

1                   A bill to be entitled  
2           An act relating to high-risk offenders; providing a short  
3           title; amending s. 216.136, F.S.; assigning additional  
4           responsibilities of the Criminal Justice Estimating  
5           Conference; requiring a study; amending s. 775.21, F.S.;  
6           revising sexual predator criteria; extending the period  
7           for a petition to remove a sexual predator designation;  
8           requiring twice yearly reregistration by sexual predators;  
9           requiring reregistration information be provided to the  
10          Department of Law Enforcement; providing criminal offenses  
11          for failing to reregister, failing to respond to address  
12          verification, failing to report or providing false  
13          information about a sexual predator, and harboring or  
14          concealing a sexual predator; requiring twice yearly  
15          reregistration by sexual predators; requiring  
16          reregistration information be provided to the Department  
17          of Law Enforcement; providing criminal offenses for  
18          failing to reregister, failing to respond to address  
19          verification, failing to report or providing false  
20          information about a sexual predator, and harboring or  
21          concealing a sexual predator; amending s. 775.082, F.S.;  
22          providing for specified sentencing of persons convicted of  
23          the life felony offense in s. 800.04(5)(b), F.S.;  
24          providing for 25-year mandatory minimum term of  
25          imprisonment; amending s. 800.04, F.S.; providing that it  
26          is a life felony for an offender 18 years of age or older  
27          to commit lewd or lascivious molestation against a victim  
28          younger than 12 years of age; amending s. 921.0022, F.S.;

29 deleting ranking for offenses involving sexual predators  
30 and sexual offenders failing to comply with registration  
31 requirements; ranking offenses involving sexual predators  
32 and sexual offenders failing to comply with registration  
33 requirements and other requirements; ranking new criminal  
34 offenses for failing to reregister, failing to respond to  
35 address verification, failing to report or providing false  
36 information about a sexual predator or sexual offender,  
37 and harboring or concealing a sexual predator or sexual  
38 offender; correcting a reference to the felony degree of a  
39 lewd or lascivious offense; amending s. 921.141, F.S.;  
40 providing an additional aggravating circumstance  
41 pertaining to sexual predators for the purpose of imposing  
42 the death penalty; amending s. 943.043, F.S., requiring  
43 the Department of Law Enforcement to provide to local law  
44 enforcement agencies information on sexual predators and  
45 sexual offenders who fail to respond to address  
46 verification attempts or abscond from registration;  
47 amending s. 943.0435, F.S.; requiring twice yearly  
48 reregistration by sexual offenders; requiring  
49 reregistration information be provided to the Department  
50 of Law Enforcement; providing criminal offenses for  
51 failing to reregister, failing to respond to address  
52 verification, failing to report or providing false  
53 information about a sexual offender, and harboring or  
54 concealing a sexual offender; creating s. 943.04352, F.S.;  
55 requiring a search of the sexual offender and sexual  
56 predator registry by entities providing probation

57 | services; amending s. 944.607, F.S.; requiring twice  
58 | yearly reregistration by sexual offenders; requiring  
59 | reregistration information be provided to the Department  
60 | of Law Enforcement; providing criminal offenses for  
61 | failing to reregister, failing to respond to address  
62 | verification, failing to report or providing false  
63 | information about a sexual offender, and harboring or  
64 | concealing a sexual offender; amending s. 947.1405, F.S.;  
65 | requiring electronic monitoring for certain offenders  
66 | placed on conditional release supervision; amending s.  
67 | 948.06(4), F.S.; requiring a court finding with regard to  
68 | dangerousness to the public prior to release on bail under  
69 | certain circumstances; amending s. 948.012, F.S.;  
70 | requiring the court to impose a split sentence in certain  
71 | circumstances; creating s. 948.061, F.S.; requiring the  
72 | Department of Corrections to develop a risk assessment  
73 | system to monitor certain offenders placed on probation or  
74 | community control; requiring increased supervision of such  
75 | offenders under certain circumstances; requiring that  
76 | information be provided via FDLE's Criminal Justice  
77 | Intranet to the court by the correctional probation  
78 | officer; requiring the court to assist the department by  
79 | creating and maintaining an automated system; requiring  
80 | the department to have fingerprint reading equipment and  
81 | capability by October 1, 2006; creating s. 948.062, F.S.;  
82 | requiring the Department of Corrections to review the  
83 | circumstances of certain arrests of offenders on probation  
84 | or community control; requiring the Office of Program

85 Policy Analysis and Government Accountability to analyze  
86 the reviews and report to the President of the Senate and  
87 the Speaker of the House of Representatives; creating s.  
88 948.063, F.S.; requiring the court to order electronic  
89 monitoring for designated sexual offenders and predators  
90 who violate probation or community control; amending s.  
91 948.11, F.S.; requiring the department to develop and  
92 implement procedures to notify certain officials on the  
93 availability of electronic monitoring units; requiring the  
94 department to use certain electronic monitoring systems on  
95 high-risk offenders; prohibiting the intentional altering,  
96 tampering, damaging or destroying of any electronic  
97 monitoring equipment; amending s. 948.15, F.S.; specifying  
98 that the terms of the contract must contain procedures for  
99 accessing criminal history records concerning  
100 probationers; amending s. 948.30, F.S.; specifying  
101 additional conditions for persons placed on community  
102 control; requiring certain sex offenders and sexual  
103 predators on probation or community control to be placed  
104 on electronic monitoring; amending s. 1012.465(1), F.S.;  
105 clarifying background screening requirements for  
106 contractual personnel who have access on school grounds;  
107 creating a task force within the Department of Law  
108 Enforcement; requiring the task force to examine the  
109 collection and dissemination of offender information  
110 within the criminal justice system and community;  
111 prescribing task force membership; requiring that the task  
112 force submit findings and recommendations to the Governor

113 and the Legislature; requiring cooperation by state  
 114 agencies; providing for abolishing the task force on a  
 115 specified date; requiring the Office of Program Policy  
 116 Analysis and Governmental Accountability to perform a  
 117 study of and report to the Legislature on the  
 118 effectiveness of Florida's sexual predator and sexual  
 119 offender registries and community and public notification  
 120 provisions; providing appropriations and authorizing  
 121 positions; providing an effective date.

122

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

124

125 Section 1. This act may be cited as the "Jessica Lunsford  
 126 Act."

127 Section 2. Paragraph (a) of subsection (5) of section  
 128 216.136, Florida Statutes, is amended to read:

129 216.136 Consensus estimating conferences; duties and  
 130 principals.--

131 (5) CRIMINAL JUSTICE ESTIMATING CONFERENCE.--

132 (a) Duties.--The Criminal Justice Estimating Conference  
 133 shall:

134 1. Develop such official information relating to the  
 135 criminal justice system, including forecasts of prison  
 136 admissions and population and of supervised felony offender  
 137 admissions and population, as the conference determines is  
 138 needed for the state planning and budgeting system.

139 2. Develop such official information relating to the  
 140 number of eligible discharges and the projected number of civil

141 commitments for determining space needs pursuant to the civil  
142 proceedings provided under part V of chapter 394.

143 3. Develop official information relating to the number of  
144 sexual offenders and sexual predators who are required by law to  
145 be placed on community control, probation, or conditional  
146 release who are subject to electronic monitoring. In addition,  
147 the Office of Economic and Demographic Research shall study the  
148 factors relating to the sentencing of sex offenders from the  
149 point of arrest through the imposition of sanctions by the  
150 sentencing court, including original charges, plea negotiations,  
151 trial dispositions, and sanctions. The Department of  
152 Corrections, the Office of the State Courts Administrator, the  
153 Florida Department of Law Enforcement, and the State Attorneys  
154 shall provide information deemed necessary for the study. The  
155 final report shall be provided to the President of the Senate  
156 and Speaker of the House by March 1, 2006.

