

Bill No. CS/CS/SB 1430, 1st Eng.



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CHAMBER ACTION

Senate

House

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Floor: 1/AD/3R  
5/2/2008 2:54 PM

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Senator Aronberg moved the following **amendment**:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (b) of subsection (3) and paragraph  
(b) of subsection (10) of section 775.21, Florida Statutes, are  
amended to read:

775.21 The Florida Sexual Predators Act.--

(3) LEGISLATIVE FINDINGS AND PURPOSE; LEGISLATIVE INTENT.--

(b) The high level of threat that a sexual predator  
presents to the public safety, and the long-term effects suffered  
by victims of sex offenses, provide the state with sufficient  
justification to implement a strategy that includes:

1. Incarcerating sexual predators and maintaining adequate  
facilities to ensure that decisions to release sexual predators  
into the community are not made on the basis of inadequate space.

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18           2. Providing for specialized supervision of sexual  
19 predators who are in the community by specially trained probation  
20 officers with low caseloads, as described in ss. 947.1405(7) and  
21 948.30. The sexual predator is subject to specified terms and  
22 conditions implemented at sentencing or at the time of release  
23 from incarceration, with a requirement that only those sexual  
24 predators found to be indigent may defer payment pursuant to s.  
25 28.246 of all or part of the costs in accordance with the  
26 provisions of that section ~~who are financially able must pay all~~  
27 ~~or part of the costs of supervision.~~

28           3. Requiring the registration of sexual predators, with a  
29 requirement that complete and accurate information be maintained  
30 and accessible for use by law enforcement authorities,  
31 communities, and the public.

32           4. Providing for community and public notification  
33 concerning the presence of sexual predators.

34           5. Prohibiting sexual predators from working with children,  
35 either for compensation or as a volunteer.

36           (10) PENALTIES.--

37           (b) A sexual predator who has been convicted of or found to  
38 have committed, or has pled nolo contendere or guilty to,  
39 regardless of adjudication, any violation, or attempted  
40 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where  
41 the victim is a minor and the defendant is not the victim's  
42 parent or guardian; s. 794.011(2), (3), (4), (5), or (8) ~~s.~~  
43 ~~794.011, excluding s. 794.011(10);~~ s. 794.05; s. 796.03; s.  
44 796.035; s. 800.04; s. 827.071; s. 847.0133; s. 847.0145; or s.  
45 985.701(1); or a violation of a similar law of another  
46 jurisdiction when the victim of the offense was a minor, and who  
47 works, whether for compensation or as a volunteer, at any

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business where children regularly congregate, school, child care facility ~~day care center~~, park as defined in s. 794.0701, playground, or other place where children regularly congregate, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 775.215, Florida Statutes, is created to read:

775.215 Residency distance limitations for persons convicted of certain sexual offenses; certain local ordinances preempted and repealed.--The adoption of residency distance limitations for persons convicted of sexual offenses, including, but not limited to, violations of s. 787.01, s. 787.02, s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, is expressly preempted to the state. The provisions of ss. 794.065, 947.1405, and 948.30 establishing such distance limitations supersede the distance limitations included in any such municipal or county ordinances. Any such residency distance limitations adopted by a county or municipality prior to July 1, 2009, are hereby repealed and abolished as of July 1, 2009. However, after July 1, 2009, the governing body of a county or municipality, may, upon the written recommendation of the chief law enforcement officer of such county or municipality and upon a finding of public necessity by said governing body, adopt by a 2/3 vote an ordinance that increases the distance limitations contained in s. 794.065 up to a maximum distance of 2,000 feet. Any person who is subject to the residency distance limitations in s. 794.065, s. 947.1405, or s. 948.30 who changes his or her place of residence after July 1, 2009, is subject to the residency distance limitations adopted pursuant to such county or municipal ordinance.

