

Committee on Criminal Justice

CS/CS/SB 528 — Sex Offenses

by Appropriations Committee; Judiciary Committee; and Senator Evers

The bill (Chapter 2014-5, L.O.F.) makes numerous changes to Florida laws relevant to persons required to register as a sexual predator or sexual offender (“registrant”). Registration of such individuals provides notice to the public and assists law enforcement personnel in monitoring the activities of sexual predators and sexual offenders. A significant change in the bill is an increase in the information a registrant must report to the Florida Department of Law Enforcement (FDLE). This additional information includes information on vehicles a registrant owns and vehicles owned by a person residing with the registrant.

Specifically, the bill:

- Creates a process for relevant agencies to be notified of an order granting a registrant’s name change petition and informing the FDLE and applicable law enforcement agencies when a registrant whose name was legally changed fails to meet requirements for obtaining a replacement driver license or identification card;
- Adds “sexual misconduct” offenses and lewd offenses committed against the elderly or disabled to criteria or definitions that qualify a person as a sexual predator or offender;
- Requires a registrant to report specified information on vehicles the registrant owns and vehicles owned by a person who resides at a registrant’s permanent address, Internet identifiers (prior to their use), tattoos or other identifying marks, palm prints, passports, professional license information, immigration status information, and volunteer status at a Florida institution of higher education;
- Requires a registrant to report any change in vehicles owned to the sheriff within 48 hours of the change;
- Prohibits the FDLE from posting information regarding a non-registrant’s vehicles on the Internet public registry of sexual predators and sexual offenders;
- Requires a registrant who is unable to secure or update a driver license or identification card with the Department of Highway Safety and Motor Vehicles to report any change of residence or change of name within 48 hours after the change;
- Requires a registrant to report information regarding his or her intention to establish a residence in another country (or intention to remain in Florida after previously reporting an intention to reside in another country);
- Requires a registrant to report transient residence information to the sheriff within 48 hours after establishing a transient residence and every 30 days thereafter if the registrant maintains a transient residence;
- Requires sheriffs to establish procedures for transient residence reporting and to notify transient registrants of reporting requirements;
- Authorizes sheriffs to enter into agreements with police departments and others to facilitate transient reporting sites;
- Punishes a registrant who fails to report Internet identifiers prior to use, knowingly provides false registration information, or fails to report transient information as required;

- Authorizes prosecution for registration violations in the county where the registrant is released and in the county of the intended address of the registrant as reported by the registrant prior to his or her release;
- Authorizes sheriffs to verify the addresses of registrants in Department of Corrections' care, custody, control, or supervision;
- Clarifies provisions relevant to the 25-year registration period that must be served under s. 943.0435, F.S., before a petition for removal of registration requirements may be filed; and
- Changes the victim age cap (from 14 years of age to 13 years of age) relevant to the criteria for petitioning for removal of registration requirements under s. 943.04354, F.S., (the "Romeo and Juliet" statute).

These provisions were approved by the Governor and take effect October 1, 2014.

Vote: Senate 39-0; House 118-0