

By the Committee on Criminal Justice; and Senator Storms

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1 A bill to be entitled
2 An act relating to sexual offenders and predators;
3 amending s. 775.21, F.S.; replacing the definition of
4 the term "instant message name" with the definition of
5 the term "Internet identifier"; providing that
6 voluntary disclosure of specified information waives a
7 disclosure exemption for such information; conforming
8 provisions; requiring disclosure of passport and
9 immigration status information; requiring that a
10 sexual predator who is unable to secure or update a
11 driver's license or identification card within a
12 specified period must report specified information to
13 the local sheriff's office within a specified period
14 after such change with confirmation that he or she
15 also reported such information to the Department of
16 Highway Safety and Motor Vehicles; revising reporting
17 requirements if a sexual predator plans to leave the
18 United States for more than a specified period;
19 amending s. 943.0435, F.S.; replacing the definition
20 of the term "instant message name" with the definition
21 of the term "Internet identifier"; conforming
22 provisions; requiring disclosure of passport and
23 immigration status information; requiring that a
24 sexual predator who is unable to secure or update a
25 driver's license or identification card within a
26 specified period must report specified information to
27 the local sheriff's office within a specified period
28 of such change with confirmation that he or she also
29 reported such information to the Department of Highway

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30 Safety and Motor Vehicles; providing additional
31 requirements for sexual offenders intending to reside
32 outside of the United States; amending s. 943.04351,
33 F.S.; requiring a specified national search of
34 registration information regarding sexual predators
35 and sexual offenders prior to appointment or
36 employment of persons by state agencies and
37 governmental subdivisions; amending s. 943.04354,
38 F.S.; revising the age range applicable to provisions
39 allowing removal of the requirement to register as a
40 sexual offender or sexual predator in certain
41 circumstances; amending s. 943.0437, F.S.; replacing
42 the definition of the term "instant message name" with
43 the definition of the term "Internet identifier";
44 conforming provisions; amending ss. 944.606 and
45 944.607, F.S.; replacing the definition of the term
46 "instant message name" with the definition of the term
47 "Internet identifier"; conforming provisions;
48 requiring disclosure of passport and immigration
49 status information; amending s. 947.005, F.S.;
50 revising the definition of the term "risk assessment";
51 amending s. 948.31, F.S.; providing that conditions
52 imposed under that section do not require oral
53 pronouncement at the time of sentencing and shall be
54 considered standard conditions of probation or
55 community control for certain offenders; removing a
56 provision prohibiting contact with minors if sexual
57 offender treatment is recommended; amending ss.
58 985.481 and 985.4815, F.S.; requiring disclosure of

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59 passport and immigration status information by certain
60 sexual offenders adjudicated delinquent and certain
61 juvenile sexual offenders; providing severability;
62 providing an effective date.

63
64 Be It Enacted by the Legislature of the State of Florida:

65
66 Section 1. Paragraph (i) of subsection (2), paragraphs (a),
67 (e), (g), (i), and (j) of subsection (6), paragraph (a) of
68 subsection (8), and paragraph (a) of subsection (10) of section
69 775.21, Florida Statutes, are amended to read:

70 775.21 The Florida Sexual Predators Act.—

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

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

83 (6) REGISTRATION.—

84 (a) A sexual predator must register with the department
85 through the sheriff's office by providing the following
86 information to the department:

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

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88 birth; height; weight; hair and eye color; photograph; address
89 of legal residence and address of any current temporary
90 residence, within the state or out of state, including a rural
91 route address and a post office box; if no permanent or
92 temporary address, any transient residence within the state;
93 address, location or description, and dates of any current or
94 known future temporary residence within the state or out of
95 state; all any electronic mail addresses ~~address~~ and all
96 Internet identifiers ~~any instant message name~~ required to be
97 provided pursuant to subparagraph (g)4.; all home telephone
98 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date
99 and place of any employment; date and place of each conviction;
100 fingerprints; and a brief description of the crime or crimes
101 committed by the offender. A post office box shall not be
102 provided in lieu of a physical residential address. The sexual
103 predator must also produce or provide information about his or
104 her passport, if he or she has a passport, and, if he or she is
105 an alien, must produce or provide information about documents
106 establishing his or her immigration status.

107 a. If the sexual predator's place of residence is a motor
108 vehicle, trailer, mobile home, or manufactured home, as defined
109 in chapter 320, the sexual predator shall also provide to the
110 department written notice of the vehicle identification number;
111 the license tag number; the registration number; and a
112 description, including color scheme, of the motor vehicle,
113 trailer, mobile home, or manufactured home. If a sexual
114 predator's place of residence is a vessel, live-aboard vessel,
115 or houseboat, as defined in chapter 327, the sexual predator
116 shall also provide to the department written notice of the hull

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117 identification number; the manufacturer's serial number; the
118 name of the vessel, live-aboard vessel, or houseboat; the
119 registration number; and a description, including color scheme,
120 of the vessel, live-aboard vessel, or houseboat.

121 b. If the sexual predator is enrolled, employed, or
122 carrying on a vocation at an institution of higher education in
123 this state, the sexual predator shall also provide to the
124 department the name, address, and county of each institution,
125 including each campus attended, and the sexual predator's
126 enrollment or employment status. Each change in enrollment or
127 employment status shall be reported in person at the sheriff's
128 office, or the Department of Corrections if the sexual predator
129 is in the custody or control of or under the supervision of the
130 Department of Corrections, within 48 hours after any change in
131 status. The sheriff or the Department of Corrections shall
132 promptly notify each institution of the sexual predator's
133 presence and any change in the sexual predator's enrollment or
134 employment status.

135 2. Any other information determined necessary by the
136 department, including criminal and corrections records;
137 nonprivileged personnel and treatment records; and evidentiary
138 genetic markers when available.