157 Section 3. Paragraph (b) of subsection (4), paragraph (1)  
158 of subsection (6), subsection (8), and subsection (10) of  
159 section 775.21, Florida Statutes, are amended to read:

160 775.21 The Florida Sexual Predators Act.--

161 (4) SEXUAL PREDATOR CRITERIA.--

162 (b) In order to be counted as a prior felony for purposes  
163 of this subsection, the felony must have resulted in a  
164 conviction sentenced separately, or an adjudication of  
165 delinquency entered separately, prior to the current offense and  
166 sentenced or adjudicated separately from any other felony  
167 conviction that is to be counted as a prior felony. ~~If the~~  
168 ~~offender's prior enumerated felony was committed more than 10~~

169 ~~years before the primary offense, it shall not be considered a~~  
170 ~~prior felony under this subsection if the offender has not been~~  
171 ~~convicted of any other crime for a period of 10 consecutive~~  
172 ~~years from the most recent date of release from confinement,~~  
173 ~~supervision, or sanction, whichever is later.~~

174 (6) REGISTRATION.--

175 (1) A sexual predator must maintain registration with the  
176 department for the duration of his or her life, unless the  
177 sexual predator has received a full pardon or has had a  
178 conviction set aside in a postconviction proceeding for any  
179 offense that met the criteria for the sexual predator  
180 designation. However, a sexual predator who was designated as a  
181 sexual predator by a court before October 1, 1998, and who has  
182 been lawfully released from confinement, supervision, or  
183 sanction, whichever is later, for at least 10 years and has not  
184 been arrested for any felony or misdemeanor offense since  
185 release, may petition the criminal division of the circuit court  
186 in the circuit in which the sexual predator resides for the  
187 purpose of removing the sexual predator designation. A sexual  
188 predator who was designated a sexual predator by a court on or  
189 after October 1, 1998, who has been lawfully released from  
190 confinement, supervision, or sanction, whichever is later, for  
191 at least 20 years, and who has not been arrested for any felony  
192 or misdemeanor offense since release may petition the criminal  
193 division of the circuit court in the circuit in which the sexual  
194 predator resides for the purpose of removing the sexual predator  
195 designation. A sexual predator who was designated as a sexual  
196 predator by a court on or after September 1, 2005, who has been

197 | lawfully released from confinement, supervision, or sanction,  
198 | whichever is later, for at least 30 years, and who has not been  
199 | arrested for any felony or misdemeanor offense since release may  
200 | petition the criminal division of the circuit court in the  
201 | circuit in which the sexual predator resides for the purpose of  
202 | removing the sexual predator designation. The court may grant or  
203 | deny such relief if the petitioner demonstrates to the court  
204 | that he or she has not been arrested for any crime since  
205 | release, the requested relief complies with the provisions of  
206 | the federal Jacob Wetterling Act, as amended, and any other  
207 | federal standards applicable to the removal of the designation  
208 | as a sexual predator or required to be met as a condition for  
209 | the receipt of federal funds by the state, and the court is  
210 | otherwise satisfied that the petitioner is not a current or  
211 | potential threat to public safety. The state attorney in the  
212 | circuit in which the petition is filed must be given notice of  
213 | the petition at least 3 weeks before the hearing on the matter.  
214 | The state attorney may present evidence in opposition to the  
215 | requested relief or may otherwise demonstrate the reasons why  
216 | the petition should be denied. If the court denies the petition,  
217 | the court may set a future date at which the sexual predator may  
218 | again petition the court for relief, subject to the standards  
219 | for relief provided in this paragraph. Unless specified in the  
220 | order, a sexual predator who is granted relief under this  
221 | paragraph must comply with the requirements for registration as  
222 | a sexual offender and other requirements provided under s.  
223 | 943.0435 or s. 944.607. If a petitioner obtains an order from  
224 | the court that imposed the order designating the petitioner as a



225 sexual predator which removes such designation, the petitioner  
 226 shall forward a certified copy of the written findings or order  
 227 to the department in order to have the sexual predator  
 228 designation removed from the sexual predator registry.

229  
 230 The sheriff shall promptly provide to the department the  
 231 information received from the sexual predator.

232 (8) VERIFICATION.--The department and the Department of  
 233 Corrections shall implement a system for verifying the addresses  
 234 of sexual predators. The system must be consistent with the  
 235 provisions of the federal Jacob Wetterling Act, as amended, and  
 236 any other federal standards applicable to such verification or  
 237 required to be met as a condition for the receipt of federal  
 238 funds by the state. The Department of Corrections shall verify  
 239 the addresses of sexual predators who are not incarcerated but  
 240 who reside in the community under the supervision of the  
 241 Department of Corrections. County and local law enforcement  
 242 agencies, in conjunction with the department, shall verify the  
 243 addresses of sexual predators who are not under the care,  
 244 custody, control, or supervision of the Department of  
 245 Corrections.

246 (a) A sexual predator must report in person each year  
 247 during the month of the sexual predator's birthday and during  
 248 the sixth month following the sexual predator's birth month to  
 249 the sheriff's office in the county in which he or she resides or  
 250 is otherwise located to reregister. The sheriff's office may  
 251 determine the appropriate times and days for reporting by the  
 252 sexual predator, which shall be consistent with the reporting

253 requirements of this paragraph. Reregistration shall include any  
254 changes to the following information:

255 1. Name; social security number; age; race; sex; date of  
256 birth; height; weight; hair and eye color; address of any  
257 permanent residence and address of any current temporary  
258 residence, within the state or out of state, including a rural  
259 route address and a post office box; date and place of any  
260 employment; vehicle make, model, color, and license tag number;  
261 fingerprints; and photograph. A post office box shall not be  
262 provided in lieu of a physical residential address.

263 2. If the sexual predator is enrolled, employed, or  
264 carrying on a vocation at an institution of higher education in  
265 this state, the sexual predator shall also provide to the  
266 department the name, address, and county of each institution,  
267 including each campus attended, and the sexual predator's  
268 enrollment or employment status.

269 3. If the sexual predator's place of residence is a motor  
270 vehicle, trailer, mobile home, or manufactured home, as defined  
271 in chapter 320, the sexual predator shall also provide vehicle  
272 identification number; the license tag number; the registration  
273 number; and a description, including color scheme, of the motor  
274 vehicle, trailer, mobile home, or manufactured home. If the  
275 sexual predator's place of residence is a vessel, live-aboard  
276 vessel, or houseboat, as defined in chapter 327, the sexual  
277 predator shall also provide the hull identification number; the  
278 manufacturer's serial number; the name of the vessel, live-  
279 aboard vessel, or houseboat; the registration number; and a

280 description, including color scheme, of the vessel, live-aboard  
281 vessel, or houseboat.

282 (b) The sheriff's office shall, within 2 working days,  
283 electronically submit and update all information provided by the  
284 sexual predator to the department in a manner prescribed by the  
285 department. This procedure shall be implemented by December 1,  
286 2005.

287 (10) PENALTIES.--.

288 (a) Except as otherwise specifically provided, a sexual  
289 predator who fails to register; who fails, after registration,  
290 to maintain, acquire, or renew a driver's license or  
291 identification card; who fails to provide required location  
292 information or change-of-name information; who fails to make a  
293 required report in connection with vacating a permanent  
294 residence; who fails to reregister as required; who fails to  
295 respond to any address verification correspondence from the  
296 department within three weeks of the date of the correspondence;  
297 or who otherwise fails, by act or omission, to comply with the  
298 requirements of this section, commits a felony of the third  
299 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
300 775.084.

301 (b) A sexual predator who has been convicted of or found  
302 to have committed, or has pled nolo contendere or guilty to,  
303 regardless of adjudication, any violation, or attempted  
304 violation, of s. 787.01, s. 787.02, or s. 787.025, where the  
305 victim is a minor and the defendant is not the victim's parent;  
306 s. 794.011(2), (3), (4), (5), or (8); s. 794.05; s. 796.03; s.  
307 800.04; s. 827.071; s. 847.0133; or s. 847.0145, or a violation

308 of a similar law of another jurisdiction, when the victim of the  
309 offense was a minor, and who works, whether for compensation or  
310 as a volunteer, at any business, school, day care center, park,  
311 playground, or other place where children regularly congregate,  
312 commits a felony of the third degree, punishable as provided in  
313 s. 775.082, s. 775.083, or s. 775.084.

314 (c) Any person who misuses public records information  
315 relating to a sexual predator, as defined in this section, or a  
316 sexual offender, as defined in s. 943.0435 or s. 944.607, to  
317 secure a payment from such a predator or offender; who knowingly  
318 distributes or publishes false information relating to such a  
319 predator or offender which the person misrepresents as being  
320 public records information; or who materially alters public  
321 records information with the intent to misrepresent the  
322 information, including documents, summaries of public records  
323 information provided by law enforcement agencies, or public  
324 records information displayed by law enforcement agencies on  
325 websites or provided through other means of communication,  
326 commits a misdemeanor of the first degree, punishable as  
327 provided in s. 775.082 or s. 775.083.

328 (d) A sexual predator who commits any act or omission in  
329 violation of this section may be prosecuted for the act or  
330 omission in the county in which the act or omission was  
331 committed, the county of the last registered address of the  
332 sexual predator, or the county in which the conviction occurred  
333 for the offense or offenses that meet the criteria for  
334 designating a person as a sexual predator. In addition, a  
335 sexual predator may be prosecuted for any such act or omission

336 in the county in which he or she was designated a sexual  
337 predator.

338 (e) An arrest on charges of failure to register, the  
339 service of an information or a complaint for a violation of this  
340 section, or an arraignment on charges for a violation of this  
341 section constitutes actual notice of the duty to register when  
342 the predator has been provided and advised of his or her  
343 statutory obligation to register under subsection (6). A sexual  
344 predator's failure to immediately register as required by this  
345 section following such arrest, service, or arraignment  
346 constitutes grounds for a subsequent charge of failure to  
347 register. A sexual predator charged with the crime of failure to  
348 register who asserts, or intends to assert, a lack of notice of  
349 the duty to register as a defense to a charge of failure to  
350 register shall immediately register as required by this section.  
351 A sexual predator who is charged with a subsequent failure to  
352 register may not assert the defense of a lack of notice of the  
353 duty to register.

