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1 A bill to be entitled
2 An act relating to sex offenses; amending s. 90.803,
3 F.S.; providing that an out-of-court statement by a
4 child victim with a physical, mental, emotional, or
5 developmental age of 16 or less rather than 11 or less
6 describing specified criminal acts is admissible in
7 evidence in certain instances; amending s. 775.21,
8 F.S.; replacing the definition of the term "instant
9 message name" with the definition of the term
10 "Internet identifier"; providing that voluntary
11 disclosure of specified information waives a
12 disclosure exemption for such information; conforming
13 provisions; adding additional offenses to the list of
14 sexual predator qualifying offenses; requiring
15 disclosure of additional information during the sexual
16 predator registration process; requiring that a sexual
17 predator who is unable to secure or update a driver
18 license or identification card within a specified
19 period must report specified information to the local
20 sheriff's office within a specified period after such
21 change with confirmation that he or she also reported
22 such information to the Department of Highway Safety
23 and Motor Vehicles; revising reporting requirements if
24 a sexual predator plans to leave the United States for
25 more than a specified period; providing criminal
26 penalties for knowingly providing false registration
27 information by act or omission; amending s. 800.03,
28 F.S.; providing enhanced penalties for third or

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29 subsequent indecent exposure violations; amending s.
30 903.046, F.S.; requiring a court considering whether
31 to release a defendant on bail to determine whether
32 the defendant is subject to registration as a sexual
33 offender or sexual predator and, if so, to hold the
34 defendant without bail until the first appearance on
35 the case; providing an exception; amending s.
36 943.0435, F.S.; adding additional offenses to the list
37 of sexual offender qualifying offenses; replacing the
38 definition of the term "instant message name" with the
39 definition of the term "Internet identifier";
40 conforming provisions; requiring disclosure of
41 additional sexual offender registration information;
42 requiring that a sexual offender who is unable to
43 secure or update a driver license or identification
44 card within a specified period must report specified
45 information to the local sheriff's office within a
46 specified period of such change with confirmation that
47 he or she also reported such information to the
48 Department of Highway Safety and Motor Vehicles;
49 providing additional requirements for sexual offenders
50 intending to reside outside of the United States;
51 revising criteria applicable to provisions allowing
52 removal from the requirement to register as a sexual
53 offender; providing criminal penalties for knowingly
54 providing false registration information by act or
55 omission; amending s. 943.04351, F.S.; requiring a
56 specified national search of registration information

57 | regarding sexual predators and sexual offenders prior
58 | to appointment or employment of persons by state
59 | agencies and governmental subdivisions; amending s.
60 | 943.04354, F.S.; revising the criteria applicable to
61 | provisions allowing removal of the requirement to
62 | register as a sexual offender or sexual predator;
63 | amending s. 943.0437, F.S.; replacing the term
64 | "instant message name" with the term "Internet
65 | identifier"; amending ss. 944.606 and 944.607, F.S.;
66 | adding additional offenses to the list of sexual
67 | offender qualifying offenses; replacing the definition
68 | of the term "instant message name" with the definition
69 | of the term "Internet identifier"; conforming
70 | provisions; requiring disclosure of additional
71 | registration information; providing criminal penalties
72 | for knowingly providing false registration information
73 | by act or omission; amending s. 947.005, F.S.;
74 | revising the definition of the term "risk assessment";
75 | amending s. 948.31, F.S.; authorizing the court to
76 | require sexual offenders and sexual predators who are
77 | on probation or community control to undergo an
78 | evaluation to determine whether the offender or
79 | predator needs sexual offender treatment; requiring
80 | the probationer or community controllee to pay for the
81 | treatment; removing a provision prohibiting contact
82 | with minors if sexual offender treatment is
83 | recommended; amending ss. 985.481 and 985.4815, F.S.;
84 | requiring disclosure of additional registration

85 information by certain sexual offenders adjudicated
 86 delinquent and certain juvenile sexual offenders;
 87 providing criminal penalties for knowingly providing
 88 false registration information by act or omission;
 89 amending s. 921.0022, F.S.; correcting references;
 90 providing an effective date.

