

By Senator Evers

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1 A bill to be entitled
2 An act relating to sex offenses; amending s. 775.21,
3 F.S.; revising definitions; providing that voluntary
4 disclosure of specified information waives a
5 disclosure exemption for such information; adding
6 additional offenses to the list of sexual predator
7 qualifying offenses; requiring disclosure of
8 additional information during the sexual predator
9 registration process; requiring that a sexual predator
10 who is unable to secure or update a driver license or
11 identification card within a specified period report a
12 change in certain information to the local sheriff's
13 office within a specified time after such change and
14 confirm that he or she also reported such information
15 to the Department of Highway Safety and Motor
16 Vehicles; revising reporting requirements if a sexual
17 predator plans to leave the United States for more
18 than a specified time; providing criminal penalties
19 for knowingly providing false registration information
20 by act or omission; conforming provisions to changes
21 made by the act; amending s. 943.0435, F.S.; adding
22 additional offenses to the list of sexual offender
23 qualifying offenses; revising definitions; requiring
24 disclosure of additional sexual offender registration
25 information; requiring that a sexual offender who is
26 unable to secure or update a driver license or
27 identification card within a specified period report a
28 change in certain information to the local sheriff's
29 office within a specified period of time of such

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30 change and confirm that he or she also reported such
31 information to the Department of Highway Safety and
32 Motor Vehicles; providing additional requirements for
33 sexual offenders intending to reside outside of the
34 United States; revising criteria applicable to
35 provisions that allow removal of the requirement to
36 register as a sexual offender; tolling the
37 registration period during the offender's term of
38 incarceration, commitment to a residential program,
39 civil commitment, or detention pursuant to ch. 985,
40 F.S.; providing criminal penalties for knowingly
41 providing false registration information by act or
42 omission; conforming provisions to changes made by the
43 act; amending s. 943.04354, F.S.; revising the
44 criteria applicable to provisions that allow removal
45 of the requirement to register as a sexual offender or
46 sexual predator; amending s. 943.0437, F.S.;

47 conforming terminology; amending ss. 944.606 and
48 944.607, F.S.; adding additional offenses to the list
49 of sexual offender qualifying offenses; revising
50 definitions; requiring disclosure of additional
51 registration information; providing criminal penalties
52 for knowingly providing false registration information
53 by act or omission; conforming provisions to changes
54 made by the act; amending ss. 985.481 and 985.4815,
55 F.S.; requiring disclosure of additional registration
56 information by certain sexual offenders adjudicated
57 delinquent and certain juvenile sexual offenders;
58 providing criminal penalties for knowingly providing

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59 false registration information by act or omission;
60 amending s. 921.0022, F.S.; updating provisions of the
61 offense severity ranking chart of the Criminal
62 Punishment Code to reflect prior changes in the law;
63 conforming provisions of the offense severity ranking
64 chart to changes made by the act; providing an
65 effective date.

66

67 Be It Enacted by the Legislature of the State of Florida:

68

69 Section 1. Paragraph (i) of subsection (2), paragraph (a)
70 of subsection (4), subsections (6) and (8), and paragraph (a) of
71 subsection (10) of section 775.21, Florida Statutes, are amended
72 to read:

73 775.21 The Florida Sexual Predators Act.—

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

75 (i) "Internet identifier ~~Instant message name~~" means all
76 electronic mail, chat, instant messenger, social networking, or
77 similar names used for Internet communication, but the term does
78 not include a date of birth, social security number, or personal
79 identification number (PIN). Voluntary disclosure by a sexual
80 predator of his or her date of birth, social security number, or
81 PIN as an Internet identifier waives the disclosure exemption in
82 this paragraph for such personal information ~~an identifier that~~
83 ~~allows a person to communicate in real time with another person~~
84 ~~using the Internet.~~

85 (4) SEXUAL PREDATOR CRITERIA.—

86 (a) For a current offense committed on or after October 1,
87 1993, upon conviction, an offender shall be designated as a

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88 "sexual predator" under subsection (5), and subject to
89 registration under subsection (6) and community and public
90 notification under subsection (7) if:

91 1. The felony is:

92 a. A capital, life, or first-degree felony violation, or
93 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
94 is a minor and the defendant is not the victim's parent or
95 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a
96 violation of a similar law of another jurisdiction; or

97 b. Any felony violation, or any attempt thereof, of s.
98 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
99 787.025(2)(c), where the victim is a minor and the defendant is
100 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
101 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
102 796.03; s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025 ~~s.~~
103 ~~825.1025(2)(b);~~ s. 827.071; s. 847.0135(5); s. 847.0145; s.
104 916.1075(2); or s. 985.701(1); or a violation of a similar law
105 of another jurisdiction, and the offender has previously been
106 convicted of or found to have committed, or has pled nolo
107 contendere or guilty to, regardless of adjudication, any
108 violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s.
109 787.02, or s. 787.025(2)(c), where the victim is a minor and the
110 defendant is not the victim's parent or guardian; s.
111 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
112 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
113 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
114 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a
115 violation of a similar law of another jurisdiction;

116 2. The offender has not received a pardon for any felony or

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117 similar law of another jurisdiction that is necessary for the
118 operation of this paragraph; and

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

122 (6) REGISTRATION.—

123 (a) A sexual predator shall ~~must~~ register with the
124 department through the sheriff's office by providing the
125 following information to the department:

126 1. Name; social security number; age; race; sex; date of
127 birth; height; weight; tattoos or other identifying marks; hair
128 and eye color; photograph; address of legal residence and
129 address of any current temporary residence, within the state or
130 out of state, including a rural route address and a post office
131 box; if no permanent or temporary address, any transient
132 residence within the state; address, location or description,
133 and dates of any current or known future temporary residence
134 within the state or out of state; all ~~any~~ electronic mail
135 addresses ~~address~~ and all Internet identifiers ~~any instant~~
136 ~~message name~~ required to be provided pursuant to subparagraph
137 (g)4.; all home telephone numbers ~~number~~ and ~~any~~ cellular
138 telephone numbers ~~number~~; date and place of any employment; the
139 make, model, color, registration number, and license tag number
140 of all vehicles that are owned by the sexual predator and all
141 vehicles that are owned by a person who resides at the sexual
142 predator's residence and that may be operated by the sexual
143 predator; date and place of each conviction; fingerprints; palm
144 prints; and a brief description of the crime or crimes committed
145 by the offender. A post office box may ~~shall~~ not be provided in

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146 lieu of a physical residential address. The sexual predator
147 shall produce his or her passport, if he or she has a passport,
148 and, if he or she is an alien, shall produce or provide
149 information about documents establishing his or her immigration
150 status. The sexual predator shall also provide information about
151 any professional licenses he or she has.

152 a. If the sexual predator's place of residence is a motor
153 vehicle, trailer, mobile home, or manufactured home, as defined
154 in chapter 320, the sexual predator shall also provide to the
155 department written notice of the vehicle identification number;
156 the license tag number; the registration number; and a
157 description, including color scheme, of the motor vehicle,
158 trailer, mobile home, or manufactured home. If a sexual
159 predator's place of residence is a vessel, live-aboard vessel,
160 or houseboat, as defined in chapter 327, the sexual predator
161 shall also provide to the department written notice of the hull
162 identification number; the manufacturer's serial number; the
163 name of the vessel, live-aboard vessel, or houseboat; the
164 registration number; and a description, including color scheme,
165 of the vessel, live-aboard vessel, or houseboat.

166 b. If the sexual predator is enrolled, employed,
167 volunteering, or carrying on a vocation at an institution of
168 higher education in this state, the sexual predator shall also
169 provide to the department the name, address, and county of each
170 institution, including each campus attended, and the sexual
171 predator's enrollment, volunteer, or employment status. Each
172 change in enrollment, volunteer, or employment status must ~~shall~~
173 be reported in person at the sheriff's office, or the Department
174 of Corrections if the sexual predator is in the custody or

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175 control of or under the supervision of the Department of
176 Corrections, within 48 hours after any change in status. The
177 sheriff or the Department of Corrections shall promptly notify
178 each institution of the sexual predator's presence and any
179 change in the sexual predator's enrollment, volunteer, or
180 employment status.

181 2. Any other information determined necessary by the
182 department, including criminal and corrections records;
183 nonprivileged personnel and treatment records; and evidentiary
184 genetic markers when available.

185 (b) If the sexual predator is in the custody or control of,
186 or under the supervision of, the Department of Corrections, or
187 is in the custody of a private correctional facility, the sexual
188 predator shall ~~must~~ register with the Department of Corrections.
189 A sexual predator who is under the supervision of the Department
190 of Corrections but who is not incarcerated shall ~~must~~ register
191 with the Department of Corrections within 3 business days after
192 the court finds the offender to be a sexual predator. The
193 Department of Corrections shall provide to the department
194 registration information and the location of, and local
195 telephone number for, any Department of Corrections office that
196 is responsible for supervising the sexual predator. In addition,
197 the Department of Corrections shall notify the department if the
198 sexual predator escapes or absconds from custody or supervision
199 or if the sexual predator dies.

200 (c) If the sexual predator is in the custody of a local
201 jail, the custodian of the local jail shall register the sexual
202 predator within 3 business days after intake of the sexual
203 predator for any reason and upon release, and shall forward the

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204 registration information to the department. The custodian of the
205 local jail shall also take a digitized photograph of the sexual
206 predator while the sexual predator remains in custody and shall
207 provide the digitized photograph to the department. The
208 custodian shall notify the department if the sexual predator
209 escapes from custody or dies.

210 (d) If the sexual predator is under federal supervision,
211 the federal agency responsible for supervising the sexual
212 predator may forward to the department any information regarding
213 the sexual predator which is consistent with the information
214 provided by the Department of Corrections under this section,
215 and may indicate whether use of the information is restricted to
216 law enforcement purposes only or may be used by the department
217 for purposes of public notification.