354 (f) Registration following such arrest, service, or  
355 arraignment is not a defense and does not relieve the sexual  
356 predator of criminal liability for the failure to register.

357 (g) Any person who has reason to believe that a sexual  
358 predator is not complying, or has not complied, with the  
359 requirements of this section and who, with the intent to assist  
360 the sexual predator in eluding a law enforcement agency that is  
361 seeking to find the sexual predator to question the sexual  
362 predator about, or to arrest the sexual predator for, his or her  
363 noncompliance with the requirements of this section:

364       1. Withholds information from, or does not notify, the law  
365 enforcement agency about the sexual predator's noncompliance  
366 with the requirements of this section, and, if known, the  
367 whereabouts of the sexual predator;

368       2. Harbors, or attempts to harbor, or assists another  
369 person in harboring or attempting to harbor, the sexual  
370 predator;

371       3. Conceals or attempts to conceal, or assists another  
372 person in concealing or attempting to conceal, the sexual  
373 predator; or

374       4. Provides information to the law enforcement agency  
375 regarding the sexual predator which the person knows to be false  
376 information,

377  
378 commits a felony of the third degree, punishable as provided in  
379 s. 775.082, s. 775.083, or s. 775.084. This paragraph does not  
380 apply if the sexual predator is incarcerated in or is in the  
381 custody of a state correctional facility, a private correctional  
382 facility, a local jail, or a federal correctional facility.

383       Section 4. Paragraph (a) of subsection (3) of section  
384 775.082, Florida Statutes, is amended to read:

385       775.082 Penalties; applicability of sentencing structures;  
386 mandatory minimum sentences for certain reoffenders previously  
387 released from prison.--

388       (3) A person who has been convicted of any other  
389 designated felony may be punished as follows:

390 (a)1. For a life felony committed prior to October 1,  
 391 1983, by a term of imprisonment for life or for a term of years  
 392 not less than 30.

393 2. For a life felony committed on or after October 1,  
 394 1983, by a term of imprisonment for life or by a term of  
 395 imprisonment not exceeding 40 years.

396 3. Except as provided in subparagraph 4., for a life  
 397 felony committed on or after July 1, 1995, by a term of  
 398 imprisonment for life or by imprisonment for a term of years not  
 399 exceeding life imprisonment.

400 4. For a life felony committed on or after September 1,  
 401 2005, which is a violation of s. 800.04(5)(b), by:

402 a. A term of imprisonment for life; or

403 b. A split sentence that is a term of not less than 25  
 404 years imprisonment and not exceeding life imprisonment, followed  
 405 by probation or community control for the remainder of the  
 406 person's natural life, as provided in s. 948.012(4).

407 Section 5. Paragraph (b) of subsection (5) of section  
 408 800.04, Florida Statutes, is amended to read:

409 800.04 Lewd or lascivious offenses committed upon or in  
 410 the presence of persons less than 16 years of age.--

411 (5) LEWD OR LASCIVIOUS MOLESTATION.--

412 (b) An offender 18 years of age or older who commits lewd  
 413 or lascivious molestation against a victim less than 12 years of  
 414 age commits a life felony ~~of the first degree~~, punishable as  
 415 provided in s. 775.082(3)(a)4. ~~s. 775.082, s. 775.083, or s.~~  
 416 ~~775.084.~~

417 Section 6. Paragraphs (f), (g), and (i) of subsection (3)  
 418 of section 921.0022, Florida Statutes, are amended to read:

419 921.0022 Criminal Punishment Code; offense severity  
 420 ranking chart.--

421 (3) OFFENSE SEVERITY RANKING CHART

Florida	Felony	
Statute	Degree	Description
		(f) LEVEL 6
316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
499.0051 (3)	2nd	Forgery of pedigree papers.
499.0051 (4)	2nd	Purchase or receipt of legend drug from unauthorized person.
499.0051 (5)	2nd	Sale of legend drug



430	775.0875 (1)	3rd	to unauthorized person. Taking firearm from law enforcement officer.
431	<del>775.21 (10)</del>	3rd	<del>Sexual predators; failure to register; failure to renew driver's license or identification card.</del>
432	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
433	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
434	784.041	3rd	Felony battery.
435	784.048 (3)	3rd	Aggravated stalking; credible threat.
436			

437	784.048 (5)	3rd	Aggravated stalking of person under 16.
438	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
439	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
440	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
441	784.081 (2)	2nd	Aggravated assault on specified official or employee.
442	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
	784.083 (2)	2nd	Aggravated assault

443	787.02 (2)	3rd	on code inspector.
444	790.115 (2) (d)	2nd	False imprisonment; restraining with purpose other than those in s. 787.01.
445	790.161 (2)	2nd	Discharging firearm or weapon on school property.
446	790.164 (1)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
447	790.19	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
			Shooting or throwing deadly missiles into dwellings, vessels,

448	794.011 (8) (a)	3rd	or vehicles. Solicitation of minor to participate in sexual activity by custodial adult.
449	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
450	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
451	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
452	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
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454	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
455	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
456	812.015 (9)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
457	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
458	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
	817.4821 (5)	2nd	Possess cloning

459	825.102 (1)	3rd	paraphernalia with intent to create cloned cellular telephones.
460	825.102 (3) (c)	3rd	Abuse of an elderly person or disabled adult.
461	825.1025 (3)	3rd	Neglect of an elderly person or disabled adult.
462	825.103 (2) (c)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
463	827.03 (1)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
464			Abuse of a child.

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465	827.03 (3) (c)	3rd	Neglect of a child.
466	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
467	836.05	2nd	Threats; extortion.
468	836.10	2nd	Written threats to kill or do bodily injury.
469	843.12	3rd	Aids or assists person to escape.
470	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
471	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.

472	<del>943.0435(9)</del>	3rd	<del>Sex offenders, failure to comply with reporting requirements.</del>
473	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
474	944.40	2nd	Escapes.
475	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional



476	951.22 (1)	3rd	facility.
477			Intoxicating drug, firearm, or weapon introduced into county facility.
478	316.027 (1) (b)	2nd	(g) LEVEL 7
479			Accident involving death, failure to stop; leaving scene.
480	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

481	327.35 (3) (c) 2.	3rd	who is in a patrol vehicle with siren and lights activated.
482	402.319 (2)	2nd	Vessel BUI resulting in serious bodily injury.
483	409.920 (2)	3rd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
484	456.065 (2)	3rd	Medicaid provider fraud.
485			Practicing a health care profession without a license.

486	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
487	458.327 (1)	3rd	Practicing medicine without a license.
488	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
489	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
490	461.012 (1)	3rd	Practicing podiatric medicine without a license.
491	462.17	3rd	Practicing naturopathy without a license.

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492	463.015 (1)	3rd	Practicing optometry without a license.
493	464.016 (1)	3rd	Practicing nursing without a license.
494	465.015 (2)	3rd	Practicing pharmacy without a license.
495	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
496	467.201	3rd	Practicing midwifery without a license.
497	468.366	3rd	Delivering respiratory care services without a license.
498	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
	483.901 (9)	3rd	Practicing medical

499	484.013 (1) (c)	3rd	physics without a license.
500	484.053	3rd	Preparing or dispensing optical devices without a prescription.
501	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.
502	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by

503	560.125 (5) (a)	3rd	money transmitter.
504	655.50 (10) (b) 1.	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
505	<u>775.21 (10) (a)</u>	<u>3rd</u>	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
506	<u>775.21 (10) (b)</u>	<u>3rd</u>	<u>Sexual predator;</u> <u>failure to register;</u> <u>failure to renew</u> <u>driver's license or</u> <u>identification card;</u> <u>other registration</u> <u>violations.</u>  <u>Sexual predator</u>

507	<u>775.21 (10) (g)</u>	<u>3rd</u>	<u>working where children regularly congregate.</u>
508	782.051 (3)	2nd	<u>Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.</u>
509	782.07 (1)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
510	782.071	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
			Killing of human

511	782.072	2nd	<p>being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).</p>
512	784.045 (1) (a) 1.	2nd	<p>Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).</p>
513	784.045 (1) (a) 2.	2nd	<p>Aggravated battery; intentionally causing great bodily harm or disfigurement.</p>
514	784.045 (1) (b)	2nd	<p>Aggravated battery; using deadly weapon.</p>
515			<p>Aggravated battery; perpetrator aware victim pregnant.</p>



516	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
517	784.048 (7)	3rd	Aggravated stalking; violation of court order.
518	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
519	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
520	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
521	784.081 (1)	1st	Aggravated battery on specified official or employee.