91
 92 Be It Enacted by the Legislature of the State of Florida:

93
 94 Section 1. Paragraph (a) of subsection (23) of section
 95 90.803, Florida Statutes, is amended to read:

96 90.803 Hearsay exceptions; availability of declarant
 97 immaterial.—The provision of s. 90.802 to the contrary
 98 notwithstanding, the following are not inadmissible as evidence,
 99 even though the declarant is available as a witness:

100 (23) HEARSAY EXCEPTION; STATEMENT OF CHILD VICTIM.—

101 (a) Unless the source of information or the method or
 102 circumstances by which the statement is reported indicates a
 103 lack of trustworthiness, an out-of-court statement made by a
 104 child victim with a physical, mental, emotional, or
 105 developmental age of 16 ~~11~~ or less describing any act of child
 106 abuse or neglect, any act of sexual abuse against a child, the
 107 offense of child abuse, the offense of aggravated child abuse,
 108 or any offense involving an unlawful sexual act, contact,
 109 intrusion, or penetration performed in the presence of, with,
 110 by, or on the declarant child, not otherwise admissible, is
 111 admissible in evidence in any civil or criminal proceeding if:

112 1. The court finds in a hearing conducted outside the

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113 presence of the jury that the time, content, and circumstances
114 of the statement provide sufficient safeguards of reliability.
115 In making its determination, the court may consider the mental
116 and physical age and maturity of the child, the nature and
117 duration of the abuse or offense, the relationship of the child
118 to the offender, the reliability of the assertion, the
119 reliability of the child victim, and any other factor deemed
120 appropriate; and

121 2. The child either:

122 a. Testifies; or

123 b. Is unavailable as a witness, provided that there is
124 other corroborative evidence of the abuse or offense.

125 Unavailability shall include a finding by the court that the
126 child's participation in the trial or proceeding would result in
127 a substantial likelihood of severe emotional or mental harm, in
128 addition to findings pursuant to s. 90.804(1).

129 Section 2. Paragraph (i) of subsection (2), paragraph (a)
130 of subsection (4), subsections (6) and (8), and paragraph (a) of
131 subsection (10) of section 775.21, Florida Statutes, are amended
132 to read:

133 775.21 The Florida Sexual Predators Act.—

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

135 (i) "Internet identifier ~~Instant message name~~" means all
136 electronic mail, chat, instant messenger, social networking, or
137 similar name used for Internet communication, but does not
138 include a date of birth, social security number, or personal
139 identification number (PIN). Voluntary disclosure by the sexual
140 predator of his or her date of birth, social security number, or

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141 personal identification number (PIN) as an Internet identifier
 142 waives the disclosure exemption in this paragraph for such
 143 personal information ~~an identifier that allows a person to~~
 144 ~~communicate in real time with another person using the Internet.~~

145 (4) SEXUAL PREDATOR CRITERIA.—

146 (a) For a current offense committed on or after October 1,
 147 1993, upon conviction, an offender shall be designated as a
 148 "sexual predator" under subsection (5), and subject to
 149 registration under subsection (6) and community and public
 150 notification under subsection (7) if:

151 1. The felony is:

152 a. A capital, life, or first-degree felony violation, or
 153 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
 154 is a minor and the defendant is not the victim's parent or
 155 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a
 156 violation of a similar law of another jurisdiction; or

157 b. Any felony violation, or any attempt thereof, of s.
 158 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
 159 787.025(2)(c), where the victim is a minor and the defendant is
 160 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
 161 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
 162 796.03; s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025; ~~s.~~
 163 ~~825.1025(2)(b);~~ s. 827.071; s. 847.0135(5), excluding s.
 164 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a
 165 violation of a similar law of another jurisdiction, and the
 166 offender has previously been convicted of or found to have
 167 committed, or has pled nolo contendere or guilty to, regardless
 168 of adjudication, any violation of s. 393.135(2); s. 394.4593(2);

169 s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a
 170 minor and the defendant is not the victim's parent or guardian;
 171 s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
 172 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 173 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
 174 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a
 175 violation of a similar law of another jurisdiction;

176 2. The offender has not received a pardon for any felony
 177 or similar law of another jurisdiction that is necessary for the
 178 operation of this paragraph; and

179 3. A conviction of a felony or similar law of another
 180 jurisdiction necessary to the operation of this paragraph has
 181 not been set aside in any postconviction proceeding.