218 (e)1. If the sexual predator is not in the custody or
219 control of, or under the supervision of, the Department of
220 Corrections or is not in the custody of a private correctional
221 facility, the sexual predator shall register in person:

222 a. At the sheriff's office in the county where he or she
223 establishes or maintains a residence within 48 hours after
224 establishing or maintaining a residence in this state; and

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

228 2. Any change in the sexual predator's permanent or
229 temporary residence, name, ~~or any~~ electronic mail addresses, or
230 Internet identifiers ~~address and any instant message name~~
231 required to be provided pursuant to subparagraph (g)4., after
232 the sexual predator registers in person at the sheriff's office

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233 as provided in subparagraph 1., must ~~shall~~ be accomplished in
234 the manner provided in paragraphs (g), (i), and (j). When a
235 sexual predator registers with the sheriff's office, the sheriff
236 shall take a photograph, ~~and~~ a set of fingerprints, and palm
237 prints of the predator and forward the photographs, palm prints,
238 and fingerprints to the department, along with the information
239 that the predator is required to provide pursuant to this
240 section.

241 (f) Within 48 hours after the registration required under
242 paragraph (a) or paragraph (e), a sexual predator who is not
243 incarcerated and who resides in the community, including a
244 sexual predator under the supervision of the Department of
245 Corrections, shall register in person at a driver ~~driver's~~
246 license office of the Department of Highway Safety and Motor
247 Vehicles and shall present proof of registration. At the driver
248 ~~driver's~~ license office the sexual predator shall:

249 1. If otherwise qualified, secure a Florida driver ~~driver's~~
250 license, renew a Florida driver ~~driver's~~ license, or secure an
251 identification card. The sexual predator shall identify himself
252 or herself as a sexual predator who is required to comply with
253 this section, provide his or her place of permanent, temporary,
254 or transient residence, including a rural route address and a
255 post office box, and submit to the taking of a photograph for
256 use in issuing a driver ~~driver's~~ license, renewed license, or
257 identification card, and for use by the department in
258 maintaining current records of sexual predators. A post office
259 box may ~~shall~~ not be provided in lieu of a physical residential
260 address. If the sexual predator's place of residence is a motor
261 vehicle, trailer, mobile home, or manufactured home, as defined

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262 in chapter 320, the sexual predator shall also provide to the
263 Department of Highway Safety and Motor Vehicles the vehicle
264 identification number; the license tag number; the registration
265 number; and a description, including color scheme, of the motor
266 vehicle, trailer, mobile home, or manufactured home. If a sexual
267 predator's place of residence is a vessel, live-aboard vessel,
268 or houseboat, as defined in chapter 327, the sexual predator
269 shall also provide to the Department of Highway Safety and Motor
270 Vehicles the hull identification number; the manufacturer's
271 serial number; the name of the vessel, live-aboard vessel, or
272 houseboat; the registration number; and a description, including
273 color scheme, of the vessel, live-aboard vessel, or houseboat.

274 2. Pay the costs assessed by the Department of Highway
275 Safety and Motor Vehicles for issuing or renewing a driver
276 ~~driver's~~ license or identification card as required by this
277 section. The driver ~~driver's~~ license or identification card
278 issued to the sexual predator must comply ~~be in compliance~~ with
279 s. 322.141(3).

280 3. Provide, upon request, any additional information
281 necessary to confirm the identity of the sexual predator,
282 including a set of fingerprints.

283 (g)1. Each time a sexual predator's driver ~~driver's~~ license
284 or identification card is subject to renewal, and, without
285 regard to the status of the predator's driver ~~driver's~~ license
286 or identification card, within 48 hours after any change of the
287 predator's residence or change in the predator's name by reason
288 of marriage or other legal process, the predator shall report in
289 person to a driver ~~driver's~~ license office and is ~~shall be~~
290 subject to the requirements specified in paragraph (f). The

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291 Department of Highway Safety and Motor Vehicles shall forward to
292 the department and to the Department of Corrections all
293 photographs and information provided by sexual predators.
294 Notwithstanding the restrictions set forth in s. 322.142, the
295 Department of Highway Safety and Motor Vehicles may ~~is~~
296 ~~authorized to~~ release a reproduction of a color-photograph or
297 digital-image license to the Department of Law Enforcement for
298 purposes of public notification of sexual predators as provided
299 in this section. A sexual predator who is unable to secure or
300 update a driver license or identification card with the
301 Department of Highway Safety and Motor Vehicles as provided in
302 paragraph (f) and this paragraph shall also report any change of
303 the predator's residence or change in the predator's name by
304 reason of marriage or other legal process within 48 hours after
305 the change to the sheriff's office in the county where the
306 predator resides or is located and provide confirmation that he
307 or she reported such information to the Department of Highway
308 Safety and Motor Vehicles.

309 2. A sexual predator who vacates a permanent, temporary, or
310 transient residence and fails to establish or maintain another
311 permanent, temporary, or transient residence shall, within 48
312 hours after vacating the permanent, temporary, or transient
313 residence, report in person to the sheriff's office of the
314 county in which he or she is located. The sexual predator shall
315 specify the date upon which he or she intends to or did vacate
316 such residence. The sexual predator shall ~~must~~ provide or update
317 all of the registration information required under paragraph
318 (a). The sexual predator shall ~~must~~ provide an address for the
319 residence or other place that he or she is or will be located

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320 during the time in which he or she fails to establish or
321 maintain a permanent or temporary residence.

322 3. A sexual predator who remains at a permanent, temporary,
323 or transient residence after reporting his or her intent to
324 vacate such residence shall, within 48 hours after the date upon
325 which the predator indicated he or she would or did vacate such
326 residence, report in person to the sheriff's office to which he
327 or she reported pursuant to subparagraph 2. for the purpose of
328 reporting his or her address at such residence. When the sheriff
329 receives the report, the sheriff shall promptly convey the
330 information to the department. An offender who makes a report as
331 required under subparagraph 2. but fails to make a report as
332 required under this subparagraph commits a felony of the second
333 degree, punishable as provided in s. 775.082, s. 775.083, or s.
334 775.084.

335 4. A sexual predator shall ~~must~~ register all ~~any~~ electronic
336 mail addresses and Internet identifiers ~~address or instant~~
337 ~~message name~~ with the department before ~~prior to~~ using such
338 electronic mail addresses and Internet identifiers ~~address or~~
339 ~~instant message name on or after October 1, 2007~~. The department
340 shall establish an online system through which sexual predators
341 may securely access and update all electronic mail address and
342 Internet identifier ~~instant message name~~ information.

343 (h) The department shall ~~must~~ notify the sheriff and the
344 state attorney of the county and, if applicable, the police
345 chief of the municipality, where the sexual predator maintains a
346 residence.

347 (i) A sexual predator who intends to establish a permanent,
348 temporary, or transient residence in another state or

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349 jurisdiction other than the State of Florida shall report in
350 person to the sheriff of the county of current residence within
351 48 hours before the date he or she intends to leave this state
352 to establish residence in another state or jurisdiction or
353 within 21 days before his or her planned departure date if the
354 intended residence of 5 days or more is outside of the United
355 States. The sexual predator shall ~~must~~ provide to the sheriff
356 the address, municipality, county, ~~and~~ state, and country of
357 intended residence. The sheriff shall promptly provide to the
358 department the information received from the sexual predator.
359 The department shall notify the statewide law enforcement
360 agency, or a comparable agency, in the intended state, ~~or~~
361 jurisdiction, or country of residence of the sexual predator's
362 intended residence. The failure of a sexual predator to provide
363 his or her intended place of residence is punishable as provided
364 in subsection (10).

365 (j) A sexual predator who indicates his or her intent to
366 establish a permanent, temporary, or transient residence in
367 another state, a ~~or~~ jurisdiction other than the State of
368 Florida, or another country and later decides to remain in this
369 state shall, within 48 hours after the date upon which the
370 sexual predator indicated he or she would leave this state,
371 report in person to the sheriff to which the sexual predator
372 reported the intended change of residence, and report his or her
373 intent to remain in this state. If the sheriff is notified by
374 the sexual predator that he or she intends to remain in this
375 state, the sheriff shall promptly report this information to the
376 department. A sexual predator who reports his or her intent to
377 establish a permanent, temporary, or transient residence in

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378 another state, ~~a~~ or jurisdiction other than the State of
379 Florida, or another country, but who remains in this state
380 without reporting to the sheriff in the manner required by this
381 paragraph, commits a felony of the second degree, punishable as
382 provided in s. 775.082, s. 775.083, or s. 775.084.

383 (k)1. The department is responsible for the online
384 maintenance of current information regarding each registered
385 sexual predator. The department shall ~~must~~ maintain hotline
386 access for state, local, and federal law enforcement agencies to
387 obtain instantaneous locator file and offender characteristics
388 information on all released registered sexual predators for
389 purposes of monitoring, tracking, and prosecution. The
390 photograph and fingerprints do not have to be stored in a
391 computerized format.

392 2. The department's sexual predator registration list,
393 containing the information described in subparagraph (a)1., is a
394 public record. The department may ~~is authorized to~~ disseminate
395 this public information by any means deemed appropriate,
396 including operating a toll-free telephone number for this
397 purpose. When the department provides information regarding a
398 registered sexual predator to the public, department personnel
399 shall ~~must~~ advise the person making the inquiry that positive
400 identification of a person believed to be a sexual predator
401 cannot be established unless a fingerprint comparison is made,
402 and that it is illegal to use public information regarding a
403 registered sexual predator to facilitate the commission of a
404 crime.

405 3. The department shall adopt guidelines as necessary
406 regarding the registration of sexual predators and the

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407 dissemination of information regarding sexual predators as
408 required by this section.

409 (1) A sexual predator shall ~~must~~ maintain registration with
410 the department for the duration of his or her life, unless the
411 sexual predator has received a full pardon or has had a
412 conviction set aside in a postconviction proceeding for any
413 offense that met the criteria for the sexual predator
414 designation.