522	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
523	784.083 (1)	1st	Aggravated battery on code inspector.
524	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
525	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
526	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while

527	790.166 (3)	2nd	committing or attempting to commit a felony.
528	790.166 (4)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
529	796.03	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
530	796.03	2nd	Procuring any person under 16 years for prostitution.
531	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.

532	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.
533	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
534	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
535	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
536	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
536	812.014 (2) (a) 1.	1st	Property stolen,

537	812.014 (2) (b) 2.	2nd	valued at \$100,000 or more; property stolen while causing other property damage; 1st degree grand theft.
538	812.014 (2) (b) 3.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
539	812.0145 (2) (a)	1st	Property stolen, emergency medical equipment; 2nd degree grand theft.
540	812.019 (2)	1st	Theft from person 65 years of age or older; \$50,000 or more.
			Stolen property; initiates, organizes, plans, etc., the theft of property and

541	812.131 (2) (a)	2nd	traffics in stolen property.
542	812.133 (2) (b)	1st	Robbery by sudden snatching.
543	817.234 (8) (a)	2nd	Carjacking; no firearm, deadly weapon, or other weapon.
544	817.234 (9)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
545	817.234 (11) (c)	1st	Organizing, planning, or participating in an intentional motor vehicle collision.
546			Insurance fraud; property value \$100,000 or more.

547	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.
548	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
549	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.

550	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
551	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
552	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
553	838.015	2nd	Bribery.
554	838.016	2nd	Unlawful compensation or reward for official behavior.
555	838.021 (3) (a)	2nd	Unlawful harm to a public servant.



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556	838.22	2nd	Bid tampering.
557	872.06	2nd	Abuse of a dead human body.
558	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
	893.13 (1) (e) 1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03 (1) (a),

559	893.13 (4) (a)	1st	(1) (b), (1) (d), (2) (a), (2) (b), or (2) (c)4., within 1,000 feet of property used for religious services or a specified business site.
560	893.135 (1) (a) 1.	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).
561	893.135 (1) (b) 1.a.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
562	893.135	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
	893.135	1st	Trafficking in

563	(1) (c) 1. a.	1st	illegal drugs, more than 4 grams, less than 14 grams.
564	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
565	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
566	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
567	893.135 (1) (g) 1. a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
	893.135 (1) (h) 1. a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1

568	893.135 (1) (j) 1.a.	1st	kilogram or more, less than 5 kilograms.
569	893.135 (1) (k) 2.a.	1st	Trafficking in 1,4- Butanediol, 1 kilogram or more, less than 5 kilograms.
570	896.101 (5) (a)	3rd	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
571	896.104 (4) (a) 1.	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
			Structuring transactions to evade reporting or registration requirements, financial

572	<u>943.0435(4)(c)</u>	<u>2nd</u>	<p>transactions          exceeding \$300 but          less than \$20,000.</p>
573	<u>943.0435(8)</u>	<u>2nd</u>	<p><u>Sexual offender          vacating permanent          residence; failure          to comply with          reporting          requirements.</u></p>
574	<u>943.0435(9)(a)</u>	<u>3rd</u>	<p><u>Sexual offender;          remains in state          after indicating          intent to leave;          failure to comply          with reporting          requirements.</u></p>
575	<u>943.0435(13)</u>	<u>3rd</u>	<p><u>Sexual offender;          failure to comply          with reporting          requirements.</u></p> <p><u>Failure to report or          providing false          information about a</u></p>

576	<u>943.0435 (14)</u>	<u>3rd</u>	<u>sexual offender;</u> <u>harbor or conceal a</u> <u>sexual offender.</u>
577	<u>944.607 (9)</u>	<u>3rd</u>	<u>Sexual offender;</u> <u>failure to report</u> <u>and reregister;</u> <u>failure to respond</u> <u>to address</u> <u>verification.</u>
578	<u>944.607 (10) (a)</u>	<u>3rd</u>	<u>Sexual offender;</u> <u>failure to comply</u> <u>with reporting</u> <u>requirements.</u>
579	<u>944.607 (12)</u>	<u>3rd</u>	<u>Sexual offender;</u> <u>failure to submit to</u> <u>the taking of a</u> <u>digitized</u> <u>photograph.</u>
			<u>Failure to report or</u> <u>providing false</u> <u>information about a</u> <u>sexual offender;</u> <u>harbor or conceal a</u>

580	<u>944.607(13)</u>	<u>3rd</u>	<u>sexual offender.</u>
581			<u>Sexual offender;</u> <u>failure to report</u> <u>and reregister;</u> <u>failure to respond</u> <u>to address</u> <u>verification.</u>
582	316.193 (3)(c)3.b.	1st	(i) LEVEL 9  DUI manslaughter; failing to render aid or give information.
583	327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
584	499.0053	1st	Sale or purchase of contraband legend drugs resulting in great bodily harm.
585	560.123(8)(b)3.	1st	Failure to report

586	560.125 (5) (c)	1st	currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
587	655.50 (10) (b) 3.	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
588	775.0844	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
589	782.04 (1)	1st	Aggravated white collar crime.
			Attempt, conspire, or solicit to commit



590	782.04 (3)	1st, PBL	premeditated murder.
591	782.051 (1)	1st	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
592	782.07 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04 (3).
593	787.01 (1) (a) 1.	1st, PBL	Aggravated manslaughter of an elderly person or disabled adult.
594			Kidnapping; hold for ransom or reward or as a shield or hostage.

595	787.01 (1) (a) 2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
596	787.01 (1) (a) 4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
597	787.02 (3) (a)	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
598	790.161	1st	Attempted capital destructive device offense.

599	790.166 (2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
600	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
601	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
602	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
602	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial

603	800.04 (5) (b)	<u>Life</u> <del>1st</del>	or custodial authority.
604	812.13 (2) (a)	1st, PBL	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
605	812.133 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
606	812.135 (2) (b)	1st	Carjacking; firearm or other deadly weapon.
607	817.568 (7)	2nd, PBL	Home-invasion robbery with weapon.  Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal

608	827.03 (2)	1st	guardian, or person exercising custodial authority.
609	847.0145 (1)	1st	Aggravated child abuse.
610	847.0145 (2)	1st	Selling, or otherwise transferring custody or control, of a minor.
611	859.01	1st	Purchasing, or otherwise obtaining custody or control, of a minor.  Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to

612	893.135	1st	kill or injure another person.
613	893.135 (1) (a) 3.	1st	Attempted capital trafficking offense.
614	893.135 (1) (b) 1.c.	1st	Trafficking in cannabis, more than 10,000 lbs.
615	893.135 (1) (c) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
616	893.135 (1) (d) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
617	893.135 (1) (e) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
618	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.

619	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
620	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
621	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4- Butanediol, 10 kilograms or more.
622	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
623	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration

requirements,  
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Section 7. Paragraph (o) is added to subsection (5) of section 921.141, Florida Statutes, to read:

921.141 Sentence of death or life imprisonment for capital felonies; further proceedings to determine sentence.--

(5) AGGRAVATING CIRCUMSTANCES.--Aggravating circumstances shall be limited to the following:

(o) The capital felony was committed by a person designated as a sexual predator pursuant to s. 775.21 or a person previously designated as a sexual predator who had the sexual-predator designation removed.

Section 8. Subsection (5) is added to section 943.043, Florida Statutes, to read:

943.043 Toll-free telephone number; Internet notification; sexual predator and sexual offender information.--

(5) In an effort to ensure that sexual predators and sexual offenders who fail to respond to address-verification attempts or who otherwise abscond from registration are located in a timely manner, the department shall share information with local law enforcement agencies. The department shall use analytical resources to assist local law enforcement agencies to determine the potential whereabouts of any sexual predator or



647 sexual offender who fails to respond to address-verification  
648 attempts or who otherwise absconds from registration. The  
649 department shall review and analyze all available information  
650 concerning any such predator or offender who fails to respond to  
651 address-verification attempts or who otherwise absconds from  
652 registration and provide the information to local law  
653 enforcement agencies in order to assist the agencies in locating  
654 and apprehending the sexual predator or sexual offender.

655 Section 9. Subsections (13) and (14) are added to section  
656 943.0435, Florida Statutes, to read:

657 943.0435 Sexual offenders required to register with the  
658 department; penalty.--

659 (13) Any person who has reason to believe that a sexual  
660 offender is not complying, or has not complied, with the  
661 requirements of this section and who, with the intent to assist  
662 the sexual offender in eluding a law enforcement agency that is  
663 seeking to find the sexual offender to question the sexual  
664 offender about, or to arrest the sexual offender for, his or her  
665 noncompliance with the requirements of this section:

666 1. Withholds information from, or does not notify, the law  
667 enforcement agency about the sexual offender's noncompliance  
668 with the requirements of this section, and, if known, the  
669 whereabouts of the sexual offender;

670 2. Harbors, or attempts to harbor, or assists another  
671 person in harboring or attempting to harbor, the sexual  
672 offender; or

673 3. Conceals or attempts to conceal, or assists another  
674 person in concealing or attempting to conceal, the sexual  
675 offender; or

676 4. Provides information to the law enforcement agency  
677 regarding the sexual offender that the person knows to be false  
678 information,

679  
680 commits a felony of the third degree, punishable as provided in  
681 s. 775.082, s. 775.083, or s. 775.084.

