 11. Subsection (11) of section 947.005, Florida
 1385 | Statutes, is amended to read:

1386 | 947.005 Definitions.—As used in this chapter, unless the
 1387 | context clearly indicates otherwise:

1388 | (11) "Risk assessment" means an assessment completed by a
 1389 | ~~an independent~~ qualified practitioner to evaluate the level of
 1390 | risk associated when a sex offender has contact with a child.

1391 | Section 12. Section 948.31, Florida Statutes, is amended
 1392 | to read:

1393 | 948.31 Evaluation and treatment of sexual predators and
 1394 | offenders on probation or community control.—The court may ~~shall~~
 1395 | ~~require an evaluation by a qualified practitioner to determine~~
 1396 | ~~the need of a probationer or community controllee for treatment.~~
 1397 | ~~If the court determines that a need therefor is established by~~
 1398 | ~~the evaluation process, the court shall require sexual offender~~
 1399 | ~~treatment as a term or condition of probation or community~~
 1400 | ~~control for any probationer or community controllee ~~person~~ who~~

BILL

ORIGINAL

YEAR

1401 is required to register as a sexual predator under s. 775.21 or
 1402 sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to
 1403 undergo an evaluation, at the probationer or community
 1404 controllee's expense, by a qualified practitioner to determine
 1405 whether such person needs sexual offender treatment. If the
 1406 qualified practitioner determines that sexual offender treatment
 1407 is needed and recommends treatment, the probationer or community
 1408 controllee must successfully complete and pay for the treatment.
 1409 Such treatment must ~~shall be required to~~ be obtained from a
 1410 qualified practitioner as defined in s. 948.001. Treatment may
 1411 not be administered by a qualified practitioner who has been
 1412 convicted or adjudicated delinquent of committing, or
 1413 attempting, soliciting, or conspiring to commit, any offense
 1414 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~
 1415 ~~impose a restriction against contact with minors if sexual~~
 1416 ~~offender treatment is recommended. The evaluation and~~
 1417 ~~recommendations for treatment of the probationer or community~~
 1418 ~~controllee shall be provided to the court for review.~~

1419 Section 13. Paragraph (a) of subsection (3) of section
 1420 985.481, Florida Statutes, is amended to read:

1421 985.481 Sexual offenders adjudicated delinquent;
 1422 notification upon release.—

1423 (3)(a) The department must provide information regarding
 1424 any sexual offender who is being released after serving a period
 1425 of residential commitment under the department for any offense,
 1426 as follows:

1427 1. The department must provide the sexual offender's name,
 1428 any change in the offender's name by reason of marriage or other

BILL

ORIGINAL

YEAR

1429 | legal process, and any alias, if known; the correctional
 1430 | facility from which the sexual offender is released; the sexual
 1431 | offender's social security number, race, sex, date of birth,
 1432 | height, weight, and hair and eye color; the make, model, color,
 1433 | registration number, and license tag number of all vehicles
 1434 | owned, if known; address of any planned permanent residence or
 1435 | temporary residence, within the state or out of state, including
 1436 | a rural route address and a post office box; if no permanent or
 1437 | temporary address, any transient residence within the state;
 1438 | address, location or description, and dates of any known future
 1439 | temporary residence within the state or out of state; date and
 1440 | county of disposition and each crime for which there was a
 1441 | disposition; a copy of the offender's fingerprints and a
 1442 | digitized photograph taken within 60 days before release; the
 1443 | date of release of the sexual offender; all ~~and~~ home telephone
 1444 | numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
 1445 | about any professional licenses the offender may have, if known;
 1446 | and passport information, if he or she has a passport, and, if
 1447 | he or she is an alien, information about documents establishing
 1448 | his or her immigration status ~~number~~. The department shall
 1449 | notify the Department of Law Enforcement if the sexual offender
 1450 | escapes, absconds, or dies. If the sexual offender is in the
 1451 | custody of a private correctional facility, the facility shall
 1452 | take the digitized photograph of the sexual offender within 60
 1453 | days before the sexual offender's release and also place it in
 1454 | the sexual offender's file. If the sexual offender is in the
 1455 | custody of a local jail, the custodian of the local jail shall
 1456 | register the offender within 3 business days after intake of the

BILL

ORIGINAL

YEAR

1457 offender for any reason and upon release, and shall notify the
 1458 Department of Law Enforcement of the sexual offender's release
 1459 and provide to the Department of Law Enforcement the information
 1460 specified in this subparagraph and any information specified in
 1461 subparagraph 2. which the Department of Law Enforcement
 1462 requests.