415 (8) VERIFICATION.—The department and the Department of
416 Corrections shall implement a system for verifying the addresses
417 of sexual predators. The system must be consistent with the
418 provisions of the federal Adam Walsh Child Protection and Safety
419 Act of 2006 and any other federal standards applicable to such
420 verification or required to be met as a condition for the
421 receipt of federal funds by the state. The Department of
422 Corrections shall verify the addresses of sexual predators who
423 are not incarcerated but who reside in the community under the
424 supervision of the Department of Corrections and shall report to
425 the department any failure by a sexual predator to comply with
426 registration requirements. County and local law enforcement
427 agencies, in conjunction with the department, shall verify the
428 addresses of sexual predators who are not under the care,
429 custody, control, or supervision of the Department of
430 Corrections. Local law enforcement agencies shall report to the
431 department any failure by a sexual predator to comply with
432 registration requirements.

433 (a) A sexual predator shall ~~must~~ report in person each year
434 during the month of the sexual predator's birthday and during
435 every third month thereafter to the sheriff's office in the

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436 county in which he or she resides or is otherwise located to
437 reregister. The sheriff's office may determine the appropriate
438 times and days for reporting by the sexual predator, which must
439 ~~shall~~ be consistent with the reporting requirements of this
440 paragraph. Reregistration must ~~shall~~ include any changes to the
441 following information:

442 1. Name; social security number; age; race; sex; date of
443 birth; height; weight; tattoos or other identifying marks; hair
444 and eye color; address of any permanent residence and address of
445 any current temporary residence, within the state or out of
446 state, including a rural route address and a post office box; if
447 no permanent or temporary address, any transient residence
448 within the state; address, location or description, and dates of
449 any current or known future temporary residence within the state
450 or out of state; all any electronic mail addresses or Internet
451 identifiers ~~address and any instant message name~~ required to be
452 provided pursuant to subparagraph (6) (g) 4.; all home telephone
453 numbers or number ~~and any~~ cellular telephone numbers ~~number~~;
454 date and place of any employment; the ~~vehicle~~ make, model,
455 color, registration number, and license tag number of all
456 vehicles that are owned by the sexual predator and all vehicles
457 that are owned by a person who resides at the sexual predator's
458 residence and that may be operated by the sexual predator;
459 fingerprints; palm prints; and photograph. A post office box may
460 ~~shall~~ not be provided in lieu of a physical residential address.
461 The sexual predator shall also produce his or her passport, if
462 he or she has a passport, and, if he or she is an alien, shall
463 produce or provide information about documents establishing his
464 or her immigration status. The sexual predator shall also

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465 provide information about any professional licenses he or she
466 has.

467 2. If the sexual predator is enrolled, employed,
468 volunteering, or carrying on a vocation at an institution of
469 higher education in this state, the sexual predator shall also
470 provide to the department the name, address, and county of each
471 institution, including each campus attended, and the sexual
472 predator's enrollment, volunteer, or employment status.

473 3. If the sexual predator's place of residence is a motor
474 vehicle, trailer, mobile home, or manufactured home, as defined
475 in chapter 320, the sexual predator shall also provide the
476 vehicle identification number; the license tag number; the
477 registration number; and a description, including color scheme,
478 of the motor vehicle, trailer, mobile home, or manufactured
479 home. If the sexual predator's place of residence is a vessel,
480 live-aboard vessel, or houseboat, as defined in chapter 327, the
481 sexual predator shall also provide the hull identification
482 number; the manufacturer's serial number; the name of the
483 vessel, live-aboard vessel, or houseboat; the registration
484 number; and a description, including color scheme, of the
485 vessel, live-aboard vessel, or houseboat.

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

490 (10) PENALTIES.—

491 (a) Except as otherwise specifically provided, a sexual
492 predator who fails to register; who fails, after registration,
493 to maintain, acquire, or renew a driver ~~driver's~~ license or

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494 identification card; who fails to provide required location
495 information, electronic mail address information before use,
496 Internet identifier ~~instant message name~~ information before use,
497 all home telephone numbers ~~number~~ and ~~any~~ cellular telephone
498 numbers ~~number~~, or change-of-name information; who fails to make
499 a required report in connection with vacating a permanent
500 residence; who fails to reregister as required; who fails to
501 respond to any address verification correspondence from the
502 department within 3 weeks of the date of the correspondence; who
503 knowingly provides false registration information by act or
504 omission; or who otherwise fails, by act or omission, to comply
505 with the requirements of this section, commits a felony of the
506 third degree, punishable as provided in s. 775.082, s. 775.083,
507 or s. 775.084.

508 Section 2. Paragraphs (a) and (g) of subsection (1),
509 subsection (2), paragraphs (a) and (d) of subsection (4),
510 subsections (7), (8), and (11), and paragraph (c) of subsection
511 (14) of section 943.0435, Florida Statutes, are amended to read:

512 943.0435 Sexual offenders required to register with the
513 department; penalty.—

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

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

518 a.(I) Has been convicted of committing, or attempting,
519 soliciting, or conspiring to commit, any of the criminal
520 offenses proscribed in the following statutes in this state or
521 similar offenses in another jurisdiction: s. 393.135(2); s.
522 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where

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523 the victim is a minor and the defendant is not the victim's
524 parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s.
525 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
526 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s.
527 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
528 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
529 similar offense committed in this state which has been
530 redesignated from a former statute number to one of those listed
531 in this sub-sub-subparagraph; and

532 (II) Has been released on or after October 1, 1997, from
533 the sanction imposed for any conviction of an offense described
534 in sub-sub-subparagraph (I). For purposes of sub-sub-
535 subparagraph (I), a sanction imposed in this state or in any
536 other jurisdiction includes, but is not limited to, a fine,
537 probation, community control, parole, conditional release,
538 control release, or incarceration in a state prison, federal
539 prison, private correctional facility, or local detention
540 facility;

541 b. Establishes or maintains a residence in this state and
542 who has not been designated as a sexual predator by a court of
543 this state but who has been designated as a sexual predator, as
544 a sexually violent predator, or by another sexual offender
545 designation in another state or jurisdiction and was, as a
546 result of such designation, subjected to registration or
547 community or public notification, or both, or would be if the
548 person were a resident of that state or jurisdiction, without
549 regard to whether the person otherwise meets the criteria for
550 registration as a sexual offender;

551 c. Establishes or maintains a residence in this state who

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552 is in the custody or control of, or under the supervision of,
553 any other state or jurisdiction as a result of a conviction for
554 committing, or attempting, soliciting, or conspiring to commit,
555 any of the criminal offenses proscribed in the following
556 statutes or similar offense in another jurisdiction: s.
557 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
558 787.025(2)(c), where the victim is a minor and the defendant is
559 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
560 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
561 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.
562 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
563 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.
564 985.701(1); or any similar offense committed in this state which
565 has been redesignated from a former statute number to one of
566 those listed in this sub-subparagraph; or

567 d. On or after July 1, 2007, has been adjudicated
568 delinquent for committing, or attempting, soliciting, or
569 conspiring to commit, any of the criminal offenses proscribed in
570 the following statutes in this state or similar offenses in
571 another jurisdiction when the juvenile was 14 years of age or
572 older at the time of the offense:

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

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

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

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

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

584
585 For each violation of a qualifying offense listed in this
586 subsection, except for a violation of s. 794.011, the court
587 shall make a written finding of the age of the victim at the
588 time of the offense. For a violation of s. 800.04(4), the court
589 shall also ~~additionally~~ make a written finding indicating
590 whether that the offense involved ~~did or did not involve~~ sexual
591 activity and indicating whether that the offense involved ~~did or~~
592 ~~did not involve~~ force or coercion. For a violation of s.
593 800.04(5), the court shall also ~~additionally~~ make a written
594 finding that the offense did or did not involve unclothed
595 genitals or genital area and that the offense did or did not
596 involve the use of force or coercion.

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

601 (2) A sexual offender shall:

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

603 1. In the county in which the offender establishes or
604 maintains a permanent, temporary, or transient residence within
605 48 hours after:

606 a. Establishing permanent, temporary, or transient
607 residence in this state; or

608 b. Being released from the custody, control, or supervision
609 of the Department of Corrections or from the custody of a

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610 private correctional facility; or

611 2. In the county where he or she was convicted within 48
612 hours after being convicted for a qualifying offense for
613 registration under this section if the offender is not in the
614 custody or control of, or under the supervision of, the
615 Department of Corrections, or is not in the custody of a private
616 correctional facility.

617
618 Any change in the information required to be provided pursuant
619 to paragraph (b), including, but not limited to, any change in
620 the sexual offender's permanent, temporary, or transient
621 residence, name, ~~any~~ electronic mail addresses, or Internet
622 identifiers ~~address and any instant message name~~ required to be
623 provided pursuant to paragraph (4) (d), after the sexual offender
624 reports in person at the sheriff's office, must ~~shall~~ be
625 accomplished in the manner provided in subsections (4), (7), and
626 (8).

627 (b) Provide his or her name; date of birth; social security
628 number; race; sex; height; weight; hair and eye color; tattoos
629 or other identifying marks; fingerprints; palm prints;
630 photograph; occupation and place of employment; address of
631 permanent or legal residence or address of any current temporary
632 residence, within the state or out of state, including a rural
633 route address and a post office box; if no permanent or
634 temporary address, any transient residence within the state,
635 address, location or description, and dates of any current or
636 known future temporary residence within the state or out of
637 state; the make, model, color, registration number, and license
638 tag number of all vehicles that are owned by the sexual offender

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639 and all vehicles that are owned by a person who resides at the
640 sexual offender's residence and that may be operated by the
641 sexual offender; all home telephone numbers ~~number~~ and any
642 cellular telephone numbers ~~number~~; all ~~any~~ electronic mail
643 addresses ~~address~~ and all Internet identifiers ~~any instant~~
644 message name required to be provided pursuant to paragraph
645 (4) (d); date and place of each conviction; and a brief
646 description of the crime or crimes committed by the offender. A
647 post office box may ~~shall~~ not be provided in lieu of a physical
648 residential address. The sexual offender shall also produce his
649 or her passport, if he or she has a passport, and, if he or she
650 is an alien, shall produce or provide information about
651 documents establishing his or her immigration status. The sexual
652 offender shall also provide information about any professional
653 licenses he or she has.