139 (e)1. If the sexual predator is not in the custody or
140 control of, or under the supervision of, the Department of
141 Corrections or is not in the custody of a private correctional
142 facility, the sexual predator shall register in person:

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

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

149 2. Any change in the sexual predator's permanent or
150 temporary residence, name, or all ~~any~~ electronic mail addresses
151 ~~address~~ and all Internet identifiers ~~any instant message name~~
152 required to be provided pursuant to subparagraph (g)4., after
153 the sexual predator registers in person at the sheriff's office
154 as provided in subparagraph 1., shall be accomplished in the
155 manner provided in paragraphs (g), (i), and (j). When a sexual
156 predator registers with the sheriff's office, the sheriff shall
157 take a photograph and a set of fingerprints of the predator and
158 forward the photographs and fingerprints to the department,
159 along with the information that the predator is required to
160 provide pursuant to this section.

161 (g)1. Each time a sexual predator's driver's license or
162 identification card is subject to renewal, and, without regard
163 to the status of the predator's driver's license or
164 identification card, within 48 hours after any change of the
165 predator's residence or change in the predator's name by reason
166 of marriage or other legal process, the predator shall report in
167 person to a driver's license office and shall be subject to the
168 requirements specified in paragraph (f). The Department of
169 Highway Safety and Motor Vehicles shall forward to the
170 department and to the Department of Corrections all photographs
171 and information provided by sexual predators. Notwithstanding
172 the restrictions set forth in s. 322.142, the Department of
173 Highway Safety and Motor Vehicles is authorized to release a
174 reproduction of a color-photograph or digital-image license to

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175 the Department of Law Enforcement for purposes of public
176 notification of sexual predators as provided in this section. A
177 sexual predator who is unable to secure or update a driver's
178 license or identification card with the Department of Highway
179 Safety and Motor Vehicles as provided in s. 943.0435(3) and (4)
180 must also report any change of the predator's residence or
181 change in the predator's name by reason of marriage or other
182 legal process within 48 hours after the change to the sheriff's
183 office in the county where the predator resides or is located
184 and provide confirmation that he or she reported such
185 information to the Department of Highway Safety and Motor
186 Vehicles.

187 2. A sexual predator who vacates a permanent, temporary, or
188 transient residence and fails to establish or maintain another
189 permanent, temporary, or transient residence shall, within 48
190 hours after vacating the permanent, temporary, or transient
191 residence, report in person to the sheriff's office of the
192 county in which he or she is located. The sexual predator shall
193 specify the date upon which he or she intends to or did vacate
194 such residence. The sexual predator must provide or update all
195 of the registration information required under paragraph (a).
196 The sexual predator must provide an address for the residence or
197 other place that he or she is or will be located during the time
198 in which he or she fails to establish or maintain a permanent or
199 temporary residence.

200 3. A sexual predator who remains at a permanent, temporary,
201 or transient residence after reporting his or her intent to
202 vacate such residence shall, within 48 hours after the date upon
203 which the predator indicated he or she would or did vacate such

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204 residence, report in person to the sheriff's office to which he
205 or she reported pursuant to subparagraph 2. for the purpose of
206 reporting his or her address at such residence. When the sheriff
207 receives the report, the sheriff shall promptly convey the
208 information to the department. An offender who makes a report as
209 required under subparagraph 2. but fails to make a report as
210 required under this subparagraph commits a felony of the second
211 degree, punishable as provided in s. 775.082, s. 775.083, or s.
212 775.084.

213 4. A sexual predator must register all ~~any~~ electronic mail
214 addresses and Internet identifiers ~~address or instant message~~
215 ~~name~~ with the department prior to using such electronic mail
216 addresses and Internet identifiers ~~address or instant message~~
217 ~~name on or after October 1, 2007~~. The department shall establish
218 an online system through which sexual predators may securely
219 access and update all electronic mail address and Internet
220 identifier ~~instant message name~~ information.

221 (i) A sexual predator who intends to establish a permanent,
222 temporary, or transient residence in another state or
223 jurisdiction other than the State of Florida shall report in
224 person to the sheriff of the county of current residence within
225 48 hours before the date he or she intends to leave this state
226 to establish residence in another state or jurisdiction or
227 within 21 days before his or her planned departure date if the
228 intended residence of 7 days or more is outside of the United
229 States. The sexual predator must provide to the sheriff the
230 address, municipality, county, ~~and~~ state, and country of
231 intended residence. The sheriff shall promptly provide to the
232 department the information received from the sexual predator.

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233 The department shall notify the statewide law enforcement
234 agency, or a comparable agency, in the intended state, ~~or~~
235 jurisdiction, or country of residence of the sexual predator's
236 intended residence. The failure of a sexual predator to provide
237 his or her intended place of residence is punishable as provided
238 in subsection (10).

239 (j) A sexual predator who indicates his or her intent to
240 establish a permanent, temporary, or transient residence in
241 another state, a ~~or~~ jurisdiction other than the State of
242 Florida, or another country and later decides to remain in this
243 state shall, within 48 hours after the date upon which the
244 sexual predator indicated he or she would leave this state,
245 report in person to the sheriff to which the sexual predator
246 reported the intended change of residence, and report his or her
247 intent to remain in this state. If the sheriff is notified by
248 the sexual predator that he or she intends to remain in this
249 state, the sheriff shall promptly report this information to the
250 department. A sexual predator who reports his or her intent to
251 establish a permanent, temporary, or transient residence in
252 another state, a ~~or~~ jurisdiction other than the State of
253 Florida, or another country, but who remains in this state
254 without reporting to the sheriff in the manner required by this
255 paragraph, commits a felony of the second degree, punishable as
256 provided in s. 775.082, s. 775.083, or s. 775.084.