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78       Section 3. Subsection (2) of section 775.24, Florida  
79 Statutes, is amended to read:

80       775.24 Duty of the court to uphold laws governing sexual  
81 predators and sexual offenders.--

82       (2) If a person meets the criteria in this chapter for  
83 designation as a sexual predator or meets the criteria in s.  
84 943.0435, s. 944.606, s. 944.607, or any other law for  
85 classification as a sexual offender, the court may not enter an  
86 order, for the purpose of approving a plea agreement or for any  
87 other reason, which:

88       (a) Exempts a person who meets the criteria for designation  
89 as a sexual predator or classification as a sexual offender from  
90 such designation or classification, or exempts such person from  
91 the requirements for registration or community and public  
92 notification imposed upon sexual predators and sexual offenders,  
93 exempts such person from the residency distance limitations  
94 contained in ss. 794.065, 947.1405, and 948.30, or exempts such  
95 person from the provisions of s. 794.0701;

96       (b) Restricts the compiling, reporting, or release of  
97 public records information that relates to sexual predators or  
98 sexual offenders; or

99       (c) Prevents any person or entity from performing its  
100 duties or operating within its statutorily conferred authority as  
101 such duty or authority relates to sexual predators or sexual  
102 offenders.

103       Section 4. Section 794.065, Florida Statutes, is amended to  
104 read:

105       794.065 Unlawful place of residence for persons convicted  
106 of certain sex offenses.--

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(1)(a)1. It is unlawful for any person who has been convicted of a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, to reside within 1,000 feet of any school, child care facility ~~day care center~~, park as defined in s. 794.0701, or playground.

2. A person who violates this subsection ~~section~~ and whose conviction for an offense listed in subparagraph 1. ~~under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145~~ was classified as:

a. A felony of the first degree or higher commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. ~~A person who violates this section and whose conviction under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 was classified as~~

b. A felony of the second or third degree commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) This section applies to any person convicted of an offense listed in subparagraph (1)(a)1. if the offense occurred a ~~violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 for offenses that occur~~ on or after October 1, 2004.

(3) The distances in this section shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, child care facility, park as defined in s. 794.0701, or playground.

Section 5. Section 794.0701, Florida Statutes, is created to read:

794.0701 Loitering or prowling by persons convicted of certain sex offenses.--

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(1) Any person who:

(a) Has been convicted of a violation of s. 787.01, s. 787.02, s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was younger than 16 years of age; and

(b) Loiters or prowls as proscribed in s. 856.021 within 300 feet of a place where children regularly congregate, including a school, designated public school bus stop, child care facility, playground, or park as defined in s. 794.0701, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) "Child care facility" has the same meaning as provided in s. 402.302.

(3) "Park" means and includes all public and private property specifically designated as being used for park and recreational purposes and where children regularly congregate.

(4) "School" has the same meaning as provided in s. 1003.01 and includes a "private school" as defined in s. 1002.01, a "voluntary prekindergarten education program" as described in s. 1002.53(3), a "public school" as described in s. 402.3025(1), the Florida School for the Deaf and the Blind, the Florida Virtual School as established in s. 1002.37, and a K-8 Virtual School as established in s. 1002.415, excluding facilities dedicated exclusively to the education of adults.

Section 6. Subsection (2) and subsection (7) of section 947.1405, Florida Statutes, are amended to read:

947.1405 Conditional release program.--

(2)(a) Any inmate who:

1. ~~(a)~~ Is convicted of a crime committed on or after October

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1, 1988, and before January 1, 1994, ~~and any inmate who is~~  
convicted of a crime committed on or after January 1, 1994, which  
crime is or was contained in category 1, category 2, category 3,  
or category 4 of Rule 3.701 and Rule 3.988, Florida Rules of  
Criminal Procedure (1993), and who has served at least one prior  
felony commitment at a state or federal correctional institution;

2.~~(b)~~ Is sentenced as a habitual or violent habitual  
offender or a violent career criminal pursuant to s. 775.084; or

3.~~(c)~~ Is found to be a sexual predator under s. 775.21 or  
former s. 775.23,

shall, upon reaching the tentative release date or provisional  
release date, whichever is earlier, as established by the  
Department of Corrections, be released under supervision subject  
to specified terms and conditions, including payment of the cost  
of supervision pursuant to s. 948.09. Such supervision shall be  
applicable to all sentences within the overall term of sentences  
if an inmate's overall term of sentences includes one or more  
sentences that are eligible for conditional release supervision  
as provided herein.

(b) Effective July 1, 1994, and applicable for offenses  
committed on or after that date, the commission may require, as a  
condition of conditional release, that the releasee make payment  
of the debt due and owing to a county or municipal detention  
facility under s. 951.032 for medical care, treatment,  
hospitalization, or transportation received by the releasee while  
in that detention facility. The commission, in determining  
whether to order such repayment and the amount of such repayment,  
shall consider the amount of the debt, whether there was any  
fault of the institution for the medical expenses incurred, the



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197 financial resources of the releasee, the present and potential  
198 future financial needs and earning ability of the releasee, and  
199 dependents, and other appropriate factors.