654 1. If the sexual offender's place of residence is a motor
655 vehicle, trailer, mobile home, or manufactured home, as defined
656 in chapter 320, the sexual offender shall also provide to the
657 department through the sheriff's office written notice of the
658 vehicle identification number; the license tag number; the
659 registration number; and a description, including color scheme,
660 of the motor vehicle, trailer, mobile home, or manufactured
661 home. If the sexual offender's place of residence is a vessel,
662 live-aboard vessel, or houseboat, as defined in chapter 327, the
663 sexual offender shall also provide to the department written
664 notice of the hull identification number; the manufacturer's
665 serial number; the name of the vessel, live-aboard vessel, or
666 houseboat; the registration number; and a description, including
667 color scheme, of the vessel, live-aboard vessel, or houseboat.

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668 2. If the sexual offender is enrolled, employed,
669 volunteering, or carrying on a vocation at an institution of
670 higher education in this state, the sexual offender shall also
671 provide to the department through the sheriff's office the name,
672 address, and county of each institution, including each campus
673 attended, and the sexual offender's enrollment, volunteer, or
674 employment status. Each change in enrollment, volunteer, or
675 employment status must ~~shall~~ be reported in person at the
676 sheriff's office, within 48 hours after any change in status.
677 The sheriff shall promptly notify each institution of the sexual
678 offender's presence and any change in the sexual offender's
679 enrollment, volunteer, or employment status.

680 (c) Provide any other information determined necessary by
681 the department, including criminal and corrections records;
682 nonprivileged personnel and treatment records; and evidentiary
683 genetic markers, when available.

684
685 When a sexual offender reports at the sheriff's office, the
686 sheriff shall take a photograph, ~~and~~ a set of fingerprints, and
687 palm prints of the offender and forward the photographs, palm
688 prints, and fingerprints to the department, along with the
689 information provided by the sexual offender. The sheriff shall
690 promptly provide to the department the information received from
691 the sexual offender.

692 (4) (a) Each time a sexual offender's driver ~~driver's~~
693 license or identification card is subject to renewal, and,
694 without regard to the status of the offender's driver ~~driver's~~
695 license or identification card, within 48 hours after any change
696 in the offender's permanent, temporary, or transient residence

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697 or change in the offender's name by reason of marriage or other
698 legal process, the offender shall report in person to a driver
699 ~~driver's~~ license office, and is ~~shall be~~ subject to the
700 requirements specified in subsection (3). The Department of
701 Highway Safety and Motor Vehicles shall forward to the
702 department all photographs and information provided by sexual
703 offenders. Notwithstanding the restrictions set forth in s.
704 322.142, the Department of Highway Safety and Motor Vehicles may
705 ~~is authorized to~~ release a reproduction of a color-photograph or
706 digital-image license to the Department of Law Enforcement for
707 purposes of public notification of sexual offenders as provided
708 in this section and ss. 943.043 and 944.606. A sexual offender
709 who is unable to secure or update a driver license or
710 identification card with the Department of Highway Safety and
711 Motor Vehicles as provided in subsection (3) and this subsection
712 shall also report any change in the sexual offender's permanent,
713 temporary, or transient residence or change in the offender's
714 name by reason of marriage or other legal process within 48
715 hours after the change to the sheriff's office in the county
716 where the offender resides or is located and provide
717 confirmation that he or she reported such information to the
718 Department of Highway Safety and Motor Vehicles.

719 (d) A sexual offender shall ~~must~~ register all ~~any~~
720 electronic mail addresses and Internet identifiers ~~address or~~
721 ~~instant message name~~ with the department before using such
722 electronic mail addresses and Internet identifiers ~~address or~~
723 ~~instant message name~~. The department shall establish an online
724 system through which sexual offenders may securely access and
725 update all electronic mail address and Internet identifier

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726 ~~instant message name~~ information.

727 (7) A sexual offender who intends to establish a permanent,
728 temporary, or transient residence in another state or
729 jurisdiction other than the State of Florida shall report in
730 person to the sheriff of the county of current residence within
731 48 hours before the date he or she intends to leave this state
732 to establish residence in another state or jurisdiction or
733 within 21 days before his or her planned departure date if the
734 intended residence of 5 days or more is outside of the United
735 States. The notification must include the address, municipality,
736 county, ~~and state,~~ and country of intended residence. The
737 sheriff shall promptly provide to the department the information
738 received from the sexual offender. The department shall notify
739 the statewide law enforcement agency, or a comparable agency, in
740 the intended state, ~~or~~ jurisdiction, or country of residence of
741 the sexual offender's intended residence. The failure of a
742 sexual offender to provide his or her intended place of
743 residence is punishable as provided in subsection (9).

744 (8) A sexual offender who indicates his or her intent to
745 establish a permanent, temporary, or transient residence in
746 another state, a ~~or~~ jurisdiction other than the State of
747 Florida, or another country and later decides to remain in this
748 state shall, within 48 hours after the date upon which the
749 sexual offender indicated he or she would leave this state,
750 report in person to the sheriff to which the sexual offender
751 reported the intended change of permanent, temporary, or
752 transient residence, and report his or her intent to remain in
753 this state. The sheriff shall promptly report this information
754 to the department. A sexual offender who reports his or her

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755 intent to establish a permanent, temporary, or transient
756 residence in another state, a ~~or~~ jurisdiction other than the
757 State of Florida, or another country but who remains in this
758 state without reporting to the sheriff in the manner required by
759 this subsection commits a felony of the second degree,
760 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

761 (11) Except as provided in this subsection and s.
762 943.04354, a sexual offender shall ~~must~~ maintain registration
763 with the department for the duration of his or her life, unless
764 the sexual offender has received a full pardon or has had a
765 conviction set aside in a postconviction proceeding for any
766 offense that meets the criteria for classifying the person as a
767 sexual offender for purposes of registration. ~~However, a sexual~~
768 ~~offender:~~

769 (a)1. A sexual offender may petition the criminal division
770 of the circuit court of the circuit in which the sexual offender
771 resides for the purpose of removing the requirement for
772 registration as a sexual offender if ~~Who has been lawfully~~
773 ~~released from confinement, supervision, or sanction, whichever~~
774 ~~is later, for at least 25 years and has not been arrested for~~
775 ~~any felony or misdemeanor offense since release, provided that~~
776 ~~the sexual offender's requirement to register was not based upon~~
777 ~~an adult conviction:~~

778 a. Twenty-five years have elapsed since the beginning of
779 the registration period for the sexual offender's most recent
780 conviction that required the offender to register;

781 b. The sexual offender has not been convicted or
782 adjudicated delinquent of a felony offense or of an offense
783 punishable by more than 1 year of imprisonment during the 25

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784 years preceding the petition to the court;

785 c. The sexual offender has successfully completed all
786 sanctions imposed for all offenses that required the offender to
787 register;

788 d. The sexual offender's requirement to register was not
789 based upon an adult conviction for:

790 (I) A violation of s. 787.01; s. 794.011, excluding s.
791 794.011(10); s. 800.04(4) (b) if the court finds the offense
792 involved a victim younger than 12 years of age or a sexual
793 activity by the use of force or coercion; s. 800.04(5) (b); or s.
794 800.04(5) (c)2. if the court finds the offense involved unclothed
795 genitals or genital area;

796 (II) An attempt or conspiracy to commit any offense listed
797 in this sub-subparagraph; or

798 (III) A violation of similar law of another jurisdiction;
799 and

800 e. For sexual offenders whose requirement to register is
801 based upon a conviction in another state, the sexual offender is
802 not required to register as a sexual offender pursuant to the
803 laws of the state in which the conviction occurred. Such an
804 offender must provide the court written confirmation that he or
805 she is not required to register in the state in which the
806 conviction occurred.

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

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

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

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

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

815 ~~f. For any attempt or conspiracy to commit any such~~
816 ~~offense; or~~

817 ~~g. For a violation of similar law of another jurisdiction,~~

818
819 ~~may petition the criminal division of the circuit court of the~~
820 ~~circuit in which the sexual offender resides for the purpose of~~
821 ~~removing the requirement for registration as a sexual offender.~~

822 2. A sexual offender whose requirement to register was
823 based upon an adult conviction for a violation of s. 787.02 or
824 s. 827.071(5), for an attempt or conspiracy to commit any
825 offense listed in this subparagraph, or for a violation of
826 similar law of another jurisdiction may petition the criminal
827 division of the circuit court of the circuit in which the sexual
828 offender resides for the purpose of removing the requirement for
829 registration as a sexual offender if:

830 a. Fifteen years have elapsed since the beginning of the
831 registration period for the sexual offender's most recent
832 conviction that required the offender to register;

833 b. The sexual offender has not been convicted or
834 adjudicated delinquent of a felony offense or of an offense
835 punishable by more than 1 year of imprisonment during the 10
836 years preceding the petition to the court;

837 c. The sexual offender has successfully completed all
838 sanctions imposed for all offenses that required the offender to
839 register; and

840 d. For sexual offenders whose requirement to register is
841 based upon a conviction in another state, the sexual offender is

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842 not required to register as a sexual offender pursuant to the
843 laws of the state in which the conviction occurred. Such an
844 offender must provide the court written confirmation that he or
845 she is not required to register in the state in which the
846 conviction occurred.