257 (8) VERIFICATION.—The department and the Department of
258 Corrections shall implement a system for verifying the addresses
259 of sexual predators. The system must be consistent with the
260 provisions of the federal Adam Walsh Child Protection and Safety
261 Act of 2006 and any other federal standards applicable to such

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262 verification or required to be met as a condition for the
263 receipt of federal funds by the state. The Department of
264 Corrections shall verify the addresses of sexual predators who
265 are not incarcerated but who reside in the community under the
266 supervision of the Department of Corrections and shall report to
267 the department any failure by a sexual predator to comply with
268 registration requirements. County and local law enforcement
269 agencies, in conjunction with the department, shall verify the
270 addresses of sexual predators who are not under the care,
271 custody, control, or supervision of the Department of
272 Corrections. Local law enforcement agencies shall report to the
273 department any failure by a sexual predator to comply with
274 registration requirements.

275 (a) A sexual predator must report in person each year
276 during the month of the sexual predator's birthday and during
277 every third month thereafter to the sheriff's office in the
278 county in which he or she resides or is otherwise located to
279 reregister. The sheriff's office may determine the appropriate
280 times and days for reporting by the sexual predator, which shall
281 be consistent with the reporting requirements of this paragraph.
282 Reregistration shall include any changes to the following
283 information:

284 1. Name; social security number; age; race; sex; date of
285 birth; height; weight; hair and eye color; address of any
286 permanent residence and address of any current temporary
287 residence, within the state or out of state, including a rural
288 route address and a post office box; if no permanent or
289 temporary address, any transient residence within the state;
290 address, location or description, and dates of any current or

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291 known future temporary residence within the state or out of
292 state; all ~~any~~ electronic mail addresses ~~address~~ and all
293 Internet identifiers ~~any instant message name~~ required to be
294 provided pursuant to subparagraph (6)(g)4.; all home telephone
295 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date
296 and place of any employment; vehicle make, model, color, and
297 license tag number; fingerprints; and photograph. A post office
298 box shall not be provided in lieu of a physical residential
299 address.

300 2. If the sexual predator is enrolled, employed, or
301 carrying on a vocation at an institution of higher education in
302 this state, the sexual predator shall also provide to the
303 department the name, address, and county of each institution,
304 including each campus attended, and the sexual predator's
305 enrollment or employment status.

306 3. If the sexual predator's place of residence is a motor
307 vehicle, trailer, mobile home, or manufactured home, as defined
308 in chapter 320, the sexual predator shall also provide the
309 vehicle identification number; the license tag number; the
310 registration number; and a description, including color scheme,
311 of the motor vehicle, trailer, mobile home, or manufactured
312 home. If the sexual predator's place of residence is a vessel,
313 live-aboard vessel, or houseboat, as defined in chapter 327, the
314 sexual predator shall also provide the hull identification
315 number; the manufacturer's serial number; the name of the
316 vessel, live-aboard vessel, or houseboat; the registration
317 number; and a description, including color scheme, of the
318 vessel, live-aboard vessel, or houseboat.

319 (10) PENALTIES.—

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320 (a) Except as otherwise specifically provided, a sexual
321 predator who fails to register; who fails, after registration,
322 to maintain, acquire, or renew a driver's license or
323 identification card; who fails to provide required location
324 information, electronic mail address information, Internet
325 identifier ~~instant message name~~ information, all home telephone
326 numbers ~~number~~ and any cellular telephone numbers ~~number~~, or
327 change-of-name information; who fails to make a required report
328 in connection with vacating a permanent residence; who fails to
329 reregister as required; who fails to respond to any address
330 verification correspondence from the department within 3 weeks
331 of the date of the correspondence; or who otherwise fails, by
332 act or omission, to comply with the requirements of this
333 section, commits a felony of the third degree, punishable as
334 provided in s. 775.082, s. 775.083, or s. 775.084.

335 Section 2. Paragraphs (a) and (g) of subsection (1),
336 subsection (2), paragraphs (a) and (d) of subsection (4),
337 subsections (7) and (8), and paragraph (c) of subsection (14) of
338 section 943.0435, Florida Statutes, are amended to read:

339 943.0435 Sexual offenders required to register with the
340 department; penalty.—

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

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

345 a.(I) Has been convicted of committing, or attempting,
346 soliciting, or conspiring to commit, any of the criminal
347 offenses proscribed in the following statutes in this state or
348 similar offenses in another jurisdiction: s. 787.01, s. 787.02,

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349 or s. 787.025(2)(c), where the victim is a minor and the
350 defendant is not the victim's parent or guardian; s. 794.011,
351 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.
352 800.04; s. 825.1025; s. 826.04 where the victim is a minor and
353 the defendant is 18 years of age or older; s. 827.071; s.
354 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
355 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense
356 committed in this state which has been redesignated from a
357 former statute number to one of those listed in this sub-sub-
358 subparagraph; and

359 (II) Has been released on or after October 1, 1997, from
360 the sanction imposed for any conviction of an offense described
361 in sub-sub-subparagraph (I). For purposes of sub-sub-
362 subparagraph (I), a sanction imposed in this state or in any
363 other jurisdiction includes, but is not limited to, a fine,
364 probation, community control, parole, conditional release,
365 control release, or incarceration in a state prison, federal
366 prison, private correctional facility, or local detention
367 facility;

368 b. Establishes or maintains a residence in this state and
369 who has not been designated as a sexual predator by a court of
370 this state but who has been designated as a sexual predator, as
371 a sexually violent predator, or by another sexual offender
372 designation in another state or jurisdiction and was, as a
373 result of such designation, subjected to registration or
374 community or public notification, or both, or would be if the
375 person were a resident of that state or jurisdiction, without
376 regard to whether the person otherwise meets the criteria for
377 registration as a sexual offender;