682 (14) (a) A sexual offender must report in person each year  
683 during the month of the sexual offender's birthday and during  
684 the sixth month following the sexual offender's birth month to  
685 the sheriff's office in the county in which he or she resides or  
686 is otherwise located to reregister. The sheriff's office may  
687 determine the appropriate times and days for reporting by the  
688 sexual offender, which shall be consistent with the reporting  
689 requirements of this paragraph. Reregistration shall include any  
690 changes to the following information:

691 1. Name; social security number; age; race; sex; date of  
692 birth; height; weight; hair and eye color; address of any  
693 permanent residence and address of any current temporary  
694 residence, within the state or out of state, including a rural  
695 route address and a post office box; date and place of any  
696 employment; vehicle make, model, color, and license tag number;  
697 fingerprints; and photograph. A post office box shall not be  
698 provided in lieu of a physical residential address.

699 2. If the sexual offender is enrolled, employed, or  
700 carrying on a vocation at an institution of higher education in

701 this state, the sexual offender shall also provide to the  
702 department the name, address, and county of each institution,  
703 including each campus attended, and the sexual offender's  
704 enrollment or employment status.

705 3. If the sexual offender's place of residence is a motor  
706 vehicle, trailer, mobile home, or manufactured home, as defined  
707 in chapter 320, the sexual offender shall also provide vehicle  
708 identification number; the license tag number; the registration  
709 number; and a description, including color scheme, of the motor  
710 vehicle, trailer, mobile home, or manufactured home. If the  
711 sexual offender's place of residence is a vessel, live-aboard  
712 vessel, or houseboat, as defined in chapter 327, the sexual  
713 offender shall also provide the hull identification number; the  
714 manufacturer's serial number; the name of the vessel, live-  
715 aboard vessel, or houseboat; the registration number; and a  
716 description, including color scheme, of the vessel, live-aboard  
717 vessel or houseboat.

718 4. Any sexual offender who fails to report in person as  
719 required at the sheriff's office, or who fails to respond to any  
720 address verification correspondence from the department within  
721 three weeks of the date of the correspondence, commits a felony  
722 of the third degree, punishable as provided in s. 775.082, s.  
723 775.083, or s. 775.084.

724 (b) The sheriff's office shall, within 2 working days,  
725 electronically submit and update all information provided by the  
726 sexual offender to the department in a manner prescribed by the  
727 department. This procedure shall be implemented by December 1,  
728 2005.

729 Section 10. Section 943.04352, Florida Statutes, is  
 730 created to read:

731 943.04352 Search of registration information regarding  
 732 sexual predators and sexual offenders required when placement on  
 733 misdemeanor probation.--When the court places a defendant on  
 734 misdemeanor probation pursuant to ss. 948.01 and 948.15, the  
 735 public or private entity providing probation services must  
 736 conduct a search of the probationer's name or other identifying  
 737 information against the registration information regarding  
 738 sexual predators and sexual offenders maintained by the  
 739 Department of Law Enforcement under s. 943.043. The probation  
 740 services provider may conduct the search using the Internet site  
 741 maintained by the Department of Law Enforcement.

742 Section 11. Subsections (12) and (13) are added to section  
 743 944.607, Florida Statutes, to read:

744 944.607 Notification to Department of Law Enforcement of  
 745 information on sexual offenders.--

746 (12) Any person who has reason to believe that a sexual  
 747 offender is not complying, or has not complied, with the  
 748 requirements of this section and who, with the intent to assist  
 749 the sexual offender in eluding a law enforcement agency that is  
 750 seeking to find the sexual offender to question the sexual  
 751 offender about, or to arrest the sexual offender for, his or her  
 752 noncompliance with the requirements of this section:

753 1. Withholds information from, or does not notify, the law  
 754 enforcement agency about the sexual offender's non-compliance  
 755 with the requirements of this section, and, if known, the  
 756 whereabouts of the sexual offender;

757 2. Harbors, or attempts to harbor, or assists another  
758 person in harboring or attempting to harbor, the sexual  
759 offender; or

760 3. Conceals or attempts to conceal, or assists another  
761 person in concealing or attempting to conceal, the sexual  
762 offender; or

763 4. Provides information to the law enforcement agency  
764 regarding the sexual offender which the person knows to be false  
765 information,

766  
767 commits a felony of the third degree, punishable as provided in  
768 s. 775.082, s. 775.083, or s. 775.084. This subsection does not  
769 apply if the sexual offender is incarcerated in or is in the  
770 custody of a state correctional facility, a private correctional  
771 facility, a local jail, or a federal correctional facility.

772 (13) (a) A sexual offender must report in person each year  
773 during the month of the sexual offender's birthday and during  
774 the sixth month following the sexual offender's birth month to  
775 the sheriff's office in the county in which he or she resides or  
776 is otherwise located to reregister. The sheriff's office may  
777 determine the appropriate times and days for reporting by the  
778 sexual offender, which shall be consistent with the reporting  
779 requirements of this paragraph. Reregistration shall include any  
780 changes to the following information:

781 1. Name; social security number; age; race; sex; date of  
782 birth; height; weight; hair and eye color; address of any  
783 permanent residence and address of any current temporary  
784 residence, within the state or out of state, including a rural

785 route address and a post office box; date and place of any  
786 employment; vehicle make, model, color, and license tag number;  
787 fingerprints; and photograph. A post office box shall not be  
788 provided in lieu of a physical residential address.

789 2. If the sexual offender is enrolled, employed, or  
790 carrying on a vocation at an institution of higher education in  
791 this state, the sexual offender shall also provide to the  
792 department the name, address, and county of each institution,  
793 including each campus attended, and the sexual offender's  
794 enrollment or employment status.

795 3. If the sexual offender's place of residence is a motor  
796 vehicle, trailer, mobile home, or manufactured home, as defined  
797 in chapter 320, the sexual offender shall also provide vehicle  
798 identification number; the license tag number; the registration  
799 number; and a description, including color scheme, of the motor  
800 vehicle, trailer, mobile home, or manufactured home. If the  
801 sexual offender's place of residence is a vessel, live-aboard  
802 vessel, or houseboat, as defined in chapter 327, the sexual  
803 offender shall also provide the hull identification number; the  
804 manufacturer's serial number; the name of the vessel, live-  
805 aboard vessel, or houseboat; the registration number; and a  
806 description, including color scheme, of the vessel, live-aboard  
807 vessel, or houseboat.

808 4. Any sexual offender who fails to report in person as  
809 required at the sheriff's office, or who fails to respond to any  
810 address verification correspondence from the department within  
811 three weeks of the date of the correspondence, commits a felony

812 of the third degree, punishable as provided in s. 775.082, s.  
813 775.083, and s. 775.084.

814 (b) The sheriff's office shall, within 2 working days,  
815 electronically submit and update all information provided by the  
816 sexual offender to the Florida Department of Law Enforcement in  
817 a manner prescribed by the Florida Department of Law  
818 Enforcement. This procedure shall be implemented by December 1,  
819 2005.

820 Section 12. Subsection (10) is added to section 947.1405,  
821 Florida Statutes, to read:

822 947.1405 Conditional release program.--

823 (10) Effective for a releasee whose crime was committed on  
824 or after September 1, 2005, in violation of chapter 794, s.  
825 800.04(4), (5), or (6), s. 827.071, or s. 847.0145, and the  
826 unlawful activity involved a victim who was 15 years of age or  
827 younger and the offender is 18 years of age or older or for a  
828 releasee who is designated as a sexual predator pursuant to s.  
829 775.21, in addition to any other provision of this section, the  
830 commission must order electronic monitoring for the duration of  
831 the releasee's supervision.