847 3. A sexual offender required to register under sub-
848 subparagraph (1)(a)1.d. may petition the criminal division of
849 the circuit court of the circuit in which the sexual offender
850 resides for the purpose of removing the requirement for
851 registration as a sexual offender if:

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

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; and

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

862 4.2. The court may grant or deny relief if the offender
863 demonstrates to the court that ~~he or she has not been arrested~~
864 ~~for any crime since release;~~ the requested relief complies with
865 this paragraph, the provisions of the federal Adam Walsh Child
866 Protection and Safety Act of 2006, and any other federal
867 standards applicable to the removal of registration requirements
868 for a sexual offender or required to be met as a condition for
869 the receipt of federal funds by the state; and the court is
870 otherwise satisfied that the offender is not a current or

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871 potential threat to public safety. The state attorney in the
872 circuit in which the petition is filed and the department must
873 be given notice of the petition at least 3 weeks before the
874 hearing on the matter. The state attorney may present evidence
875 in opposition to the requested relief or may otherwise
876 demonstrate the reasons why the petition should be denied. If
877 the court grants the petition, the court shall instruct the
878 petitioner to provide the department with a certified copy of
879 the order granting relief. If the court denies the petition, the
880 court may set a future date at which the sexual offender may
881 again petition the court for relief, subject to the standards
882 for relief provided in this subsection.

883 ~~5.3.~~ The department shall remove an offender from
884 classification as a sexual offender for purposes of registration
885 if the offender provides to the department a certified copy of
886 the court's written findings or order that indicates that the
887 offender is no longer required to comply with the requirements
888 for registration as a sexual offender.

889 6. For purposes of this paragraph:

890 a. The registration period of a sexual offender sentenced
891 to a term of incarceration or committed to a residential program
892 begins upon the offender's release from incarceration or
893 commitment for the most recent conviction that required the
894 offender to register.

895 b. A sexual offender's registration period is tolled during
896 any period in which the offender is incarcerated, civilly
897 committed, detained pursuant to chapter 985, or committed to a
898 residential program.

899 (b) A sexual offender as defined in sub-subparagraph

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900 (1) (a) 1.b. must maintain registration with the department for
901 the duration of his or her life until the person provides the
902 department with an order issued by the court that designated the
903 person as a sexual predator, as a sexually violent predator, or
904 by another sexual offender designation in the state or
905 jurisdiction in which the order was issued which states that
906 such designation has been removed or demonstrates to the
907 department that such designation, if not imposed by a court, has
908 been removed by operation of law or court order in the state or
909 jurisdiction in which the designation was made, and provided
910 such person no longer meets the criteria for registration as a
911 sexual offender under the laws of this state.

912 (14)

913 (c) The sheriff's office may determine the appropriate
914 times and days for reporting by the sexual offender, which must
915 ~~shall~~ be consistent with the reporting requirements of this
916 subsection. Reregistration must ~~shall~~ include any changes to the
917 following information:

918 1. Name; social security number; age; race; sex; date of
919 birth; height; weight; hair and eye color; address of any
920 permanent residence and address of any current temporary
921 residence, within the state or out of state, including a rural
922 route address and a post office box; if no permanent or
923 temporary address, any transient residence within the state;
924 address, location or description, and dates of any current or
925 known future temporary residence within the state or out of
926 state; all any electronic mail addresses or Internet identifiers
927 ~~address and any instant message name~~ required to be provided
928 pursuant to paragraph (4) (d); all home telephone numbers and

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929 ~~number and any~~ cellular telephone numbers ~~number~~; date and place
930 of any employment; ~~the~~ vehicle make, model, color, registration
931 number, and license tag number of all vehicles that are owned by
932 the sexual offender and all vehicles that are owned by a person
933 who resides at the sexual offender's residence and that may be
934 operated by the sexual offender; fingerprints; palm prints; and
935 photograph. A post office box may ~~shall~~ not be provided in lieu
936 of a physical residential address. The sexual offender shall
937 also produce his or her passport, if he or she has a passport,
938 and, if he or she is an alien, shall produce or provide
939 information about documents establishing his or her immigration
940 status. The sexual offender shall also provide information about
941 any professional licenses he or she has.

942 2. If the sexual offender is enrolled, volunteering,
943 employed, or carrying on a vocation at an institution of higher
944 education in this state, the sexual offender shall also provide
945 to the department the name, address, and county of each
946 institution, including each campus attended, and the sexual
947 offender's enrollment, volunteer, or employment status.

948 3. If the sexual offender's place of residence is a motor
949 vehicle, trailer, mobile home, or manufactured home, as defined
950 in chapter 320, the sexual offender shall also provide the
951 vehicle identification number; the license tag number; the
952 registration number; and a description, including color scheme,
953 of the motor vehicle, trailer, mobile home, or manufactured
954 home. If the sexual offender's place of residence is a vessel,
955 live-aboard vessel, or houseboat, as defined in chapter 327, the
956 sexual offender shall also provide the hull identification
957 number; the manufacturer's serial number; the name of the

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958 vessel, live-aboard vessel, or houseboat; the registration
959 number; and a description, including color scheme, of the
960 vessel, live-aboard vessel or houseboat.

961 4. Any sexual offender who fails to report in person as
962 required at the sheriff's office, ~~or~~ who fails to respond to any
963 address verification correspondence from the department within 3
964 weeks of the date of the correspondence, ~~or~~ who fails to report
965 all electronic mail addresses and all Internet identifiers prior
966 to use ~~or instant message names, or who knowingly provides false~~
967 registration information by act or omission commits a felony of
968 the third degree, punishable as provided in s. 775.082, s.
969 775.083, or s. 775.084.

970 Section 3. Section 943.04354, Florida Statutes, is amended
971 to read:

972 943.04354 Removal of the requirement to register as a
973 sexual offender or sexual predator in special circumstances.—

974 (1) For purposes of this section, a person shall be
975 considered for removal of the requirement to register as a
976 sexual offender or sexual predator only if the person:

977 (a) Was ~~or will be~~ convicted, regardless of adjudication,
978 or adjudicated delinquent of a violation of s. 794.011, s.
979 800.04, s. 827.071, or s. 847.0135(5) or of a similar offense in
980 another jurisdiction ~~or the person committed a violation of s.~~
981 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~
982 ~~adjudication of guilt was or will be withheld,~~ and if the person
983 does not have any other conviction, regardless of adjudication,
984 or adjudication of delinquency, ~~or withheld of adjudication of~~
985 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or
986 s. 847.0135(5) or for a similar offense in another jurisdiction;

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987 (b)1. Was convicted, regardless of adjudication, or
988 adjudicated delinquent of an offense listed in paragraph (a) and
989 is required to register as a sexual offender or sexual predator
990 solely on the basis of this conviction or adjudication; or
991 violation; and

992 2. Was convicted, regardless of adjudication, or
993 adjudicated delinquent of an offense in another jurisdiction
994 which is similar to an offense listed in paragraph (a) and no
995 longer meets the criteria for registration as a sexual offender
996 or sexual predator under the laws of the jurisdiction in which
997 the similar offense occurred; and

998 (c) Is not more than 4 years older than the victim of this
999 violation who was 13 ~~14~~ years of age or older but younger ~~not~~
1000 ~~more~~ than 18 ~~17~~ years of age at the time the person committed
1001 this violation.

1002 (2) If a person meets the criteria in subsection (1) ~~and~~
1003 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
1004 ~~847.0135(5) was committed on or after July 1, 2007, the person~~
1005 may move the criminal court of the circuit in which the offense
1006 occurred or the sentencing court or, for persons convicted or
1007 adjudicated delinquent of a qualifying offense in another
1008 jurisdiction, the criminal court of the circuit in which the
1009 person resides ~~that will sentence or dispose of this violation~~
1010 to remove the requirement that the person register as a sexual
1011 offender or sexual predator. The person must allege in the
1012 motion that he or she meets the criteria in subsection (1) and
1013 that removal of the registration requirement will not conflict
1014 with federal law. A person convicted or adjudicated delinquent
1015 of an offense in another jurisdiction which is similar to an

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1016 offense listed in paragraph (1)(a) must provide the court
 1017 written confirmation that he or she is not required to register
 1018 in the jurisdiction in which the conviction or adjudication
 1019 occurred. The state attorney and the department must be given
 1020 notice of the motion at least 21 days before the date of
 1021 sentencing, ~~or~~ disposition of the this violation, or hearing on
 1022 the motion and may present evidence in opposition to the
 1023 requested relief or may otherwise demonstrate why the motion
 1024 should be denied. At sentencing, ~~or~~ disposition of the this
 1025 violation, or hearing on the motion, the court shall rule on the
 1026 ~~this~~ motion, and, if the court determines the person meets the
 1027 criteria in subsection (1) and the removal of the registration
 1028 requirement will not conflict with federal law, it may grant the
 1029 motion and order the removal of the registration requirement.
 1030 The court shall instruct the person to provide the department a
 1031 certified copy of the order granting relief. If the court denies
 1032 the motion, the person is not authorized under this section to
 1033 file another motion ~~petition~~ for removal of the registration
 1034 requirement.

1035 ~~(3)(a) This subsection applies to a person who:~~

1036 ~~1. Is not a person described in subsection (2) because the~~
 1037 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
 1038 ~~committed on or after July 1, 2007;~~

1039 ~~2. Is subject to registration as a sexual offender or~~
 1040 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
 1041 ~~827.071; and~~

1042 ~~3. Meets the criteria in subsection (1).~~

1043 ~~(b) A person may petition the court in which the sentence~~
 1044 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~

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1045 ~~827.071 occurred for removal of the requirement to register as a~~
1046 ~~sexual offender or sexual predator. The person must allege in~~
1047 ~~the petition that he or she meets the criteria in subsection (1)~~
1048 ~~and removal of the registration requirement will not conflict~~
1049 ~~with federal law. The state attorney must be given notice of the~~
1050 ~~petition at least 21 days before the hearing on the petition and~~
1051 ~~may present evidence in opposition to the requested relief or~~
1052 ~~may otherwise demonstrate why the petition should be denied. The~~
1053 ~~court shall rule on the petition and, if the court determines~~
1054 ~~the person meets the criteria in subsection (1) and removal of~~
1055 ~~the registration requirement will not conflict with federal law,~~
1056 ~~it may grant the petition and order the removal of the~~
1057 ~~registration requirement. If the court denies the petition, the~~
1058 ~~person is not authorized under this section to file any further~~
1059 ~~petition for removal of the registration requirement.~~

1060 (3)~~(4)~~ If a person provides to the Department of Law
1061 Enforcement a certified copy of the court's order removing the
1062 requirement that the person register as a sexual offender or
1063 sexual predator for the violation of s. 794.011, s. 800.04, s.
1064 827.071, or s. 847.0135(5), or a similar offense in another
1065 jurisdiction, the registration requirement will not apply to the
1066 person and the department shall remove all information about the
1067 person from the public registry of sexual offenders and sexual
1068 predators maintained by the department. However, the removal of
1069 this information from the public registry does not mean that the
1070 public is denied access to information about the person's
1071 criminal history or record that is otherwise available as a
1072 public record.