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378 c. Establishes or maintains a residence in this state who
379 is in the custody or control of, or under the supervision of,
380 any other state or jurisdiction as a result of a conviction for
381 committing, or attempting, soliciting, or conspiring to commit,
382 any of the criminal offenses proscribed in the following
383 statutes or similar offense in another jurisdiction: s. 787.01,
384 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
385 the defendant is not the victim's parent or guardian; s.
386 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
387 796.035; s. 800.04; s. 825.1025; s. 826.04 where the victim is a
388 minor and the defendant is 18 years of age or older; s. 827.071;
389 s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137;
390 s. 847.0138; s. 847.0145; or s. 985.701(1); or any similar
391 offense committed in this state which has been redesignated from
392 a former statute number to one of those listed in this sub-
393 subparagraph; or

394 d. On or after July 1, 2007, has been adjudicated
395 delinquent for committing, or attempting, soliciting, or
396 conspiring to commit, any of the criminal offenses proscribed in
397 the following statutes in this state or similar offenses in
398 another jurisdiction when the juvenile was 14 years of age or
399 older at the time of the offense:

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

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

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

406 (IV) Section 800.04(5)(d) where the court finds the use of

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407 force or coercion and unclothed genitals.

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

411

412 For each violation of a qualifying offense listed in this
413 subsection, the court shall make a written finding of the age of
414 the victim at the time of the offense. For a violation of s.
415 800.04(4), the court shall additionally make a written finding
416 indicating that the offense did or did not involve sexual
417 activity and indicating that the offense did or did not involve
418 force or coercion. For a violation of s. 800.04(5), the court
419 shall additionally make a written finding that the offense did
420 or did not involve unclothed genitals or genital area and that
421 the offense did or did not involve the use of force or coercion.

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

426 (2) A sexual offender shall:

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

428 1. In the county in which the offender establishes or
429 maintains a permanent, temporary, or transient residence within
430 48 hours after:

431 a. Establishing permanent, temporary, or transient
432 residence in this state; or

433 b. Being released from the custody, control, or supervision
434 of the Department of Corrections or from the custody of a
435 private correctional facility; or

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436 2. In the county where he or she was convicted within 48
437 hours after being convicted for a qualifying offense for
438 registration under this section if the offender is not in the
439 custody or control of, or under the supervision of, the
440 Department of Corrections, or is not in the custody of a private
441 correctional facility.

442
443 Any change in the information required to be provided pursuant
444 to paragraph (b), including, but not limited to, any change in
445 the sexual offender's permanent, temporary, or transient
446 residence, name, all any electronic mail addresses ~~address~~ and
447 all Internet identifiers ~~any instant message name~~ required to be
448 provided pursuant to paragraph (4)(d), after the sexual offender
449 reports in person at the sheriff's office, shall be accomplished
450 in the manner provided in subsections (4), (7), and (8).

451 (b) Provide his or her name; date of birth; social security
452 number; race; sex; height; weight; hair and eye color; tattoos
453 or other identifying marks; occupation and place of employment;
454 address of permanent or legal residence or address of any
455 current temporary residence, within the state or out of state,
456 including a rural route address and a post office box; if no
457 permanent or temporary address, any transient residence within
458 the state, address, location or description, and dates of any
459 current or known future temporary residence within the state or
460 out of state; all home telephone numbers ~~number~~ and ~~any~~ cellular
461 telephone numbers ~~number~~; all any electronic mail addresses
462 ~~address~~ and all Internet identifiers ~~any instant message name~~
463 required to be provided pursuant to paragraph (4)(d); date and
464 place of each conviction; and a brief description of the crime

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465 or crimes committed by the offender. A post office box shall not
466 be provided in lieu of a physical residential address. The
467 sexual offender must also produce or provide information about
468 his or her passport, if he or she has a passport, and, if he or
469 she is an alien, must produce or provide information about
470 documents establishing his or her immigration status.

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

485 2. If the sexual offender is enrolled, employed, or
486 carrying on a vocation at an institution of higher education in
487 this state, the sexual offender shall also provide to the
488 department through the sheriff's office the name, address, and
489 county of each institution, including each campus attended, and
490 the sexual offender's enrollment or employment status. Each
491 change in enrollment or employment status shall be reported in
492 person at the sheriff's office, within 48 hours after any change
493 in status. The sheriff shall promptly notify each institution of

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494 the sexual offender's presence and any change in the sexual
495 offender's enrollment or employment status.

496

497 When a sexual offender reports at the sheriff's office, the
498 sheriff shall take a photograph and a set of fingerprints of the
499 offender and forward the photographs and fingerprints to the
500 department, along with the information provided by the sexual
501 offender. The sheriff shall promptly provide to the department
502 the information received from the sexual offender.

503 (4) (a) Each time a sexual offender's driver's license or
504 identification card is subject to renewal, and, without regard
505 to the status of the offender's driver's license or
506 identification card, within 48 hours after any change in the
507 offender's permanent, temporary, or transient residence or
508 change in the offender's name by reason of marriage or other
509 legal process, the offender shall report in person to a driver's
510 license office, and shall be subject to the requirements
511 specified in subsection (3). The Department of Highway Safety
512 and Motor Vehicles shall forward to the department all
513 photographs and information provided by sexual offenders.
514 Notwithstanding the restrictions set forth in s. 322.142, the
515 Department of Highway Safety and Motor Vehicles is authorized to
516 release a reproduction of a color-photograph or digital-image
517 license to the Department of Law Enforcement for purposes of
518 public notification of sexual offenders as provided in this
519 section and ss. 943.043 and 944.606. A sexual offender who is
520 unable to secure or update a driver's license or identification
521 card with the Department of Highway Safety and Motor Vehicles as
522 provided in subsection (3) and this subsection must also report

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523 any change in the sexual offender's permanent, temporary, or
524 transient residence or change in the offender's name by reason
525 of marriage or other legal process within 48 hours after the
526 change to the sheriff's office in the county where the offender
527 resides or is located and provide confirmation that he or she
528 reported such information to Department of Highway Safety and
529 Motor Vehicles.