1463 2. The department may provide any other information
 1464 considered necessary, including criminal and delinquency
 1465 records, when available.

1466 Section 14. Subsection (4) and paragraph (b) of subsection
 1467 (13) of section 985.4815, Florida Statutes, are amended to read:
 1468 985.4815 Notification to Department of Law Enforcement of
 1469 information on juvenile sexual offenders.-

1470 (4) A sexual offender, as described in this section, who
 1471 is under the supervision of the department but who is not
 1472 committed must register with the department within 3 business
 1473 days after adjudication and disposition for a registrable
 1474 offense and otherwise provide information as required by this
 1475 subsection.

1476 (a) The sexual offender shall provide his or her name;
 1477 date of birth; social security number; race; sex; height;
 1478 weight; hair and eye color; tattoos or other identifying marks;
 1479 the make, model, color, registration number, and license tag
 1480 number of all vehicles owned; permanent or legal residence and
 1481 address of temporary residence within the state or out of state
 1482 while the sexual offender is in the care or custody or under the
 1483 jurisdiction or supervision of the department in this state,
 1484 including any rural route address or post office box; if no

BILL

ORIGINAL

YEAR

1485 permanent or temporary address, any transient residence;
 1486 address, location or description, and dates of any current or
 1487 known future temporary residence within the state or out of
 1488 state; and the name and address of each school attended. The
 1489 sexual offender must also produce his or her passport, if he or
 1490 she has a passport, and, if he or she is an alien, must produce
 1491 or provide information about documents establishing his or her
 1492 immigration status. The offender must also provide information
 1493 about any professional licenses he or she may have. The
 1494 department shall verify the address of each sexual offender and
 1495 shall report to the Department of Law Enforcement any failure by
 1496 a sexual offender to comply with registration requirements.

1497 (b) If the sexual offender is enrolled, employed,
 1498 volunteering, or carrying on a vocation at an institution of
 1499 higher education in this state, the sexual offender shall
 1500 provide the name, address, and county of each institution,
 1501 including each campus attended, and the sexual offender's
 1502 enrollment, volunteer, or employment status. Each change in
 1503 enrollment, volunteer, or employment status shall be reported to
 1504 the department within 48 hours after the change in status. The
 1505 department shall promptly notify each institution of the sexual
 1506 offender's presence and any change in the sexual offender's
 1507 enrollment, volunteer, or employment status.

1508 (13)

1509 (b) The sheriff's office may determine the appropriate
 1510 times and days for reporting by the sexual offender, which shall
 1511 be consistent with the reporting requirements of this
 1512 subsection. Reregistration shall include any changes to the

BILL

ORIGINAL

YEAR

1513 following information:

1514 1. Name; social security number; age; race; sex; date of

1515 birth; height; weight; hair and eye color; fingerprints; palm

1516 prints; address of any permanent residence and address of any

1517 current temporary residence, within the state or out of state,

1518 including a rural route address and a post office box; if no

1519 permanent or temporary address, any transient residence;

1520 address, location or description, and dates of any current or

1521 known future temporary residence within the state or out of

1522 state; passport information, if he or she has a passport, and,

1523 if he or she is an alien, information about documents

1524 establishing his or her immigration status; name and address of

1525 each school attended; date and place of any employment; the

1526 ~~vehicle~~ make, model, color, registration number, and license tag

1527 number of all vehicles owned; ~~fingerprints;~~ and photograph. A

1528 post office box shall not be provided in lieu of a physical

1529 residential address. The offender must also provide information

1530 about any professional licenses he or she may have.

1531 2. If the sexual offender is enrolled, employed,

1532 volunteering, or carrying on a vocation at an institution of

1533 higher education in this state, the sexual offender shall also

1534 provide to the department the name, address, and county of each

1535 institution, including each campus attended, and the sexual

1536 offender's enrollment, volunteer, or employment status.