1073 Section 4. Subsections (2) and (3) of section 943.0437,

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1074 Florida Statutes, are amended to read:

1075 943.0437 Commercial social networking websites.—

1076 (2) The department may provide information relating to
1077 electronic mail addresses and Internet identifiers ~~instant~~
1078 ~~message names~~ maintained as part of the sexual offender registry
1079 to commercial social networking websites or third parties
1080 designated by commercial social networking websites. The
1081 commercial social networking website may use this information
1082 for the purpose of comparing registered users and screening
1083 potential users of the commercial social networking website
1084 against the list of electronic mail addresses and Internet
1085 identifiers ~~instant message names~~ provided by the department.

1086 (3) This section does not ~~shall not be construed to~~ impose
1087 any civil liability on a commercial social networking website
1088 for:

1089 (a) Any action voluntarily taken in good faith to remove or
1090 disable any profile of a registered user associated with an
1091 electronic mail address or Internet identifier ~~instant message~~
1092 ~~name~~ contained in the sexual offender registry.

1093 (b) Any action taken to restrict access by such registered
1094 user to the commercial social networking website.

1095 Section 5. Paragraphs (b) and (d) of subsection (1) and
1096 paragraph (a) of subsection (3) of section 944.606, Florida
1097 Statutes, are amended to read:

1098 944.606 Sexual offenders; notification upon release.—

1099 (1) As used in this section:

1100 (b) "Sexual offender" means a person who has been convicted
1101 of committing, or attempting, soliciting, or conspiring to
1102 commit, any of the criminal offenses proscribed in the following

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1103 statutes in this state or similar offenses in another
1104 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.
1105 787.02, or s. 787.025(2)(c), where the victim is a minor and the
1106 defendant is not the victim's parent or guardian; s.
1107 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
1108 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
1109 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
1110 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
1111 s. 916.1075(2); or s. 985.701(1); or any similar offense
1112 committed in this state which has been redesignated from a
1113 former statute number to one of those listed in this subsection,
1114 when the department has received verified information regarding
1115 such conviction; an offender's computerized criminal history
1116 record is not, in and of itself, verified information.

1117 (d) "Internet identifier" has the same meaning as provided
1118 in s. 775.21 ~~"Instant message name" means an identifier that~~
1119 ~~allows a person to communicate in real time with another person~~
1120 ~~using the Internet.~~

1121 (3)(a) The department shall ~~must~~ provide information
1122 regarding any sexual offender who is being released after
1123 serving a period of incarceration for any offense, as follows:

1124 1. The department shall ~~must~~ provide: the sexual offender's
1125 name, any change in the offender's name by reason of marriage or
1126 other legal process, and any alias, if known; the correctional
1127 facility from which the sexual offender is released; the sexual
1128 offender's social security number, race, sex, date of birth,
1129 height, weight, and hair and eye color; address of any planned
1130 permanent residence or temporary residence, within the state or
1131 out of state, including a rural route address and a post office

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1132 box; if no permanent or temporary address, any transient
1133 residence within the state; address, location or description,
1134 and dates of any known future temporary residence within the
1135 state or out of state; date and county of sentence and each
1136 crime for which the offender was sentenced; a copy of the
1137 offender's fingerprints, palm prints, and a digitized photograph
1138 taken within 60 days before release; the date of release of the
1139 sexual offender; all any electronic mail addresses ~~address~~ and
1140 all Internet identifiers ~~any instant message name~~ required to be
1141 provided pursuant to s. 943.0435(4)(d); all ~~and~~ home telephone
1142 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
1143 about any professional licenses the offender has, if known; and
1144 passport information, if he or she has a passport, and, if he or
1145 she is an alien, information about documents establishing his or
1146 her immigration status ~~number~~. The department shall notify the
1147 Department of Law Enforcement if the sexual offender escapes,
1148 absconds, or dies. If the sexual offender is in the custody of a
1149 private correctional facility, the facility shall take the
1150 digitized photograph of the sexual offender within 60 days
1151 before the sexual offender's release and provide this photograph
1152 to the Department of Corrections and also place it in the sexual
1153 offender's file. If the sexual offender is in the custody of a
1154 local jail, the custodian of the local jail shall register the
1155 offender within 3 business days after intake of the offender for
1156 any reason and upon release, and shall notify the Department of
1157 Law Enforcement of the sexual offender's release and provide to
1158 the Department of Law Enforcement the information specified in
1159 this paragraph and any information specified in subparagraph 2.
1160 that the Department of Law Enforcement requests.

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1161 2. The department may provide any other information deemed
1162 necessary, including criminal and corrections records,
1163 nonprivileged personnel and treatment records, when available.

1164 Section 6. Paragraphs (a) and (f) of subsection (1),
1165 subsection (4), and paragraph (c) of subsection (13) of section
1166 944.607, Florida Statutes, are amended to read:

1167 944.607 Notification to Department of Law Enforcement of
1168 information on sexual offenders.—

1169 (1) As used in this section, the term:

1170 (a) "Sexual offender" means a person who is in the custody
1171 or control of, or under the supervision of, the department or is
1172 in the custody of a private correctional facility:

1173 1. On or after October 1, 1997, as a result of a conviction
1174 for committing, or attempting, soliciting, or conspiring to
1175 commit, any of the criminal offenses proscribed in the following
1176 statutes in this state or similar offenses in another
1177 jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s.

1178 787.02, or s. 787.025(2)(c), where the victim is a minor and the
1179 defendant is not the victim's parent or guardian; s.

1180 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.

1181 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.

1182 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,

1183 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;

1184 s. 916.1075(2); or s. 985.701(1); or any similar offense

1185 committed in this state which has been redesignated from a

1186 former statute number to one of those listed in this paragraph;

1187 or

1188 2. Who establishes or maintains a residence in this state
1189 and who has not been designated as a sexual predator by a court

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1190 of this state but who has been designated as a sexual predator,
1191 as a sexually violent predator, or by another sexual offender
1192 designation in another state or jurisdiction and was, as a
1193 result of such designation, subjected to registration or
1194 community or public notification, or both, or would be if the
1195 person were a resident of that state or jurisdiction, without
1196 regard as to whether the person otherwise meets the criteria for
1197 registration as a sexual offender.

1198 (f) "Internet identifier" has the same meaning as provided
1199 in s. 775.21 "Instant message name" means an identifier that
1200 allows a person to communicate in real time with another person
1201 using the Internet.

1202 (4) A sexual offender, as described in this section, who is
1203 under the supervision of the Department of Corrections but is
1204 not incarcerated shall ~~must~~ register with the Department of
1205 Corrections within 3 business days after sentencing for a
1206 registrable offense and otherwise provide information as
1207 required by this subsection.

1208 (a) The sexual offender shall provide his or her name; date
1209 of birth; social security number; race; sex; height; weight;
1210 hair and eye color; tattoos or other identifying marks; all ~~any~~
1211 electronic mail addresses ~~address~~ and Internet identifiers ~~any~~
1212 ~~instant message name~~ required to be provided pursuant to s.
1213 943.0435(4)(d); all home telephone numbers and cellular
1214 telephone numbers; the make, model, color, registration number,
1215 and license tag number of all vehicles that are owned by the
1216 sexual offender and all vehicles that are owned by a person who
1217 resides at the sexual offender's residence and that may be
1218 operated by the sexual offender; permanent or legal residence

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1219 and address of temporary residence within the state or out of
1220 state while the sexual offender is under supervision in this
1221 state, including any rural route address or post office box; if
1222 no permanent or temporary address, any transient residence
1223 within the state; and address, location or description, and
1224 dates of any current or known future temporary residence within
1225 the state or out of state. The sexual offender shall also
1226 produce his or her passport, if he or she has a passport, and,
1227 if he or she is an alien, shall produce or provide information
1228 about documents establishing his or her immigration status. The
1229 sexual offender shall also provide information about any
1230 professional licenses he or she has. The Department of
1231 Corrections shall verify the address of each sexual offender in
1232 the manner described in ss. 775.21 and 943.0435. The department
1233 shall report to the Department of Law Enforcement any failure by
1234 a sexual predator or sexual offender to comply with registration
1235 requirements.

1236 (b) If the sexual offender is enrolled, employed,
1237 volunteering, or carrying on a vocation at an institution of
1238 higher education in this state, the sexual offender shall
1239 provide the name, address, and county of each institution,
1240 including each campus attended, and the sexual offender's
1241 enrollment, volunteer, or employment status. Each change in
1242 enrollment, volunteer, or employment status must ~~shall~~ be
1243 reported to the department within 48 hours after the change in
1244 status. The Department of Corrections shall promptly notify each
1245 institution of the sexual offender's presence and any change in
1246 the sexual offender's enrollment, volunteer, or employment
1247 status.

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1248 (13)

1249 (c) The sheriff's office may determine the appropriate

1250 times and days for reporting by the sexual offender, which must

1251 ~~shall~~ be consistent with the reporting requirements of this

1252 subsection. Reregistration must ~~shall~~ include any changes to the

1253 following information:

1254 1. Name; social security number; age; race; sex; date of

1255 birth; height; weight; hair and eye color; address of any

1256 permanent residence and address of any current temporary

1257 residence, within the state or out of state, including a rural

1258 route address and a post office box; if no permanent or

1259 temporary address, any transient residence; address, location or

1260 description, and dates of any current or known future temporary

1261 residence within the state or out of state; all any electronic

1262 mail addresses and Internet identifiers ~~address and any instant~~

1263 ~~message name~~ required to be provided pursuant to s.