530 (d) A sexual offender must register all ~~any~~ electronic mail
531 addresses and Internet identifiers ~~address or instant message~~
532 ~~name~~ with the department prior to using such electronic mail
533 addresses and Internet identifiers ~~address or instant message~~
534 ~~name on or after October 1, 2007~~. The department shall establish
535 an online system through which sexual offenders may securely
536 access and update all electronic mail address and Internet
537 identifier ~~instant message name~~ information.

538 (7) A sexual offender who intends to establish a permanent,
539 temporary, or transient residence in another state or
540 jurisdiction other than the State of Florida shall report in
541 person to the sheriff of the county of current residence within
542 48 hours before the date he or she intends to leave this state
543 to establish residence in another state or jurisdiction or
544 within 21 days before his or her planned departure date if the
545 intended residence of 7 days or more is outside of the United
546 States. The notification must include the address, municipality,
547 county, ~~and~~ state, and country of intended residence. The
548 sheriff shall promptly provide to the department the information
549 received from the sexual offender. The department shall notify
550 the statewide law enforcement agency, or a comparable agency, in
551 the intended state, ~~or~~ jurisdiction, or country of residence of

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552 the sexual offender's intended residence. The failure of a
553 sexual offender to provide his or her intended place of
554 residence is punishable as provided in subsection (9).

555 (8) A sexual offender who indicates his or her intent to
556 establish a permanent, temporary, or transient residence in
557 another state, a ~~or~~ jurisdiction other than the State of
558 Florida, or another country and later decides to remain in this
559 state shall, within 48 hours after the date upon which the
560 sexual offender indicated he or she would leave this state,
561 report in person to the sheriff to which the sexual offender
562 reported the intended change of permanent, temporary, or
563 transient residence, and report his or her intent to remain in
564 this state. The sheriff shall promptly report this information
565 to the department. A sexual offender who reports his or her
566 intent to establish a permanent, temporary, or transient
567 residence in another state, a ~~or~~ jurisdiction other than the
568 State of Florida, or another country but who remains in this
569 state without reporting to the sheriff in the manner required by
570 this subsection commits a felony of the second degree,
571 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

572 (14)

573 (c) The sheriff's office may determine the appropriate
574 times and days for reporting by the sexual offender, which shall
575 be consistent with the reporting requirements of this
576 subsection. Reregistration shall include any changes to the
577 following information:

578 1. Name; social security number; age; race; sex; date of
579 birth; height; weight; hair and eye color; address of any
580 permanent residence and address of any current temporary

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581 residence, within the state or out of state, including a rural
582 route address and a post office box; if no permanent or
583 temporary address, any transient residence within the state;
584 address, location or description, and dates of any current or
585 known future temporary residence within the state or out of
586 state; all any electronic mail addresses ~~address~~ and all
587 Internet identifiers ~~any instant message name~~ required to be
588 provided pursuant to paragraph (4) (d); all home telephone
589 numbers ~~number~~ and all any cellular telephone numbers ~~number~~;
590 date and place of any employment; vehicle make, model, color,
591 and license tag number; fingerprints; and photograph. A post
592 office box shall not be provided in lieu of a physical
593 residential address.

594 2. If the sexual offender is enrolled, employed, or
595 carrying on a vocation at an institution of higher education in
596 this state, the sexual offender shall also provide to the
597 department the name, address, and county of each institution,
598 including each campus attended, and the sexual offender's
599 enrollment or employment status.

600 3. If the sexual offender's place of residence is a motor
601 vehicle, trailer, mobile home, or manufactured home, as defined
602 in chapter 320, the sexual offender shall also provide the
603 vehicle identification number; the license tag number; the
604 registration number; and a description, including color scheme,
605 of the motor vehicle, trailer, mobile home, or manufactured
606 home. If the sexual offender's place of residence is a vessel,
607 live-aboard vessel, or houseboat, as defined in chapter 327, the
608 sexual offender shall also provide the hull identification
609 number; the manufacturer's serial number; the name of the

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610 vessel, live-aboard vessel, or houseboat; the registration
611 number; and a description, including color scheme, of the
612 vessel, live-aboard vessel or houseboat.

613 4. Any sexual offender who fails to report in person as
614 required at the sheriff's office, or who fails to respond to any
615 address verification correspondence from the department within 3
616 weeks of the date of the correspondence or who fails to report
617 all electronic mail addresses and all Internet identifiers ~~or~~
618 ~~instant message names~~, commits a felony of the third degree,
619 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

620 Section 3. Section 943.04351, Florida Statutes, is amended
621 to read:

622 943.04351 Search of registration information regarding
623 sexual predators and sexual offenders required prior to
624 appointment or employment.—A state agency or governmental
625 subdivision, prior to making any decision to appoint or employ a
626 person to work, whether for compensation or as a volunteer, at
627 any park, playground, day care center, or other place where
628 children regularly congregate, must conduct a search of that
629 person's name or other identifying information against the
630 registration information regarding sexual predators and sexual
631 offenders maintained by the Department of Law Enforcement under
632 s. 943.043. The agency or governmental subdivision may conduct
633 the search using the Internet site maintained by the Department
634 of Law Enforcement. Also, a national search must be conducted
635 through the Dru Sjodin National Sex Offender Public Website
636 maintained by the United States Department of Justice. This
637 section does not apply to those positions or appointments within
638 a state agency or governmental subdivision for which a state and

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639 national criminal history background check is conducted.

