

1                                   A bill to be entitled  
 2           An act relating to sexual offenders and sexual predators;  
 3           creating s. 943.04355, F.S.; requiring a landlord who  
 4           knowingly solicits, rents, or leases a dwelling unit to a  
 5           sexual offender or sexual predator to verify that  
 6           individual's address; requiring that the landlord notify  
 7           the sheriff in certain instances; providing criminal  
 8           penalties; providing a defense; providing definitions;  
 9           providing an effective date.

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

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13           Section 1. Section 943.04355, Florida Statutes, is created  
 14 to read:

15           943.04355 Dwelling rental or solicitation; sexual  
 16 offenders and predators.--

17           (1) (a) A landlord who knowingly solicits an individual who  
 18 is registered as a sexual offender or a sexual predator to rent  
 19 or lease a dwelling unit, or who knowingly rents or leases a  
 20 dwelling unit to an individual who is registered as a sexual  
 21 offender or a sexual predator, shall, within 5 days after the  
 22 date that the individual known to be a registered sexual  
 23 offender or sexual predator occupies the dwelling unit as a  
 24 tenant, do all of the following:

25           1. Conduct a search for the tenant's name in the sexual  
 26 offender database.

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27        2. Confirm that the address of the tenant identified as a  
28 sexual offender or sexual predator is correctly reflected on the  
29 sexual offender database.

30        3. Notify the sheriff of the county in which the dwelling  
31 is located if the address of a tenant identified as a sexual  
32 offender or sexual predator is not correctly reflected on the  
33 sexual offender database.

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35 A landlord who violates this section commits a misdemeanor of  
36 the second degree, punishable as provided in s. 775.082 or s.  
37 775.083.

38        (b) It is an affirmative defense to an offense under this  
39 section that the landlord used due diligence and was unable to  
40 determine that a tenant was a sexual offender or sexual  
41 predator.

42        (2) As used in this section, the term:

43        (a) "Dwelling unit," "landlord," "rent," and "tenant" have  
44 the same meanings as provided in s. 83.43.

45        (b) "Sexual offender" has the same meaning as provided in  
46 s. 943.0435.

47        (c) "Sexual offender database" means the database of  
48 registration information regarding sexual predators and sexual  
49 offenders maintained by the department under s. 943.043.

50        (d) "Sexual predator" has the same meaning as provided in  
51 s. 775.21.

52        (e) "Solicit" means to initiate contact with a sexual  
53 offender or sexual predator for the purpose of attempting to  
54 rent or lease a dwelling unit, where such sexual offender or

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55 | sexual predator has expressed no previous interest in renting or  
56 | leasing the dwelling unit.

57 | Section 2. This act shall take effect July 1, 2008.