1537 3. If the sexual offender's place of residence is a motor

1538 vehicle, trailer, mobile home, or manufactured home, as defined

1539 in chapter 320, the sexual offender shall also provide the

1540 vehicle identification number; the license tag number; the

BILL

ORIGINAL

YEAR

1541 registration number; and a description, including color scheme,
 1542 of the motor vehicle, trailer, mobile home, or manufactured
 1543 home. If the sexual offender's place of residence is a vessel,
 1544 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1545 sexual offender shall also provide the hull identification
 1546 number; the manufacturer's serial number; the name of the
 1547 vessel, live-aboard vessel, or houseboat; the registration
 1548 number; and a description, including color scheme, of the
 1549 vessel, live-aboard vessel, or houseboat.

1550 4. Any sexual offender who fails to report in person as
 1551 required at the sheriff's office, ~~or~~ who fails to respond to any
 1552 address verification correspondence from the department within 3
 1553 weeks after the date of the correspondence, or who knowingly
 1554 provides false registration information by act or omission
 1555 commits a felony of the third degree, punishable as provided in
 1556 ss. 775.082, 775.083, and 775.084.

1557 Section 15. Paragraphs (g) and (i) of subsection (3) of
 1558 section 921.0022, Florida Statutes, are amended to read:

1559 921.0022 Criminal Punishment Code; offense severity
 1560 ranking chart.—

1561 (3) OFFENSE SEVERITY RANKING CHART

1562 (g) LEVEL 7

Florida Statute	Felony Degree	Description
316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.

BILL		ORIGINAL	YEAR
316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.	
327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.	
402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.	
409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.	
409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.	
456.065 (2)	3rd	Practicing a health care profession without a license.	
456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.	
458.327 (1)	3rd	Practicing medicine without a license.	

BILL		ORIGINAL	YEAR
459.013 (1)	3rd	Practicing osteopathic medicine without a license.	
460.411 (1)	3rd	Practicing chiropractic medicine without a license.	
461.012 (1)	3rd	Practicing podiatric medicine without a license.	
462.17	3rd	Practicing naturopathy without a license.	
463.015 (1)	3rd	Practicing optometry without a license.	
464.016 (1)	3rd	Practicing nursing without a license.	
465.015 (2)	3rd	Practicing pharmacy without a license.	
466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.	
467.201	3rd	Practicing midwifery without a license.	
468.366	3rd	Delivering respiratory care services without a license.	
483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.	
483.901 (9)	3rd	Practicing medical physics without a license.	
484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.	
484.053	3rd	Dispensing hearing aids without	

BILL		ORIGINAL	YEAR
494.0018(2)	1st	<p>a license.</p> <p>Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.</p>	
560.123(8)(b)1.	3rd	<p>Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.</p>	
560.125(5)(a)	3rd	<p>Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.</p>	
655.50(10)(b)1.	3rd	<p>Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.</p>	
775.21(10)(a)	3rd	<p>Sexual predator; failure to register; failure to renew <u>driver</u> driver's license or identification card; other registration violations.</p>	
775.21(10)(b)	3rd	<p>Sexual predator working where children regularly congregate.</p>	
775.21(10)(g)	3rd	<p>Failure to report or providing</p>	

BILL		ORIGINAL	YEAR
782.051 (3)	2nd	false information about a sexual predator; harbor or conceal a sexual predator. Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.	
782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).	
782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).	
782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).	
784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.	
784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.	
784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.	

BILL		ORIGINAL	YEAR
784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.	
784.048 (7)	3rd	Aggravated stalking; violation of court order.	
784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.	
784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.	
784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.	
784.081 (1)	1st	Aggravated battery on specified official or employee.	
784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.	
784.083 (1)	1st	Aggravated battery on code inspector.	
790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).	
790.16 (1)	1st	Discharge of a machine gun under specified circumstances.	
790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.	
790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax	

BILL		ORIGINAL	YEAR
790.166 (3)	2nd	bomb while committing or attempting to commit a felony. Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.	
790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.	
790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.	
794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.	
796.03	2nd	Procuring any person under <u>18</u> 16 years for prostitution.	
800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.	
800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years;	