640 Section 4. Subsection (1) of section 943.04354, Florida
641 Statutes, is amended to read:

642 943.04354 Removal of the requirement to register as a
643 sexual offender or sexual predator in special circumstances.—

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

647 (a) Was or will be convicted or adjudicated delinquent of a
648 violation of s. 794.011, s. 800.04, s. 827.071, or s.
649 847.0135(5) or the person committed a violation of s. 794.011,
650 s. 800.04, s. 827.071, or s. 847.0135(5) for which adjudication
651 of guilt was or will be withheld, and the person does not have
652 any other conviction, adjudication of delinquency, or withhold
653 of adjudication of guilt for a violation of s. 794.011, s.
654 800.04, s. 827.071, or s. 847.0135(5);

655 (b) Is required to register as a sexual offender or sexual
656 predator solely on the basis of this violation; and

657 (c) Is not more than 4 years older than the victim of this
658 violation who was 13 ~~14~~ years of age or older but not more than
659 18 ~~17~~ years of age at the time the person committed this
660 violation.

661 Section 5. Subsection (2) and paragraph (a) of subsection
662 (3) of section 943.0437, Florida Statutes, are amended to read:

663 943.0437 Commercial social networking websites.—

664 (2) The department may provide information relating to
665 electronic mail addresses and Internet identifiers ~~instant~~
666 ~~message names~~ maintained as part of the sexual offender registry
667 to commercial social networking websites or third parties

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668 designated by commercial social networking websites. The
669 commercial social networking website may use this information
670 for the purpose of comparing registered users and screening
671 potential users of the commercial social networking website
672 against the list of electronic mail addresses and Internet
673 identifiers ~~instant message names~~ provided by the department.

674 (3) This section shall not be construed to impose any civil
675 liability on a commercial social networking website for:

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

680 Section 6. Paragraphs (b) and (d) of subsection (1) and
681 paragraph (a) of subsection (3) of section 944.606, Florida
682 Statutes, are amended to read:

683 944.606 Sexual offenders; notification upon release.—

684 (1) As used in this section:

685 (b) "Sexual offender" means a person who has been convicted
686 of committing, or attempting, soliciting, or conspiring to
687 commit, any of the criminal offenses proscribed in the following
688 statutes in this state or similar offenses in another
689 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where
690 the victim is a minor and the defendant is not the victim's
691 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
692 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 826.04
693 where the victim is a minor and the defendant is 18 years of age
694 or older; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
695 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; or s.
696 985.701(1); or any similar offense committed in this state which

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697 has been redesignated from a former statute number to one of
698 those listed in this subsection, when the department has
699 received verified information regarding such conviction; an
700 offender's computerized criminal history record is not, in and
701 of itself, verified information.

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

706 (3) (a) The department must provide information regarding
707 any sexual offender who is being released after serving a period
708 of incarceration for any offense, as follows:

709 1. The department must provide: the sexual offender's name,
710 any change in the offender's name by reason of marriage or other
711 legal process, and any alias, if known; the correctional
712 facility from which the sexual offender is released; the sexual
713 offender's social security number, race, sex, date of birth,
714 height, weight, and hair and eye color; address of any planned
715 permanent residence or temporary residence, within the state or
716 out of state, including a rural route address and a post office
717 box; if no permanent or temporary address, any transient
718 residence within the state; address, location or description,
719 and dates of any known future temporary residence within the
720 state or out of state; date and county of sentence and each
721 crime for which the offender was sentenced; a copy of the
722 offender's fingerprints and a digitized photograph taken within
723 60 days before release; the date of release of the sexual
724 offender; all any electronic mail addresses ~~address~~ and all
725 Internet identifiers ~~any instant message name~~ required to be

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726 provided pursuant to s. 943.0435(4)(d); all ~~and~~ home telephone
727 numbers ~~number~~ and ~~any~~ cellular telephone numbers; and passport
728 information, if he or she has a passport, and, if he or she is
729 an alien, information about documents establishing his or her
730 immigration status ~~number~~. The department shall notify the
731 Department of Law Enforcement if the sexual offender escapes,
732 absconds, or dies. If the sexual offender is in the custody of a
733 private correctional facility, the facility shall take the
734 digitized photograph of the sexual offender within 60 days
735 before the sexual offender's release and provide this photograph
736 to the Department of Corrections and also place it in the sexual
737 offender's file. If the sexual offender is in the custody of a
738 local jail, the custodian of the local jail shall register the
739 offender within 3 business days after intake of the offender for
740 any reason and upon release, and shall notify the Department of
741 Law Enforcement of the sexual offender's release and provide to
742 the Department of Law Enforcement the information specified in
743 this paragraph and any information specified in subparagraph 2.
744 that the Department of Law Enforcement requests.

745 2. The department may provide any other information deemed
746 necessary, including criminal and corrections records,
747 nonprivileged personnel and treatment records, when available.

748 Section 7. Paragraphs (a) and (f) of subsection (1),
749 paragraph (a) of subsection (4), and paragraph (c) of subsection
750 (13) of section 944.607, Florida Statutes, are amended to read:

751 944.607 Notification to Department of Law Enforcement of
752 information on sexual offenders.—

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

754 (a) "Sexual offender" means a person who is in the custody

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755 or control of, or under the supervision of, the department or is
756 in the custody of a private correctional facility:

757 1. On or after October 1, 1997, as a result of a conviction
758 for committing, or attempting, soliciting, or conspiring to
759 commit, any of the criminal offenses proscribed in the following
760 statutes in this state or similar offenses in another
761 jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where
762 the victim is a minor and the defendant is not the victim's
763 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
764 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 826.04
765 where the victim is a minor and the defendant is 18 years of age
766 or older; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
767 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; or s.
768 985.701(1); or any similar offense committed in this state which
769 has been redesignated from a former statute number to one of
770 those listed in this paragraph; or

771 2. Who establishes or maintains a residence in this state
772 and who has not been designated as a sexual predator by a court
773 of this state but who has been designated as a sexual predator,
774 as a sexually violent predator, or by another sexual offender
775 designation in another state or jurisdiction and was, as a
776 result of such designation, subjected to registration or
777 community or public notification, or both, or would be if the
778 person were a resident of that state or jurisdiction, without
779 regard as to whether the person otherwise meets the criteria for
780 registration as a sexual offender.