200       (c) If any inmate placed on conditional release supervision  
201 is also subject to probation or community control, resulting from  
202 a probationary or community control split sentence within the  
203 overall term of sentences, the Department of Corrections shall  
204 supervise such person according to the conditions imposed by the  
205 court and the commission shall defer to such supervision. If the  
206 court revokes probation or community control and resentsences the  
207 offender to a term of incarceration, such revocation also  
208 constitutes a sufficient basis for the revocation of the  
209 conditional release supervision on any nonprobationary or  
210 noncommunity control sentence without further hearing by the  
211 commission. If any such supervision on any nonprobationary or  
212 noncommunity control sentence is revoked, such revocation may  
213 result in a forfeiture of all gain-time, and the commission may  
214 revoke the resulting deferred conditional release supervision or  
215 take other action it considers appropriate. If the term of  
216 conditional release supervision exceeds that of the probation or  
217 community control, then, upon expiration of the probation or  
218 community control, authority for the supervision shall revert to  
219 the commission and the supervision shall be subject to the  
220 conditions imposed by the commission.

221       (d) A panel of no fewer than two commissioners shall  
222 establish the terms and conditions of any such release. If the  
223 offense was a controlled substance violation, the conditions  
224 shall include a requirement that the offender submit to random  
225 substance abuse testing intermittently throughout the term of  
226 conditional release supervision, upon the direction of the





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correctional probation officer as defined in s. 943.10(3). The commission shall also determine whether the terms and conditions of such release have been violated and whether such violation warrants revocation of the conditional release.

(7)(a) Any inmate who is convicted of a crime committed on or after October 1, 1995, or who has been previously convicted of a crime committed on or after October 1, 1995, in violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and is subject to conditional release supervision, shall have, in addition to any other conditions imposed, the following special conditions imposed by the commission:

1. A mandatory curfew from 10 p.m. to 6 a.m. The commission may designate another 8-hour period if the offender's employment precludes the above specified time, and such alternative is recommended by the Department of Corrections. If the commission determines that imposing a curfew would endanger the victim, the commission may consider alternative sanctions.

2.a. If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, child care facility ~~day care center~~, park as defined in s. 794.0701, playground, designated public school bus stop, or other place where children regularly congregate. A releasee who is subject to this subparagraph may not relocate to a residence that is within 1,000 feet of a public school bus stop.

b. Beginning October 1, 2004, the commission or the department may not approve a residence that is located within 1,000 feet of a school, child care facility ~~day care center~~, park as defined in s. 794.0701, playground, designated school bus stop, or other place where children regularly congregate for any releasee who is subject to this subparagraph. On October 1, 2004,



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the department shall notify each affected school district of the location of the residence of a releasee 30 days prior to release and thereafter, if the releasee relocates to a new residence, shall notify any affected school district of the residence of the releasee within 30 days after relocation. If, on October 1, 2004, any public school bus stop is located within 1,000 feet of the existing residence of such releasee, the district school board shall relocate that school bus stop. Beginning October 1, 2004, a district school board may not establish or relocate a public school bus stop within 1,000 feet of the residence of a releasee who is subject to this subparagraph. The failure of the district school board to comply with this subparagraph shall not result in a violation of conditional release supervision.

3. Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the releasee's own expense. If a qualified practitioner is not available within a 50-mile radius of the releasee's residence, the offender shall participate in other appropriate therapy.

4. A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.

5. If the victim was under the age of 18, a prohibition against contact with children under the age of 18 without review and approval by the commission. The commission may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled



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in or have successfully completed a sex offender therapy program. The commission may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time. When considering whether to approve supervised contact with a child, the commission must review and consider the following:

a. A risk assessment completed by a qualified practitioner. The qualified practitioner must prepare a written report that must include the findings of the assessment and address each of the following components:

(I) The sex offender's current legal status;

(II) The sex offender's history of adult charges with apparent sexual motivation;

(III) The sex offender's history of adult charges without apparent sexual motivation;

(IV) The sex offender's history of juvenile charges, whenever available;

(V) The sex offender's offender treatment history, including a consultation from the sex offender's treating, or most recent treating, therapist;

(VI) The sex offender's current mental status;

(VII) The sex offender's mental health and substance abuse history as provided by the Department of Corrections;

(VIII) The sex offender's personal, social, educational, and work history;

(IX) The results of current psychological testing of the sex offender if determined necessary by the qualified practitioner;

(X) A description of the proposed contact, including the location, frequency, duration, and supervisory arrangement;



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(XI) The child's preference and relative comfort level with the proposed contact, when age-appropriate;

(XII) The parent's or legal guardian's preference regarding the proposed contact; and

(XIII) The qualified practitioner's opinion, along with the basis for that opinion, as to whether the proposed contact would likely pose significant risk of emotional or physical harm to the child.