1264 943.0435(4)(d); all home telephone numbers and cellular

1265 telephone numbers; date and place of any employment; the vehicle

1266 make, model, color, registration number, and license tag number

1267 of all vehicles that are owned by the sexual offender and all

1268 vehicles that are owned by a person who resides at the sexual

1269 offender's residence and that may be operated by the sexual

1270 offender; fingerprints; palm prints; and photograph. A post

1271 office box may ~~shall~~ not be provided in lieu of a physical

1272 residential address. The sexual offender shall also produce his

1273 or her passport, if he or she has a passport, and, if he or she

1274 is an alien, shall produce or provide information about

1275 documents establishing his or her immigration status. The sexual

1276 offender shall also provide information about any professional

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1277 licenses he or she has.

1278 2. If the sexual offender is enrolled, employed,
1279 volunteering, or carrying on a vocation at an institution of
1280 higher education in this state, the sexual offender shall also
1281 provide to the department the name, address, and county of each
1282 institution, including each campus attended, and the sexual
1283 offender's enrollment, volunteer, or employment status.

1284 3. If the sexual offender's place of residence is a motor
1285 vehicle, trailer, mobile home, or manufactured home, as defined
1286 in chapter 320, the sexual offender shall also provide the
1287 vehicle identification number; the license tag number; the
1288 registration number; and a description, including color scheme,
1289 of the motor vehicle, trailer, mobile home, or manufactured
1290 home. If the sexual offender's place of residence is a vessel,
1291 live-aboard vessel, or houseboat, as defined in chapter 327, the
1292 sexual offender shall also provide the hull identification
1293 number; the manufacturer's serial number; the name of the
1294 vessel, live-aboard vessel, or houseboat; the registration
1295 number; and a description, including color scheme, of the
1296 vessel, live-aboard vessel or houseboat.

1297 4. Any sexual offender who fails to report in person as
1298 required at the sheriff's office, ~~or~~ who fails to respond to any
1299 address verification correspondence from the department within 3
1300 weeks of the date of the correspondence, ~~or~~ who fails to report
1301 all electronic mail addresses or Internet identifiers prior to
1302 use ~~or instant message names~~, or who knowingly provides false
1303 registration information by act or omission commits a felony of
1304 the third degree, punishable as provided in s. 775.082, s.
1305 775.083, or s. 775.084.

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1306 Section 7. Paragraph (a) of subsection (3) of section
1307 985.481, Florida Statutes, is amended to read:

1308 985.481 Sexual offenders adjudicated delinquent;
1309 notification upon release.-

1310 (3) (a) The department shall ~~must~~ provide information
1311 regarding any sexual offender who is being released after
1312 serving a period of residential commitment under the department
1313 for any offense, as follows:

1314 1. The department shall ~~must~~ provide the sexual offender's
1315 name, any change in the offender's name by reason of marriage or
1316 other legal process, and any alias, if known; the correctional
1317 facility from which the sexual offender is released; the sexual
1318 offender's social security number, race, sex, date of birth,
1319 height, weight, and hair and eye color; the make, model, color,
1320 registration number, and license tag number of all vehicles
1321 owned by the sexual offender and all vehicles that are owned by
1322 a person who resides at the sexual offender's residence and that
1323 may be operated by the sexual offender, if known; address of any
1324 planned permanent residence or temporary residence, within the
1325 state or out of state, including a rural route address and a
1326 post office box; if no permanent or temporary address, any
1327 transient residence within the state; address, location or
1328 description, and dates of any known future temporary residence
1329 within the state or out of state; date and county of disposition
1330 and each crime for which there was a disposition; a copy of the
1331 offender's fingerprints and a digitized photograph taken within
1332 60 days before release; the date of release of the sexual
1333 offender; all ~~and~~ home telephone numbers ~~number~~ and ~~any~~ cellular
1334 telephone numbers; information about any professional licenses

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1335 the offender has, if known; and passport information, if he or
1336 she has a passport, and, if he or she is an alien, information
1337 about documents establishing his or her immigration status
1338 ~~number~~. The department shall notify the Department of Law
1339 Enforcement if the sexual offender escapes, absconds, or dies.
1340 If the sexual offender is in the custody of a private
1341 correctional facility, the facility shall take the digitized
1342 photograph of the sexual offender within 60 days before the
1343 sexual offender's release and also place it in the sexual
1344 offender's file. If the sexual offender is in the custody of a
1345 local jail, the custodian of the local jail shall register the
1346 offender within 3 business days after intake of the offender for
1347 any reason and upon release, and shall notify the Department of
1348 Law Enforcement of the sexual offender's release and provide to
1349 the Department of Law Enforcement the information specified in
1350 this subparagraph and any information specified in subparagraph
1351 2. which the Department of Law Enforcement requests.

1352 2. The department may provide any other information
1353 considered necessary, including criminal and delinquency
1354 records, when available.

1355 Section 8. Subsection (4) and paragraph (b) of subsection
1356 (13) of section 985.4815, Florida Statutes, are amended to read:

1357 985.4815 Notification to Department of Law Enforcement of
1358 information on juvenile sexual offenders.—

1359 (4) A sexual offender, as described in this section, who is
1360 under the supervision of the department but who is not committed
1361 shall ~~must~~ register with the department within 3 business days
1362 after adjudication and disposition for a registrable offense and
1363 otherwise provide information as required by this subsection.

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1364 (a) The sexual offender shall provide his or her name; date
1365 of birth; social security number; race; sex; height; weight;
1366 hair and eye color; tattoos or other identifying marks; the
1367 make, model, color, registration number, and license tag number
1368 of all vehicles that are owned by the sexual offender and all
1369 vehicles that are owned by a person who resides at the sexual
1370 offender's resides and that may be used by the sexual offender;
1371 permanent or legal residence and address of temporary residence
1372 within the state or out of state while the sexual offender is in
1373 the care or custody or under the jurisdiction or supervision of
1374 the department in this state, including any rural route address
1375 or post office box; if no permanent or temporary address, any
1376 transient residence; address, location or description, and dates
1377 of any current or known future temporary residence within the
1378 state or out of state; and the name and address of each school
1379 attended. The sexual offender shall also produce his or her
1380 passport, if he or she has a passport, and, if he or she is an
1381 alien, shall produce or provide information about documents
1382 establishing his or her immigration status. The offender shall
1383 also provide information about any professional licenses he or
1384 she has. The department shall verify the address of each sexual
1385 offender and shall report to the Department of Law Enforcement
1386 any failure by a sexual offender to comply with registration
1387 requirements.

1388 (b) If the sexual offender is enrolled, employed,
1389 volunteering, or carrying on a vocation at an institution of
1390 higher education in this state, the sexual offender shall
1391 provide the name, address, and county of each institution,
1392 including each campus attended, and the sexual offender's

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1393 enrollment, volunteer, or employment status. Each change in
1394 enrollment, volunteer, or employment status must ~~shall~~ be
1395 reported to the department within 48 hours after the change in
1396 status. The department shall promptly notify each institution of
1397 the sexual offender's presence and any change in the sexual
1398 offender's enrollment, volunteer, or employment status.

1399 (13)

1400 (b) The sheriff's office may determine the appropriate
1401 times and days for reporting by the sexual offender, which must
1402 ~~shall~~ be consistent with the reporting requirements of this
1403 subsection. Reregistration must ~~shall~~ include any changes to the
1404 following information:

1405 1. Name; social security number; age; race; sex; date of
1406 birth; height; weight; hair and eye color; fingerprints; palm
1407 prints; address of any permanent residence and address of any
1408 current temporary residence, within the state or out of state,
1409 including a rural route address and a post office box; if no
1410 permanent or temporary address, any transient residence;
1411 address, location or description, and dates of any current or
1412 known future temporary residence within the state or out of
1413 state; passport information, if he or she has a passport, and,
1414 if he or she is an alien, information about documents
1415 establishing his or her immigration status; name and address of
1416 each school attended; date and place of any employment; the
1417 ~~vehicle~~ make, model, color, registration number, and license tag
1418 number of all vehicles that are owned by the sexual offender and
1419 all vehicles that are owned by a person who resides at the
1420 sexual offender's residence and that may be used by the sexual
1421 offender; fingerprints; and photograph. A post office box may

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1422 ~~shall~~ not be provided in lieu of a physical residential address.
1423 The offender shall also provide information about any
1424 professional licenses he or she has.

1425 2. If the sexual offender is enrolled, employed,
1426 volunteering, or carrying on a vocation at an institution of
1427 higher education in this state, the sexual offender shall also
1428 provide to the department the name, address, and county of each
1429 institution, including each campus attended, and the sexual
1430 offender's enrollment, volunteer, or employment status.

1431 3. If the sexual offender's place of residence is a motor
1432 vehicle, trailer, mobile home, or manufactured home, as defined
1433 in chapter 320, the sexual offender shall also provide the
1434 vehicle identification number; the license tag number; the
1435 registration number; and a description, including color scheme,
1436 of the motor vehicle, trailer, mobile home, or manufactured
1437 home. If the sexual offender's place of residence is a vessel,
1438 live-aboard vessel, or houseboat, as defined in chapter 327, the
1439 sexual offender shall also provide the hull identification
1440 number; the manufacturer's serial number; the name of the
1441 vessel, live-aboard vessel, or houseboat; the registration
1442 number; and a description, including color scheme, of the
1443 vessel, live-aboard vessel, or houseboat.

1444 4. Any sexual offender who fails to report in person as
1445 required at the sheriff's office, ~~or~~ who fails to respond to any
1446 address verification correspondence from the department within 3
1447 weeks after the date of the correspondence, or who knowingly
1448 provides false registration information by act or omission
1449 commits a felony of the third degree, punishable as provided in
1450 ss. 775.082, 775.083, and 775.084.