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

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784 ~~the Internet.~~

785 (4) A sexual offender, as described in this section, who is
786 under the supervision of the Department of Corrections but is
787 not incarcerated must register with the Department of
788 Corrections within 3 business days after sentencing for a
789 registrable offense and otherwise provide information as
790 required by this subsection.

791 (a) The sexual offender shall provide his or her name; date
792 of birth; social security number; race; sex; height; weight;
793 hair and eye color; tattoos or other identifying marks; all ~~any~~
794 electronic mail addresses ~~address~~ and all Internet identifiers
795 ~~any instant message name~~ required to be provided pursuant to s.
796 943.0435(4)(d); permanent or legal residence and address of
797 temporary residence within the state or out of state while the
798 sexual offender is under supervision in this state, including
799 any rural route address or post office box; if no permanent or
800 temporary address, any transient residence within the state; and
801 address, location or description, and dates of any current or
802 known future temporary residence within the state or out of
803 state. The sexual offender must also produce or provide
804 information about his or her passport, if he or she has a
805 passport, and, if he or she is an alien, must produce or provide
806 information about documents establishing his or her immigration
807 status. The Department of Corrections shall verify the address
808 of each sexual offender in the manner described in ss. 775.21
809 and 943.0435. The department shall report to the Department of
810 Law Enforcement any failure by a sexual predator or sexual
811 offender to comply with registration requirements.

812 (13)

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813 (c) The sheriff's office may determine the appropriate
814 times and days for reporting by the sexual offender, which shall
815 be consistent with the reporting requirements of this
816 subsection. Reregistration shall include any changes to the
817 following information:

818 1. Name; social security number; age; race; sex; date of
819 birth; height; weight; hair and eye color; address of any
820 permanent residence and address of any current temporary
821 residence, within the state or out of state, including a rural
822 route address and a post office box; if no permanent or
823 temporary address, any transient residence; address, location or
824 description, and dates of any current or known future temporary
825 residence within the state or out of state; all ~~any~~ electronic
826 mail addresses ~~address~~ and all Internet identifiers ~~any instant~~
827 ~~message name~~ required to be provided pursuant to s.
828 943.0435(4)(d); date and place of any employment; vehicle make,
829 model, color, and license tag number; fingerprints; and
830 photograph. A post office box shall not be provided in lieu of a
831 physical residential address.

832 2. If the sexual offender is enrolled, employed, or
833 carrying on a vocation at an institution of higher education in
834 this state, the sexual offender shall also provide to the
835 department the name, address, and county of each institution,
836 including each campus attended, and the sexual offender's
837 enrollment or employment status.

838 3. If the sexual offender's place of residence is a motor
839 vehicle, trailer, mobile home, or manufactured home, as defined
840 in chapter 320, the sexual offender shall also provide the
841 vehicle identification number; the license tag number; the

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842 registration number; and a description, including color scheme,
843 of the motor vehicle, trailer, mobile home, or manufactured
844 home. If the sexual offender's place of residence is a vessel,
845 live-aboard vessel, or houseboat, as defined in chapter 327, the
846 sexual offender shall also provide the hull identification
847 number; the manufacturer's serial number; the name of the
848 vessel, live-aboard vessel, or houseboat; the registration
849 number; and a description, including color scheme, of the
850 vessel, live-aboard vessel or houseboat.

851 4. Any sexual offender who fails to report in person as
852 required at the sheriff's office, or who fails to respond to any
853 address verification correspondence from the department within 3
854 weeks of the date of the correspondence, or who fails to report
855 all electronic mail addresses and all Internet identifiers ~~or~~
856 ~~instant message names~~, commits a felony of the third degree,
857 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

858 Section 8. Subsection (11) of section 947.005, Florida
859 Statutes, is amended to read:

860 947.005 Definitions.—As used in this chapter, unless the
861 context clearly indicates otherwise:

862 (11) "Risk assessment" means an assessment completed by a
863 ~~an independent~~ qualified practitioner to evaluate the level of
864 risk associated when a sex offender has contact with a child.

865 Section 9. Section 948.31, Florida Statutes, is amended to
866 read:

867 948.31 Evaluation and treatment of sexual predators and
868 offenders on probation or community control.—Conditions imposed
869 pursuant to this section do not require oral pronouncement at
870 the time of sentencing and shall be considered standard

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871 conditions of probation or community control for offenders
872 specified in this section. The court shall require an evaluation
873 by a qualified practitioner to determine the need of a
874 probationer or community controllee for treatment. If the court
875 determines that a need therefor is established by the evaluation
876 process, the court shall require sexual offender treatment as a
877 term or condition of probation or community control for any
878 person who is required to register as a sexual predator under s.
879 775.21 or sexual offender under s. 943.0435, s. 944.606, or s.
880 944.607. Such treatment shall be required to be obtained from a
881 qualified practitioner as defined in s. 948.001. Treatment may
882 not be administered by a qualified practitioner who has been
883 convicted or adjudicated delinquent of committing, or
884 attempting, soliciting, or conspiring to commit, any offense
885 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~
886 ~~impose a restriction against contact with minors if sexual~~
887 ~~offender treatment is recommended.~~ The evaluation and
888 recommendations for treatment of the probationer or community
889 controllee shall be provided to the court for review.