BILL		ORIGINAL	YEAR
		offender 18 years or older.	
806.01 (2)	2nd	Maliciously damage structure by fire or explosive.	
810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.	
810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.	
810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.	
810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.	
812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.	
812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.	
812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.	
812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from	

BILL		ORIGINAL	YEAR
812.0145(2) (a)	1st	authorized emergency vehicle. Theft from person 65 years of age or older; \$50,000 or more.	
812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.	
812.131(2) (a)	2nd	Robbery by sudden snatching.	
812.133(2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.	
817.234(8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.	
817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.	
817.234(11) (c)	1st	Insurance fraud; property value \$100,000 or more.	
817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.	
825.102(3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or	

BILL		ORIGINAL	YEAR
		disfigurement.	
825.103(2)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.	
827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.	
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.	
837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.	
838.015	2nd	Bribery.	
838.016	2nd	Unlawful compensation or reward for official behavior.	
838.021(3)(a)	2nd	Unlawful harm to a public servant.	
838.22	2nd	Bid tampering.	
847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.	
847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.	
872.06	2nd	Abuse of a dead human body.	
874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs,	

BILL

ORIGINAL

YEAR

		manages, or supervises criminal gang-related activity.
893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

BILL		ORIGINAL	YEAR
893.135	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.	
(1) (b) 1.a.			
893.135	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.	
(1) (c) 1.a.			
893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.	
893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.	
893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.	
893.135	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.	
(1) (g) 1.a.			
893.135	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.	
(1) (h) 1.a.			
893.135	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.	
(1) (j) 1.a.			
893.135	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.	
(1) (k) 2.a.			

BILL		ORIGINAL	YEAR
893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.	
896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.	
896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.	
943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.	
943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.	
943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.	
943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.	
943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure	

BILL ORIGINAL YEAR

			to respond to address verification.
944.607(9)	3rd		Sexual offender; failure to comply with reporting requirements.
944.607(10)(a)	3rd		Sexual offender; failure to submit to the taking of a digitized photograph.
944.607(12)	3rd		Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
944.607(13)	3rd		Sexual offender; failure to report and reregister; failure to respond to address verification.
985.4815(10)	3rd		Sexual offender; failure to submit to the taking of a digitized photograph.
985.4815(12)	3rd		Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
985.4815(13)	3rd		Sexual offender; failure to report and reregister; failure to respond to address verification.

1563 (i) LEVEL 9

BILL	ORIGINAL	YEAR
Florida Statute	Felony Degree	
316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
775.0844	1st	Aggravated white collar crime.
782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
782.04 (3)	1st, PBL	Accomplice to murder in connection with arson, sexual

BILL		ORIGINAL	YEAR
782.051 (1)	1st	battery, robbery, burglary, and other specified felonies. Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).	
782.07 (2)	1st	Aggravated manslaughter of an elderly person or disabled adult.	
787.01 (1) (a) 1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.	
787.01 (1) (a) 2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.	
787.01 (1) (a) 4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.	
787.02 (3) (a)	1st, <u>PBL</u>	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.	
790.161	1st	Attempted capital destructive device offense.	

BILL		ORIGINAL	YEAR
790.166 (2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.	
794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.	
794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.	
794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.	
794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.	
794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.	
800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.	
812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.	
812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.	
812.135 (2) (b)	1st	Home-invasion robbery with	

BILL	ORIGINAL	YEAR
	weapon.	
817.568 (7)	2nd, PBL Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.	
827.03 (2)	1st Aggravated child abuse.	
847.0145 (1)	1st Selling, or otherwise transferring custody or control, of a minor.	
847.0145 (2)	1st Purchasing, or otherwise obtaining custody or control, of a minor.	
859.01	1st Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.	
893.135	1st Attempted capital trafficking offense.	
893.135 (1) (a) 3.	1st Trafficking in cannabis, more than 10,000 lbs.	
893.135 (1) (b) 1.c.	1st Trafficking in cocaine, more than 400 grams, less than 150 kilograms.	

BILL ORIGINAL YEAR

893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
893.135 (1) (h) 1.c.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 10 kilograms or more.
893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

1564
1565
1566

Section 16. This act shall take effect October 1, 2013.