832 Section 13. Subsection (4) of section 948.06, Florida  
833 Statutes, is amended to read:

834 948.06 Violation of probation or community control;  
835 revocation; modification; continuance; failure to pay  
836 restitution or cost of supervision.--

837 (4) Notwithstanding any other provision of this section, a  
838 probationer or an offender in community control who is arrested  
839 for violating his or her probation or community control in a

840 material respect may be taken before the court in the county or  
841 circuit in which the probationer or offender was arrested. That  
842 court shall advise him or her of such charge of a violation and,  
843 if such charge is admitted, shall cause him or her to be brought  
844 before the court which granted the probation or community  
845 control. If such violation is not admitted by the probationer or  
846 offender, the court may commit him or her or release him or her  
847 with or without bail to await further hearing. However, if the  
848 probationer or offender is under supervision for any criminal  
849 offense proscribed in chapter 794, s. 800.04(4), s. 800.04(5),  
850 s. 800.04(6), s. 827.071, or s. 847.0145, or is a registered  
851 sexual predator or a registered sexual offender, or is under  
852 supervision for a criminal offense for which he or she would  
853 meet the registration criteria in s. 775.21, s. 943.0435, or s.  
854 944.607 but for the effective date of those sections, the court  
855 must make a finding that the probationer or offender is not a  
856 danger to the public prior to release with or without bail. In  
857 determining the danger posed by the offender or probationer's  
858 release, the court may consider the nature and circumstances of  
859 the violation and any new offenses charged; the offender or  
860 probationer's past and present conduct, including convictions of  
861 crimes; any record of arrests without conviction for crimes  
862 involving violence or sexual crimes; any other evidence of  
863 allegations of unlawful sexual conduct or the use of violence by  
864 the offender or probationer; the offender or probationer's  
865 family ties, length of residence in the community, employment  
866 history, and mental condition; his or her history and conduct  
867 during the probation or community control supervision from which



868 the violation arises and any other previous supervisions,  
869 including disciplinary records of previous incarcerations; the  
870 likelihood that the offender or probationer will engage again in  
871 a criminal course of conduct; the weight of the evidence against  
872 the offender or probationer; and any other facts the court  
873 considers relevant. The court, as soon as is practicable, shall  
874 give the probationer or offender an opportunity to be fully  
875 heard on his or her behalf in person or by counsel. After such  
876 hearing, the court shall make findings of fact and forward the  
877 findings to the court which granted the probation or community  
878 control and to the probationer or offender or his or her  
879 attorney. The findings of fact by the hearing court are binding  
880 on the court which granted the probation or community control.  
881 Upon the probationer or offender being brought before it, the  
882 court which granted the probation or community control may  
883 revoke, modify, or continue the probation or community control  
884 or may place the probationer into community control as provided  
885 in this section.

886 Section 14. Subsection 948.012, Florida Statutes, is  
887 amended to read:

888 948.012 Split sentence of probation or community control  
889 and imprisonment.--

890 (1) Whenever punishment by imprisonment for a misdemeanor  
891 or a felony, except for a capital felony, is prescribed, the  
892 court, in its discretion, may, at the time of sentencing, impose  
893 a split sentence whereby the defendant is to be placed on  
894 probation or, with respect to any such felony, into community  
895 control upon completion of any specified period of such sentence

896 | which may include a term of years or less. In such case, the  
897 | court shall stay and withhold the imposition of the remainder of  
898 | sentence imposed upon the defendant and direct that the  
899 | defendant be placed upon probation or into community control  
900 | after serving such period as may be imposed by the court. The  
901 | period of probation or community control shall commence  
902 | immediately upon the release of the defendant from  
903 | incarceration, whether by parole or gain-time allowances.

904 |         (2) The court may also impose a split sentence whereby the  
905 | defendant is sentenced to a term of probation which may be  
906 | followed by a period of incarceration or, with respect to a  
907 | felony, into community control, as follows:

908 |         (a) If the offender meets the terms and conditions of  
909 | probation or community control, any term of incarceration may be  
910 | modified by court order to eliminate the term of incarceration.

911 |         (b) If the offender does not meet the terms and conditions  
912 | of probation or community control, the court may revoke, modify,  
913 | or continue the probation or community control as provided in s.  
914 | 948.06. If the probation or community control is revoked, the  
915 | court may impose any sentence that it could have imposed at the  
916 | time the offender was placed on probation or community control.  
917 | The court may not provide credit for time served for any portion  
918 | of a probation or community control term toward a subsequent  
919 | term of probation or community control. However, the court may  
920 | not impose a subsequent term of probation or community control  
921 | which, when combined with any amount of time served on preceding  
922 | terms of probation or community control for offenses pending  
923 | before the court for sentencing, would exceed the maximum

924 penalty allowable as provided in s. 775.082. Such term of  
 925 incarceration shall be served under applicable law or county  
 926 ordinance governing service of sentences in state or county  
 927 jurisdiction. This paragraph does not prohibit any other  
 928 sanction provided by law.

929 (3) The court may also impose split probation whereby,  
 930 upon satisfactory completion of half the term of probation, the  
 931 Department of Corrections may place the offender on  
 932 administrative probation for the remainder of the term of  
 933 supervision.

934 (4) Effective for offenses committed on or after September  
 935 1, 2005, the court must impose a split sentence pursuant to  
 936 subsection (1) for any person who is convicted of a life felony  
 937 for lewd and lascivious molestation pursuant to s. 800.04(5)(b)  
 938 if the court imposes a term of years in accordance with s.  
 939 775.082(3)4.b. rather than life imprisonment. The probation or  
 940 community control portion of the split sentence imposed by the  
 941 court for a defendant must extend for the duration of the  
 942 defendant's natural life and include a condition that he or she  
 943 be electronically monitored.

944 Section 15. Section 948.061, Florida Statutes, is created  
 945 to read:

946 948.061 Identifying, assessing, and monitoring high-risk  
 947 sex offenders on community supervision; providing cumulative  
 948 criminal and supervision histories on the Internet.--

949 (1) By December 1, 2005, the department shall develop a  
 950 graduated risk assessment that identifies, assesses, and closely

951 monitors a high-risk sex offender who is placed on probation or  
952 in community control and who:

953 (a) Has previously been placed on probation or in  
954 community control and has a history of committing multiple  
955 violations of community supervision in this state or in any  
956 other jurisdiction or have previously been incarcerated in this  
957 state or in any other jurisdiction; and

958 (b) Has experienced more than one of the following risk  
959 factors that could potentially make the offender more likely to  
960 pose a danger to others:

961 1. Previous conviction for domestic violence;

962 2. History of substance abuse;

963 3. Unemployment or substantial financial difficulties;

964 4. Previous conviction for violence or sex acts against  
965 children, particularly involving strangers; or

966 5. Any other risk factor identified by the department.

967 (2) To facilitate the information available to the court  
968 at first appearance hearings and at all subsequent hearings for  
969 these high-risk sex offenders, the department shall, no later  
970 than March 1, 2006, post on FDLE's Criminal Justice Intranet a  
971 cumulative chronology of the sex offender's prior terms of state  
972 probation and community control, including all substantive or  
973 technical violations of state probation or community control.

974 The county jail in the county where the arrested person is  
975 booked shall insure that state and national criminal history  
976 information and all criminal justice information available in  
977 the Florida Crime Information Center and the National Crime  
978 Information Center, is provided to the court at the time of the

979 first appearance. The courts shall assist the department's  
 980 dissemination of critical information by creating and  
 981 maintaining an automated system to provide the information as  
 982 specified in this subsection and by providing the necessary  
 983 technology in the courtroom to deliver the information.

984 (3) In monitoring the location of high-risk sex offenders,  
 985 the department, shall, no later than October 1, 2006, have  
 986 fingerprint-reading equipment and capability that will  
 987 immediately identify the probationer or community controllee  
 988 when they report to their designated probation officer and alert  
 989 department probation officials when probationers and community  
 990 controllees are subsequently rearrested.

991 Section 16. Section 948.062, Florida Statutes, is created  
 992 to read:

993 948.062 Reviewing and reporting serious offenses committed  
 994 by offenders placed on probation or community control.--

995 (1) The department shall review the circumstances related  
 996 to an offender placed on probation or community control who has  
 997 been arrested while on supervision for the following offenses:

998 (a) Any murder as provided in s. 782.04;

999 (b) Any sexual battery as provided in s. 794.011 or s.  
 1000 794.023;

1001 (c) Any sexual performance by a child as provided in s.  
 1002 827.071;

1003 (d) Any kidnapping, false imprisonment, or luring of a  
 1004 child as provided in s. 787.01, s. 782.07, or s. 787.025;

1005 (e) Any lewd and lascivious battery or lewd and lascivious  
 1006 molestation as provided in s. 800.04(4) or s. 800.04(5);

1007        (f) Any aggravated child abuse as provided in s.  
 1008        827.03(2);

1009        (g) Any robbery with a firearm or other deadly weapon,  
 1010        home invasion robbery, or carjacking as provided in s.  
 1011        812.13(2)(a), s. 812.135, or s. 812.133;

1012        (h) Any aggravated stalking as provided in s. 784.048(3),  
 1013        (4), or (5);

1014        (i) Any forcible felony as provided in s. 776.08,  
 1015        committed by any person on probation or community control who is  
 1016        designated as a sexual predator; or

1017        (j) Any DUI manslaughter as provided in s. 316.193(3)(c),  
 1018        or vehicular or vessel homicide as provided in s. 782.071 or s.  
 1019        787.072, committed by any person who is on probation or  
 1020        community control for an offense involving death or injury  
 1021        resulting from a driving incident.