890 Section 10. Paragraph (a) of subsection (3) of section
891 985.481, Florida Statutes, is amended to read:

892 985.481 Sexual offenders adjudicated delinquent;
893 notification upon release.—

894 (3)(a) The department must provide information regarding
895 any sexual offender who is being released after serving a period
896 of residential commitment under the department for any offense,
897 as follows:

898 1. The department must provide the sexual offender's name,
899 any change in the offender's name by reason of marriage or other

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900 legal process, and any alias, if known; the correctional
901 facility from which the sexual offender is released; the sexual
902 offender's social security number, race, sex, date of birth,
903 height, weight, and hair and eye color; address of any planned
904 permanent residence or temporary residence, within the state or
905 out of state, including a rural route address and a post office
906 box; if no permanent or temporary address, any transient
907 residence within the state; address, location or description,
908 and dates of any known future temporary residence within the
909 state or out of state; date and county of disposition and each
910 crime for which there was a disposition; a copy of the
911 offender's fingerprints and a digitized photograph taken within
912 60 days before release; the date of release of the sexual
913 offender; all ~~and~~ home telephone numbers ~~number~~ and ~~any~~ cellular
914 telephone numbers; and passport information, if he or she has a
915 passport, and, if he or she is an alien, information about
916 documents establishing his or her immigration status ~~number~~. The
917 department shall notify the Department of Law Enforcement if the
918 sexual offender escapes, absconds, or dies. If the sexual
919 offender is in the custody of a private correctional facility,
920 the facility shall take the digitized photograph of the sexual
921 offender within 60 days before the sexual offender's release and
922 also place it in the sexual offender's file. If the sexual
923 offender is in the custody of a local jail, the custodian of the
924 local jail shall register the offender within 3 business days
925 after intake of the offender for any reason and upon release,
926 and shall notify the Department of Law Enforcement of the sexual
927 offender's release and provide to the Department of Law
928 Enforcement the information specified in this subparagraph and

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929 any information specified in subparagraph 2. which the
930 Department of Law Enforcement requests.

931 2. The department may provide any other information
932 considered necessary, including criminal and delinquency
933 records, when available.

934 Section 11. Paragraph (a) of subsection (4) and paragraph
935 (b) of subsection (13) of section 985.4815, Florida Statutes,
936 are amended to read:

937 985.4815 Notification to Department of Law Enforcement of
938 information on juvenile sexual offenders.-

939 (4) A sexual offender, as described in this section, who is
940 under the supervision of the department but who is not committed
941 must register with the department within 3 business days after
942 adjudication and disposition for a registrable offense and
943 otherwise provide information as required by this subsection.

944 (a) The sexual offender shall provide his or her name; date
945 of birth; social security number; race; sex; height; weight;
946 hair and eye color; tattoos or other identifying marks;
947 permanent or legal residence and address of temporary residence
948 within the state or out of state while the sexual offender is in
949 the care or custody or under the jurisdiction or supervision of
950 the department in this state, including any rural route address
951 or post office box; if no permanent or temporary address, any
952 transient residence; address, location or description, and dates
953 of any current or known future temporary residence within the
954 state or out of state; passport information, if he or she has a
955 passport, and, if he or she is an alien, information about
956 documents establishing his or her immigration status; and the
957 name and address of each school attended. The department shall

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958 verify the address of each sexual offender and shall report to
959 the Department of Law Enforcement any failure by a sexual
960 offender to comply with registration requirements.

961 (13)

962 (b) The sheriff's office may determine the appropriate
963 times and days for reporting by the sexual offender, which shall
964 be consistent with the reporting requirements of this
965 subsection. Reregistration shall include any changes to the
966 following information:

967 1. Name; social security number; age; race; sex; date of
968 birth; height; weight; hair and eye color; address of any
969 permanent residence and address of any current temporary
970 residence, within the state or out of state, including a rural
971 route address and a post office box; if no permanent or
972 temporary address, any transient residence; address, location or
973 description, and dates of any current or known future temporary
974 residence within the state or out of state; passport
975 information, if he or she has a passport, and, if he or she is
976 an alien, information about documents establishing his or her
977 immigration status; name and address of each school attended;
978 date and place of any employment; vehicle make, model, color,
979 and license tag number; fingerprints; and photograph. A post
980 office box shall not be provided in lieu of a physical
981 residential address.

982 2. If the sexual offender is enrolled, employed, or
983 carrying on a vocation at an institution of higher education in
984 this state, the sexual offender shall also provide to the
985 department the name, address, and county of each institution,
986 including each campus attended, and the sexual offender's

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987 enrollment or employment status.

988 3. If the sexual offender's place of residence is a motor
989 vehicle, trailer, mobile home, or manufactured home, as defined
990 in chapter 320, the sexual offender shall also provide the
991 vehicle identification number; the license tag number; the
992 registration number; and a description, including color scheme,
993 of the motor vehicle, trailer, mobile home, or manufactured
994 home. If the sexual offender's place of residence is a vessel,
995 live-aboard vessel, or houseboat, as defined in chapter 327, the
996 sexual offender shall also provide the hull identification
997 number; the manufacturer's serial number; the name of the
998 vessel, live-aboard vessel, or houseboat; the registration
999 number; and a description, including color scheme, of the
1000 vessel, live-aboard vessel, or houseboat.

1001 4. Any sexual offender who fails to report in person as
1002 required at the sheriff's office, or who fails to respond to any
1003 address verification correspondence from the department within 3
1004 weeks after the date of the correspondence, commits a felony of
1005 the third degree, punishable as provided in ss. 775.082,
1006 775.083, and 775.084.

1007 Section 12. If any provision of this act or its application
1008 to any person or circumstance is held invalid, the invalidity
1009 does not affect other provisions or applications of this act
1010 which can be given effect without the invalid provision or
1011 application, and to this end the provisions of this act are
1012 severable.

1013 Section 13. This act shall take effect upon becoming a law.