The written report of the assessment must be given to the commission.

b. A recommendation made as a part of the risk-assessment report as to whether supervised contact with the child should be approved;

c. A written consent signed by the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, agreeing to the sex offender having supervised contact with the child after receiving full disclosure of the sex offender's present legal status, past criminal history, and the results of the risk assessment. The commission may not approve contact with the child if the parent or legal guardian refuses to give written consent for supervised contact;

d. A safety plan prepared by the qualified practitioner, who provides treatment to the offender, in collaboration with the sex offender, the child's parent or legal guardian, and the child, when age appropriate, which details the acceptable conditions of contact between the sex offender and the child. The safety plan must be reviewed and approved by the Department of Corrections before being submitted to the commission; and

e. Evidence that the child's parent or legal guardian, if



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the parent or legal guardian is not the sex offender, understands the need for and agrees to the safety plan and has agreed to provide, or to designate another adult to provide, constant supervision any time the child is in contact with the offender.

The commission may not appoint a person to conduct a risk assessment and may not accept a risk assessment from a person who has not demonstrated to the commission that he or she has met the requirements of a qualified practitioner as defined in this section.

6. If the victim was under age 18, a prohibition on working for pay or as a volunteer at any school, child care facility ~~day care center~~, park as defined in s. 794.0701, playground, or other place where children regularly congregate, as prescribed by the commission.

7. Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.

8. Effective for a releasee whose crime is committed on or after July 1, 2005, a prohibition on accessing the Internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.

9. A requirement that the releasee must submit two specimens of blood to the Florida Department of Law Enforcement



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to be registered with the DNA database.

10. A requirement that the releasee make restitution to the victim, as determined by the sentencing court or the commission, for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.

11. Submission to a warrantless search by the community control or probation officer of the probationer's or community controllee's person, residence, or vehicle.

(b) For a releasee whose crime was committed on or after October 1, 1997, in violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and who is subject to conditional release supervision, in addition to any other provision of this subsection, the commission shall impose the following additional conditions of conditional release supervision:

1. As part of a treatment program, participation in a minimum of one annual polygraph examination to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. The polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders, where available, and at the expense of the sex offender. The results of the polygraph examination shall not be used as evidence in a hearing to prove that a violation of supervision has occurred.

2. Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.

3. A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.

4. If there was sexual contact, a submission to, at the probationer's or community controllee's expense, an HIV test with

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the results to be released to the victim or the victim's parent or guardian.

5. Electronic monitoring of any form when ordered by the commission.

Section 7. Subsection (4) of section 948.06, Florida Statutes, is amended to read:

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

(4) Notwithstanding any other provision of this section, a felony probationer or an offender in community control who is arrested for violating his or her probation or community control in a material respect may be taken before the court in the county or circuit in which the probationer or offender was arrested. That court shall advise him or her of such ~~the~~ charge of a violation and, if such charge is admitted, shall cause him or her to be brought before the court that granted the probation or community control. If such ~~the~~ violation is not admitted by the probationer or offender, the court may commit him or her or release him or her with or without bail to await further hearing. However, if the probationer or offender is under supervision for any criminal offense proscribed in chapter 794, s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a registered sexual predator or a registered sexual offender, or is under supervision for a criminal offense for which he or she would meet the registration criteria in s. 775.21, s. 943.0435, or s. 944.607 but for the effective date of those sections, the court must make a finding that the probationer or offender poses no ~~is not a~~ danger to the public prior to release with or without bail. In determining whether the offender poses no danger to the public