1022        (2) The department shall provide a statistical data  
 1023        summary from these reviews to the Office of Program Policy  
 1024        Analysis and Government Accountability. The Office of Program  
 1025        Policy Analysis and Government Accountability shall analyze this  
 1026        data and provide a written report to the President of the Senate  
 1027        and the Speaker of the House of Representatives by March 1,  
 1028        2006. The report must include, at a minimum, any identified  
 1029        systemic deficiencies in managing high-risk offenders on  
 1030        community supervision; any patterns of noncompliance by  
 1031        correctional probation officers; and recommendations for  
 1032        improving the community supervision program.

1033        Section 17. Section 948.063, Florida Statutes, is created  
 1034        to read:

1035        948.063 Violations of probation or community control by  
 1036 designated sexual offenders and sexual predators.--If probation  
 1037 or community control is revoked by the court pursuant to s.  
 1038 948.06(2)(e) and the offender is designated as a sexual offender  
 1039 or sexual predator pursuant to s. 775.21 for unlawful sexual  
 1040 activity involving a victim 15 years of age or younger and the  
 1041 offender is 18 years of age or older, and if the court imposes a  
 1042 subsequent term of supervision following the revocation of  
 1043 probation or community control, the court must order electronic  
 1044 monitoring as a condition of the subsequent term of probation or  
 1045 community control.

1046        Section 18. Section 948.11, Florida Statutes, is amended  
 1047 to read:

1048        948.11 Electronic monitoring devices.--

1049        (1)(a) The Department of Corrections may, at its  
 1050 discretion, electronically monitor an offender sentenced to  
 1051 community control.

1052        (b) The Department of Corrections shall electronically  
 1053 monitor an offender sentenced to criminal quarantine community  
 1054 control 24 hours per day.

1055        (2) Any offender placed on community control who violates  
 1056 the terms and conditions of community control and is restored to  
 1057 community control may be supervised by means of an electronic  
 1058 monitoring device or system.

1059        (3) For those offenders being electronically monitored,  
 1060 the Department of Corrections shall develop procedures to  
 1061 determine, investigate, and report the offender's noncompliance  
 1062 with the terms and conditions of sentence 24 hours per day. All

1063 reports of noncompliance shall be immediately investigated by a  
 1064 community control officer.

1065 (4) The Department of Corrections may contract with local  
 1066 law enforcement agencies to assist in the location and  
 1067 apprehension of offenders who are in noncompliance as reported  
 1068 by the electronic monitoring system. This contract is intended  
 1069 to provide the department a means for providing immediate  
 1070 investigation of noncompliance reports, especially after normal  
 1071 office hours.

1072 (5) Any person being electronically monitored by the  
 1073 department as a result of placement on community control shall  
 1074 be required to pay a surcharge as provided in s. 948.09(2).

1075 (6) For probationers, community controllees, or  
 1076 conditional releasees who have current or prior convictions for  
 1077 violent or sexual offenses, the department, in carrying out a  
 1078 court or commission order to electronically monitor an offender,  
 1079 must use a system that actively monitors and identifies the  
 1080 offender's location and timely reports or records the offender's  
 1081 presence near or within a crime scene or in a prohibited area or  
 1082 the offender's departure from specified geographic limitations.  
 1083 Procurement of electronic monitoring services under this  
 1084 subsection shall be by invitation to bid as defined in s.  
 1085 287.057.

1086 (7) A person who intentionally alters, tampers with,  
 1087 damages or destroys any electronic monitoring equipment pursuant  
 1088 to court or commission order, unless such person is the owner of  
 1089 the equipment, or an agent of the owner, performing ordinary



1090 maintenance and repairs commits a felony of the third degree,  
 1091 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1092 Section 19. Section 948.15, Florida Statutes, is amended  
 1093 to read:

1094 948.15 Misdemeanor probation services.--

1095 (1) Defendants found guilty of misdemeanors who are placed  
 1096 on probation shall be under supervision not to exceed 6 months  
 1097 unless otherwise specified by the court. In relation to any  
 1098 offense other than a felony in which the use of alcohol is a  
 1099 significant factor, the period of probation may be up to 1 year.

1100 (2) A private entity or public entity under the  
 1101 supervision of the board of county commissioners or the court  
 1102 may provide probation services for offenders sentenced by the  
 1103 county court.

1104 (3) Any private entity providing services for the  
 1105 supervision of misdemeanor probationers must contract with the  
 1106 county in which the services are to be rendered. In a county  
 1107 with a population of less than 70,000, the county court judge,  
 1108 or the administrative judge of the county court in a county that  
 1109 has more than one county court judge, must approve the contract.  
 1110 Terms of the contract must state, but are not limited to:

1111 (a) The extent of the services to be rendered by the  
 1112 entity providing supervision or rehabilitation.

1113 (b) Staff qualifications and criminal record checks of  
 1114 staff in accordance with essential standards established by the  
 1115 American Correctional Association as of January 1, 1991.

1116 (c) Staffing levels.

1117 (d) The number of face-to-face contacts with the offender.

1118 (e) Procedures for handling the collection of all offender  
 1119 fees and restitution.

1120 (f) Procedures for handling indigent offenders which  
 1121 ensure placement irrespective of ability to pay.

1122 (g) Circumstances under which revocation of an offender's  
 1123 probation may be recommended.

1124 (h) Reporting and recordkeeping requirements.

1125 (i) Default and contract termination procedures.

1126 (j) Procedures that aid offenders with job assistance.

1127 (k) Procedures for accessing criminal history records of  
 1128 probationers.

1129

1130 In addition, the entity shall supply the chief judge's office  
 1131 with a quarterly report summarizing the number of offenders  
 1132 supervised by the private entity, payment of the required  
 1133 contribution under supervision or rehabilitation, and the number  
 1134 of offenders for whom supervision or rehabilitation will be  
 1135 terminated. All records of the entity must be open to inspection  
 1136 upon the request of the county, the court, the Auditor General,  
 1137 the Office of Program Policy Analysis and Government  
 1138 Accountability, or agents thereof.

1139 (4) A private entity that provides court-ordered services  
 1140 to offenders and that charges a fee for such services must  
 1141 register with the board of county commissioners in the county in  
 1142 which the services are offered. The entity shall provide the  
 1143 following information for each program it operates:

1144 (a) The length of time the program has been operating in  
 1145 the county.

1146 (b) A list of the staff and a summary of their  
 1147 qualifications.

1148 (c) A summary of the types of services that are offered  
 1149 under the program.

1150 (d) The fees the entity charges for court-ordered services  
 1151 and its procedures, if any, for handling indigent offenders.

1152 (5) The private entity providing misdemeanor supervision  
 1153 services shall also comply with all other applicable provisions  
 1154 of law.

1155 Section 20. Subsection (2) of section 948.30, Florida  
 1156 Statutes, is amended and subsection (3) is added to that section  
 1157 to read:

1158 948.30 Additional terms and conditions of probation or  
 1159 community control for certain sex offenses.--Conditions imposed  
 1160 pursuant to this section do not require oral pronouncement at  
 1161 the time of sentencing and shall be considered standard  
 1162 conditions of probation or community control for offenders  
 1163 specified in this section.

1164 (2) Effective for a probationer or community controllee  
 1165 whose crime was committed on or after October 1, 1997, and who  
 1166 is placed on community control or sex offender probation for a  
 1167 violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145,  
 1168 in addition to any other provision of this subsection, the court  
 1169 must impose the following conditions of probation or community  
 1170 control:

1171 (a) As part of a treatment program, participation at least  
 1172 annually in polygraph examinations to obtain information  
 1173 necessary for risk management and treatment and to reduce the

1174 sex offender's denial mechanisms. A polygraph examination must  
1175 be conducted by a polygrapher trained specifically in the use of  
1176 the polygraph for the monitoring of sex offenders, where  
1177 available, and shall be paid for by the sex offender. The  
1178 results of the polygraph examination shall not be used as  
1179 evidence in court to prove that a violation of community  
1180 supervision has occurred.

1181 (b) Maintenance of a driving log and a prohibition against  
1182 driving a motor vehicle alone without the prior approval of the  
1183 supervising officer.

1184 (c) A prohibition against obtaining or using a post office  
1185 box without the prior approval of the supervising officer.

1186 (d) If there was sexual contact, a submission to, at the  
1187 probationer's or community controllee's expense, an HIV test  
1188 with the results to be released to the victim or the victim's  
1189 parent or guardian.

1190 (e) Electronic monitoring when deemed necessary by the  
1191 community control or probation officer and his or her  
1192 supervisor, and ordered by the court at the recommendation of  
1193 the Department of Corrections.

