Florida Senate - 2007

By Senator Ring

32-546A-07

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1	A bill to be entitled
2	An act relating to repeat sexual offenders;
3	amending s. 947.1405, F.S.; requiring that a
4	person designated as a repeat sexual offender
5	be electronically monitored for the duration of
б	the person's supervision following conditional
7	release; amending s. 948.11, F.S.; requiring
8	that a sexual predator or repeat sexual
9	offender be monitored by an electronic
10	monitoring system meeting certain designated
11	specifications following release on probation,
12	community control, or conditional release;
13	amending s. 948.30, F.S.; requiring a court to
14	order that a repeat sexual offender be
15	electronically monitored as a condition of
16	probation or community control; providing an
17	effective date.
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19	Be It Enacted by the Legislature of the State of Florida:
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21	Section 1. Subsection (10) of section 947.1405,
22	Florida Statutes, is amended to read:
23	947.1405 Conditional release program
24	(10) Effective for a releasee whose crime was
25	committed on or after September 1, 2007 2005 , in violation of
26	chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s.
27	847.0145, and the unlawful activity involved a victim who was
28	15 years of age or younger and the offender is 18 years of age
29	or older $_{\boldsymbol{\iota}}$ or for a releasee who is designated as a sexual
30	predator pursuant to s. 775.21 <u>or who is designated as a</u>
31	repeat sexual offender, in addition to any other provision of
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1 this section, the commission must order electronic monitoring for the duration of the releasee's supervision. As used in 2 this subsection, the term "repeat sexual offender" means a 3 person who has been convicted two or more times of an offense 4 listed in s. 943.0435(1)(a). 5 б Section 2. Subsection (6) of section 948.11, Florida 7 Statutes, is amended to read: 948.11 Electronic monitoring devices .--8 (6) For probationers, community controllees, or 9 conditional releasees who have current or prior convictions 10 for violent or sexual offenses or who have been designated as 11 12 sexual predators or repeat sexual offenders, the department, 13 in carrying out a court or commission order to electronically monitor an offender, must use a system that actively monitors 14 and identifies the offender's location and timely reports or 15 records the offender's presence near or within a crime scene 16 17 or in a prohibited area or the offender's departure from 18 specified geographic limitations. Procurement of electronic monitoring services under this subsection shall be by 19 invitation to bid as defined in s. 287.057. As used in this 20 21 subsection, the term "repeat sexual offender" means a person 22 who has been convicted two or more times of an offense listed 23 in s. 943.0435(1)(a). Section 3. Subsection (3) of section 948.30, Florida 2.4 Statutes, is amended to read: 25 948.30 Additional terms and conditions of probation or 26 27 community control for certain sex offenses. -- Conditions 2.8 imposed pursuant to this section do not require oral 29 pronouncement at the time of sentencing and shall be considered standard conditions of probation or community 30 control for offenders specified in this section. 31

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           (3) Effective for a probationer or community
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    controllee whose crime was committed on or after September 1,
   2005, and who:
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 4
          (a) Is placed on probation or community control for a
   violation of chapter 794, s. 800.04(4), (5), or (6), s.
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 6
   827.071, or s. 847.0145 and the unlawful sexual activity
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   involved a victim 15 years of age or younger and the offender
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   is 18 years of age or older;
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           (b) Is designated a sexual predator pursuant to s.
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   775.21; or
         (c) Is designated a repeat sexual offender; or
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12
         (d) Has previously been convicted of a violation of
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   chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s.
   847.0145 and the unlawful sexual activity involved a victim 15
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   years of age or younger and the offender is 18 years of age or
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   older,
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   the court must order, in addition to any other provision of
    this section, mandatory electronic monitoring as a condition
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   of the probation or community control supervision.
2.0
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          Section 4. This act shall take effect July 1, 2007.
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                           SENATE SUMMARY
2.4
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     Requires that a person designated a repeat sexual
      offender be electronically monitored following
      conditional release for the duration of the person's
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     supervision. Requires that a sexual predator or repeat
27
     sexual offender be monitored by an electronic monitoring
      system meeting certain designated specifications
2.8
     Requires a court to order that a repeat sexual offender
     be electronically monitored as a condition of probation
29
     or community control.
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