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~~the danger posed by the offender's or probationer's release,~~ the court may consider the nature and circumstances of the violation and any new offenses charged; the offender's or probationer's past and present conduct, including convictions of crimes; any record of arrests without conviction for crimes involving violence or sexual crimes; any other evidence of allegations of unlawful sexual conduct or the use of violence by the offender or probationer; the offender's or probationer's family ties, length of residence in the community, employment history, and mental condition; his or her history and conduct during the probation or community control supervision from which the violation arises and any other previous supervisions, including disciplinary records of previous incarcerations; the likelihood that the offender or probationer will engage again in a criminal course of conduct; the weight of the evidence against the offender or probationer; and any other facts the court considers relevant. The court, as soon as is practicable, shall give the probationer or offender an opportunity to be fully heard on his or her behalf in person or by counsel. After such ~~the~~ hearing, the court shall make findings of fact and forward the findings to the court that granted the probation or community control and to the probationer or offender or his or her attorney. The findings of fact by the hearing court are binding on the court that granted the probation or community control. Upon the probationer or offender being brought before it, the court that granted the probation or community control may revoke, modify, or continue the probation or community control or may place the probationer into community control as provided in this section. However, the probationer or offender shall not be released and shall not be admitted to bail, but shall be brought before the court that granted the probation or community control





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if any violation of felony probation or community control other than a failure to pay costs or fines or make restitution payments is alleged to have been committed by:

(a) A violent felony offender of special concern, as defined in this section;

(b) A person who is on felony probation or community control for any offense committed on or after the effective date of this act and who is arrested for a qualifying offense as defined in this section; or

(c) A person who is on felony probation or community control and has previously been found by a court to be a habitual violent felony offender as defined in s. 775.084(1)(b), a three-time violent felony offender as defined in s. 775.084(1)(c), or a sexual predator under s. 775.21, and who is arrested for committing a qualifying offense as defined in this section on or after the effective date of this act.

Section 8. Paragraph (b) of subsection (1) and subsection (3) of section 948.30, Florida Statutes, are amended to read:

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

(1) Effective for probationers or community controllees whose crime was committed on or after October 1, 1995, and who are placed under supervision for violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, the court must impose the following conditions in addition to all other standard and special conditions imposed:



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(b) If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, child care facility ~~day care center~~, park as defined in s. 794.0701, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, child care facility ~~day care center~~, park as defined in s. 794.0701, playground, or other place where children regularly congregate. The distance may not be measured by a pedestrian route or automobile route.

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

(a) Is placed on probation or community control for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim younger than 16 ~~15~~ years of age ~~or younger~~ and the offender is 18 years of age or older;

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

(c) Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim younger than 16 ~~15~~ years of age ~~or younger~~ and the offender is 18 years of age or older,

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

Section 9. Subsection (3) is added to section 257.12, Florida Statutes, to read:

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257.12 Division of Library and Information Services  
authorized to accept and expend federal funds.--

(3) All public libraries are encouraged to adopt an Internet safety education program, including the implementation of a computer-based educational program, that has been endorsed by a United States government-sanctioned law enforcement agency or other reputable organization and is designed for children and adults. The purpose of the Internet safety education program is to promote the use of prudent online deportment and broaden awareness of online predators. The program shall be interactive and age appropriate. Each library shall annually report to the division the annual number of users who complete the education program. By April 1, 2009, the division shall adopt rules for rewarding those libraries in the program grant application process which have had 1 percent or more of their annual number of users, based on the total number of registered borrowers from the preceding year, complete the education program adopted by the library. Users completing the program as a result of strategic partnerships or collaboration between the library and other entities shall be integrated into the library's annual report. The division shall adopt rules to, beginning with the grant application cycle for the 2010-2011 fiscal year, allocate 10 percent of the total points available in the library services and technology grant application evaluation process to public libraries that are in compliance with this section.

Section 10. This act shall take effect July 1, 2009.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause

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and insert:

A bill to be entitled

An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; providing that persons subject to residency distance limitations who change their place of residence are subject to residency distance limitations as adopted by county or municipal ordinance; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions for certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; providing definitions; amending s. 947.1405, F.S.; revising conditional release restrictions for certain offenders; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; revising restrictions for certain probationers or community controllees who committed sexual offenses against a minor younger than 16 years of age; amending s. 257.12, F.S.;

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587 encouraging all public libraries to adopt an Internet  
588 safety education program for children and adults to  
589 promote the use of prudent online deportment and broaden  
590 awareness of online sexual predators and offenders;  
591 providing minimum requirements for the program; requiring  
592 libraries to annually report to the Division of Library  
593 and Information Services of the Department of State the  
594 number of users who complete the program; requiring that  
595 the division adopt rules to allocate additional points to  
596 grant applicants who are in compliance with such a  
597 program; providing an effective date.