1194 (3) Effective for a probationer or community controllee  
1195 whose crime was committed on or after September 1, 2005, and  
1196 who:

1197 (a) Is placed on probation or community control for a  
1198 violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071,  
1199 or s. 847.0145 and the unlawful sexual activity involved a  
1200 victim 15 years of age or younger and the offender is 18 years  
1201 of age or older;

1202 (b) Is designated a sexual predator pursuant to s. 775.21;

1203 or

1204 (c) Has previously been convicted of a violation of  
 1205 chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s.  
 1206 847.0145 and the unlawful sexual activity involved a victim 15  
 1207 years of age or younger and the offender is 18 years of age or  
 1208 older,

1209  
 1210 the court must order, in addition to any other provision of this  
 1211 section, mandatory electronic monitoring as a condition of the  
 1212 probation or community control supervision.

1213 Section 21. Subsection (1) of section 1012.465, Florida  
 1214 Statutes, is amended to read:

1215 1012.465 Background screening requirements for certain  
 1216 noninstructional school district employees and contractors.--

1217 (1) Noninstructional school district employees or  
 1218 contractual personnel who are permitted access on school grounds  
 1219 when students are present, who have direct contact with students  
 1220 or who have access to or control of school funds must meet level  
 1221 2 screening requirements as described in s. 1012.32. Contractual  
 1222 personnel shall include any vendor, individual, or entity under  
 1223 contract with the school board.

1224 Section 22. (1)(a) There is created within the Department  
 1225 of Law Enforcement a task force for the purpose of examining the  
 1226 collection and dissemination of offender information within the  
 1227 criminal justice system and community. The task force shall  
 1228 recommend strategies and actions that may be implemented to  
 1229 enhance coordination and cooperation among the various entities

1230 within the criminal justice system with a common goal of public  
1231 safety.

1232 (b) The task force shall consist of the membership of the  
1233 Criminal Justice Information Systems Council set forth in  
1234 section 943.06, Florida Statutes.

1235 (2)(a) The task force shall study and take testimony  
1236 regarding:

1237 1. The collection and dissemination of offender  
1238 information, including criminal history and any other pertinent  
1239 matters, to the court, the prosecuting attorney, and defense  
1240 counsel at first appearance hearings.

1241 2. The collection and dissemination of offender  
1242 information, including criminal history and any other pertinent  
1243 matters, to the court, the prosecuting attorney and defense  
1244 counsel at all court appearances subsequent to first appearance.

1245 3. The collection and dissemination of offender  
1246 information, including criminal history and any other pertinent  
1247 matters, to county probation officers or officials.

1248 4. Any other subject that the task force deems relevant to  
1249 the collection and dissemination of offender information within  
1250 the criminal justice system and community.

1251 (b) The task force shall submit a preliminary draft report  
1252 of its findings and recommendations to the Governor, the  
1253 President of the Senate, and the Speaker of the House of  
1254 Representatives at least 45 days before the first day of the  
1255 2006 regular session of the Legislature. The final report shall  
1256 be filed with the Governor, the President of the Senate, and the  
1257 Speaker of the House of Representatives at least 30 days before

1258 the first day of the 2006 regular session. In addition to the  
 1259 findings and recommendations included in the final report, the  
 1260 report must include a draft of proposed rules and proposed  
 1261 legislation for any recommendations requiring proposed rules and  
 1262 proposed legislation.

1263 (c) Each state agency shall fully cooperate with the task  
 1264 force in the performance of its duties.

1265 (3) All meetings of the task force and all business of the  
 1266 task force for which reimbursement may be requested shall be  
 1267 concluded before the final report is filed. The task force is  
 1268 abolished July 1, 2006.

1269 Section 23. The Office of Program Policy Analysis and  
 1270 Governmental Accountability shall, every 3 years, perform a  
 1271 study of the effectiveness of Florida's sexual predator and  
 1272 sexual offender registration process and community and public  
 1273 notification provisions. As part of determining the  
 1274 effectiveness of the registration process, the OPPAGA shall  
 1275 examine the current practices of: the Department of Corrections,  
 1276 county probation offices, clerk of courts, court administrators,  
 1277 county jails and booking facilities, Department of Children and  
 1278 Family Services, judges, state attorneys offices, Department of  
 1279 Highway Safety and Motor Vehicles, Department of Law  
 1280 Enforcement, and local law enforcement agencies as they relate  
 1281 to: sharing of offender information regarding registered sexual  
 1282 predators and sexual offenders for purposes of fulfilling the  
 1283 requirements set forth in the registration laws; ensuring the  
 1284 most accurate, current and comprehensive information is provided  
 1285 in a timely manner to the registry; ensuring the effective

1286 supervision and subsequent monitoring of sexual predators and  
 1287 offenders; and ensuring informed decisions are made at each  
 1288 point of the criminal justice and registration process. In  
 1289 addition to determining the effectiveness of the registration  
 1290 process, the report shall focus on the question of whether the  
 1291 notification provisions in statute are sufficient to apprise  
 1292 communities of the presence of sexual predators and sexual  
 1293 offenders. The report shall examine how local law enforcement  
 1294 agencies collect and disseminate information in an effort to  
 1295 notify the public and communities of the presence of sexual  
 1296 predators and offenders. If the report finds deficiencies in the  
 1297 registration process, the notification provisions, or both, the  
 1298 report shall provide options for correcting those deficiencies  
 1299 and shall include the projected cost of implementing those  
 1300 options. In conducting the study, the Office of Program Policy  
 1301 Analysis and Governmental Accountability shall consult with the  
 1302 Florida Council Against Sexual Violence and the Florida  
 1303 Association for the Treatment of Sexual Abusers in addition to  
 1304 other interested entities that may offer experiences and  
 1305 perspectives unique to this area of research. The report shall  
 1306 be submitted to the President of the Senate and the Speaker of  
 1307 the House of Representatives by January 1, 2006.

1308 Section 24. Four full-time positions are authorized and  
 1309 the sum of \$196,908 in recurring funds is appropriated from the  
 1310 General Revenue Fund to the Department of Corrections in  
 1311 salaries and benefits for the 2005-2006 fiscal year. The sum of  
 1312 \$15,840 in recurring funds is appropriated from the General  
 1313 Revenue Fund to the Department of Corrections for salary



1314 incentive payments for the 2005-2006 fiscal year. The sums of  
1315 \$26,052 in recurring funds and \$12,920 in nonrecurring funds are  
1316 appropriated from the General Revenue Fund to the Department of  
1317 Corrections for expenses for the 2005-2006 fiscal year. The sum  
1318 of \$121,114 in nonrecurring funds is appropriated from the  
1319 General Revenue Fund to the Department of Corrections for other  
1320 capital outlay for the 2005-2006 fiscal year. The sum of  
1321 \$3,169,530 in nonrecurring funds is appropriated from the  
1322 General Revenue Fund to the Department of Corrections for fixed  
1323 capital outlay for new prison beds, and the sum of \$164,673 in  
1324 recurring funds is appropriated from the General Revenue Fund to  
1325 the Department of Corrections for operating costs for the 2005-  
1326 2006 fiscal year.

1327 Section 25. The sum of \$3,928,860 in recurring funds is  
1328 appropriated from the General Revenue Fund to the Department of  
1329 Corrections for the 2005-2006 fiscal year for the purpose of  
1330 increasing by 1,200 units the number of active Global  
1331 Positioning System electronic monitoring devices available to  
1332 the court when placing offenders on felony probation or other  
1333 forms of community supervision authorized in chapters 948 and  
1334 947, Florida Statutes. Procurement of electronic monitoring  
1335 services under this act shall be by invitation to bid as defined  
1336 in section 287.057, Florida Statutes.

1337 Section 26. Nine full-time positions are authorized and  
1338 the sum of \$389,905 in recurring funds is appropriated from the  
1339 General Revenue Fund to the Department of Law Enforcement for  
1340 salaries and benefits for the 2005-2006 fiscal year. The sums of  
1341 \$58,617 in recurring funds and \$77,070 in nonrecurring funds are

1342 appropriated from the General Revenue Fund to the Department of  
 1343 Law Enforcement for expenses for the 2005-2006 fiscal year. The  
 1344 sum of \$94,200 in nonrecurring funds is appropriated from the  
 1345 General Revenue Fund to the Department of Law Enforcement for  
 1346 operating capital outlay for the 2005-06 fiscal year. The sums  
 1347 of \$143,000 in recurring funds and \$521,000 in nonrecurring  
 1348 funds are appropriated from the General Revenue Fund to the  
 1349 Department of Law Enforcement for other personal services for  
 1350 the 2005-2006 fiscal year.

1351       Section 27. The sums of \$509,500 in recurring funds and  
 1352 \$2,520,500 in nonrecurring funds are appropriated from the  
 1353 General Revenue Fund to the Office of State Courts Administrator  
 1354 for the 2005-2006 fiscal year for other data processing  
 1355 services.

1356       Section 28. This act shall take effect September 1, 2005.