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1451 Section 9. Paragraphs (g) and (i) of subsection (3) of
 1452 section 921.0022, Florida Statutes, are amended to read:
 1453 921.0022 Criminal Punishment Code; offense severity ranking
 1454 chart.—

1455 (3) OFFENSE SEVERITY RANKING CHART

1456 (g) LEVEL 7

1457

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.
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

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1462			serious bodily injury.
	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1463			
	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1464			
	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1465			
	456.065(2)	3rd	Practicing a health care profession without a license.
1466			
	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1467			
	458.327(1)	3rd	Practicing medicine without a license.
1468			
	459.013(1)	3rd	Practicing osteopathic

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1469

medicine without a
license.

460.411 (1)

3rd

Practicing chiropractic
medicine without a
license.

1470

461.012 (1)

3rd

Practicing podiatric
medicine without a
license.

1471

462.17

3rd

Practicing naturopathy
without a license.

1472

463.015 (1)

3rd

Practicing optometry
without a license.

1473

464.016 (1)

3rd

Practicing nursing without
a license.

1474

465.015 (2)

3rd

Practicing pharmacy
without a license.

1475

466.026 (1)

3rd

Practicing dentistry or
dental hygiene without a
license.

1476

467.201

3rd

Practicing midwifery
without a license.

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1477

468.366 3rd Delivering respiratory care services without a license.

1478

483.828 (1) 3rd Practicing as clinical laboratory personnel without a license.

1479

483.901 (9) 3rd Practicing medical physics without a license.

1480

484.013 (1) (c) 3rd Preparing or dispensing optical devices without a prescription.

1481

484.053 3rd Dispensing hearing aids without a license.

1482

494.0018 (2) 1st 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.

1483

560.123 (8) (b) 1. 3rd Failure to report currency or payment instruments

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1484

560.125 (5) (a)

3rd

exceeding \$300 but less than \$20,000 by a money services business.

Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

1485

655.50 (10) (b) 1.

3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

1486

775.21 (10) (a)

3rd

Sexual predator; failure to register; failure to renew driver ~~driver's~~ license or identification card; other registration violations.

1487

775.21 (10) (b)

3rd

Sexual predator working where children regularly congregate.

1488

775.21 (10) (g)

3rd

Failure to report or providing false

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1489			information about a sexual predator; harbor or conceal a sexual predator.
	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1490			
	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1491			
	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1492			
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1493			
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing

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			great bodily harm or disfigurement.
1494	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1495	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1496	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1497	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1498	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1499	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1500	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1501	784.081 (1)	1st	Aggravated battery on

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1502

specified official or
employee.

784.082 (1)

1st

Aggravated battery by
detained person on visitor
or other detainee.

1503

784.083 (1)

1st

Aggravated battery on code
inspector.

1504

787.06 (3) (a)

1st

Human trafficking using
coercion for labor and
services.

1505

787.06 (3) (e)

1st

Human trafficking using
coercion for labor and
services by the transfer
or transport of any
individual from outside
Florida to within the
state.

1506

790.07 (4)

1st

Specified weapons
violation subsequent to
previous conviction of s.
790.07(1) or (2).

1507

790.16 (1)

1st

Discharge of a machine gun
under specified

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1508

circumstances.

790.165 (2)

2nd

Manufacture, sell,
possess, or deliver hoax
bomb.

1509

790.165 (3)

2nd

Possessing, displaying, or
threatening to use any
hoax bomb while committing
or attempting to commit a
felony.

1510

790.166 (3)

2nd

Possessing, selling,
using, or attempting to
use a hoax weapon of mass
destruction.

1511

790.166 (4)

2nd

Possessing, displaying, or
threatening to use a hoax
weapon of mass destruction
while committing or
attempting to commit a
felony.

1512

790.23

1st, PBL

Possession of a firearm by
a person who qualifies for
the penalty enhancements
provided for in s. 874.04.

1513

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1514	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.
1515	796.03	2nd	Procuring any person under <u>18</u> 16 years for prostitution.
1516	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
1517	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
1518	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1518	810.02 (3) (a)	2nd	Burglary of occupied

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1519

dwelling; unarmed; no
assault or battery.

810.02 (3) (b)

2nd

Burglary of unoccupied
dwelling; unarmed; no
assault or battery.

1520

810.02 (3) (d)

2nd

Burglary of occupied
conveyance; unarmed; no
assault or battery.

1521

810.02 (3) (e)

2nd

Burglary of authorized
emergency vehicle.

1522

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.

1523

812.014 (2) (b) 2.

2nd

Property stolen, cargo
valued at less than
\$50,000, grand theft in
2nd degree.

1524

812.014 (2) (b) 3.

2nd

Property stolen, emergency

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1525
1526
1527
1528
1529
1530
1531

812.014 (2) (b) 4.

2nd

medical equipment; 2nd degree grand theft.

Property stolen, law enforcement equipment from authorized emergency vehicle.

812.0145 (2) (a)

1st

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.

817.034 (4) (a) 1.

1st

Communications fraud, value greater than \$50,000.

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1532	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1533	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1534	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1535	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.
1536	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

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1537

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.

1538

827.03 (2) (b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

1539

827.04 (3)

3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

1540

837.05 (2)

3rd

Giving false information about alleged capital felony to a law enforcement officer.

1541

838.015

2nd

Bribery.

1542

838.016

2nd

Unlawful compensation or reward for official behavior.

1543

838.021 (3) (a)

2nd

Unlawful harm to a public

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1544			servant.
1545	838.22	2nd	Bid tampering.
1546	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1547	843.0855 (3)	3rd	Unlawful simulation of legal process.
1548	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1549	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1550	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1551	872.06	2nd	Abuse of a dead human body.
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.

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1552

874.10

1st,PBL

Knowingly initiates,
organizes, plans,
finances, directs,
manages, or supervises
criminal gang-related
activity.

1553

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.

1554

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

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1555			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).
1556			
	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1557			
	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1558			
	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1559			
	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1560			
	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5

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1561			kilograms.
	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1562	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1563	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1564	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1565	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1566	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.

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1567

896.101 (5) (a) 3rd Money laundering, financial transactions exceeding \$300 but less than \$20,000.

1568

896.104 (4) (a) 1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

1569

943.0435 (4) (c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting requirements.

1570

943.0435 (8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

1571

943.0435 (9) (a) 3rd Sexual offender; failure to comply with reporting requirements.

1572

943.0435 (13) 3rd Failure to report or

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1573	943.0435 (14)	3rd	<p>providing false information about a sexual offender; harbor or conceal a sexual offender.</p>
1574	944.607 (9)	3rd	<p>Sexual offender; failure to report and reregister; failure to respond to address verification; <u>providing false registration information.</u></p>
1575	944.607 (10) (a)	3rd	<p>Sexual offender; failure to comply with reporting requirements.</p>
1576	944.607 (12)	3rd	<p>Sexual offender; failure to submit to the taking of a digitized photograph.</p>
1577	944.607 (13)	3rd	<p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.</p>
			<p>Sexual offender; failure to report and reregister; failure to respond to</p>

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1578

address verification;
providing false
registration information.

985.4815 (10)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

1579

985.4815 (12)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1580

985.4815 (13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification;
providing false
registration information.

1581

(i) LEVEL 9

1582

1583

Florida
 Statute

Felony
 Degree

Description

1584

316.193
 (3) (c) 3.b.

1st

DUI manslaughter; failing to render aid or give information.

1585

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1586	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
1587	409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
1588	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
1589	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1590	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
1591	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1592	775.0844	1st	Aggravated white collar crime.
1593	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.

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1594	782.04 (3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.
1595	782.051 (1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04 (3).
1596	782.07 (2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
1597	787.01 (1) (a) 1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
1598	787.01 (1) (a) 2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
1599	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

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			aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
1600	787.06(3)(d)	1st	Human trafficking using coercion for commercial sexual activity of an unauthorized alien.
1601	787.06(3)(g)	1st,PBL	Human trafficking for commercial sexual activity of a child under the age of 18.
1602	787.06(4)	1st	Selling or buying of minors into human trafficking.
1603	790.161	1st	Attempted capital destructive device offense.
1604	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1605	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
1606	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12

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			years.
1607	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1608	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1609	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
1610	796.035	1st	Selling or buying of minors into prostitution.
1611	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1612	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
1613	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.
1614	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1615	817.535 (3) (b)	1st	Filing false lien or other

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1616

unauthorized document; second or subsequent offense; property owner is a public officer or employee.

817.535 (4) (a) 2.

1st

Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.

1617

817.535 (5) (b)

1st

Filing false lien or other unauthorized document; second or subsequent offense; owner of the property incurs financial loss as a result of the false instrument.

1618

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.

1619

827.03 (2) (a)

1st

Aggravated child abuse.

1620

847.0145 (1)

1st

Selling, or otherwise transferring custody or control, of a minor.

1621

847.0145 (2)

1st

Purchasing, or otherwise obtaining custody or control, of a minor.

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1622

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.

1623

893.135 1st Attempted capital trafficking offense.

1624

893.135 (1) (a) 3. 1st Trafficking in cannabis, more than 10,000 lbs.

1625

893.135 (1) (b) 1.c. 1st Trafficking in cocaine, more than 400 grams, less than 150 kilograms.

1626

893.135 (1) (c) 1.c. 1st Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.

1627

893.135 (1) (d) 1.c. 1st Trafficking in phencyclidine, more than 400 grams.

1628

893.135 (1) (e) 1.c. 1st Trafficking in methaqualone, more than 25 kilograms.

1629

893.135 1st Trafficking in amphetamine, more

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1630

(1) (f) 1.c. than 200 grams.

893.135

1st

Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.

1631

(1) (h) 1.c.

893.135

1st

Trafficking in 1,4-Butanediol, 10 kilograms or more.

1632

(1) (j) 1.c.

893.135

1st

Trafficking in Phenethylamines, 400 grams or more.

1633

(1) (k) 2.c.

896.101 (5) (c)

1st

Money laundering, financial instruments totaling or exceeding \$100,000.

1634

896.104 (4) (a) 3.

1st

Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

1635

1636

Section 10. This act shall take effect October 1, 2014.