182 (6) REGISTRATION.—

183 (a) A sexual predator must register with the department
 184 through the sheriff's office by providing the following
 185 information to the department:

186 1. Name; social security number; age; race; sex; date of
 187 birth; height; weight; tattoos or other identifying marks; hair
 188 and eye color; photograph; address of legal residence and
 189 address of any current temporary residence, within the state or
 190 out of state, including a rural route address and a post office
 191 box; if no permanent or temporary address, any transient
 192 residence within the state; address, location or description,
 193 and dates of any current or known future temporary residence
 194 within the state or out of state; all ~~any~~ electronic mail
 195 addresses ~~address~~ and all Internet identifiers ~~any instant~~
 196 ~~message name~~ required to be provided pursuant to subparagraph

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197 | (g)4.; all home telephone numbers ~~number~~ and ~~any~~ cellular
198 | telephone numbers ~~number~~; date and place of any employment; the
199 | make, model, color, registration number, and license tag number
200 | of all vehicles owned; date and place of each conviction;
201 | fingerprints; palm prints; and a brief description of the crime
202 | or crimes committed by the offender. A post office box shall not
203 | be provided in lieu of a physical residential address. The
204 | sexual predator must also produce his or her passport, if he or
205 | she has a passport, and, if he or she is an alien, must produce
206 | or provide information about documents establishing his or her
207 | immigration status. The sexual predator must also provide
208 | information about any professional licenses that he or she may
209 | have.

210 | a. If the sexual predator's place of residence is a motor
211 | vehicle, trailer, mobile home, or manufactured home, as defined
212 | in chapter 320, the sexual predator shall also provide to the
213 | department written notice of the vehicle identification number;
214 | the license tag number; the registration number; and a
215 | description, including color scheme, of the motor vehicle,
216 | trailer, mobile home, or manufactured home. If a sexual
217 | predator's place of residence is a vessel, live-aboard vessel,
218 | or houseboat, as defined in chapter 327, the sexual predator
219 | shall also provide to the department written notice of the hull
220 | identification number; the manufacturer's serial number; the
221 | name of the vessel, live-aboard vessel, or houseboat; the
222 | registration number; and a description, including color scheme,
223 | of the vessel, live-aboard vessel, or houseboat.

224 | b. If the sexual predator is enrolled, employed,

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225 | volunteering, or carrying on a vocation at an institution of
226 | higher education in this state, the sexual predator shall also
227 | provide to the department the name, address, and county of each
228 | institution, including each campus attended, and the sexual
229 | predator's enrollment, volunteer, or employment status. Each
230 | change in enrollment, volunteer, or employment status shall be
231 | reported in person at the sheriff's office, or the Department of
232 | Corrections if the sexual predator is in the custody or control
233 | of or under the supervision of the Department of Corrections,
234 | within 48 hours after any change in status. The sheriff or the
235 | Department of Corrections shall promptly notify each institution
236 | of the sexual predator's presence and any change in the sexual
237 | predator's enrollment, volunteer, or employment status.

238 | 2. Any other information determined necessary by the
239 | department, including criminal and corrections records;
240 | nonprivileged personnel and treatment records; and evidentiary
241 | genetic markers when available.

242 | (b) If the sexual predator is in the custody or control
243 | of, or under the supervision of, the Department of Corrections,
244 | or is in the custody of a private correctional facility, the
245 | sexual predator must register with the Department of
246 | Corrections. A sexual predator who is under the supervision of
247 | the Department of Corrections but who is not incarcerated must
248 | register with the Department of Corrections within 3 business
249 | days after the court finds the offender to be a sexual predator.
250 | The Department of Corrections shall provide to the department
251 | registration information and the location of, and local
252 | telephone number for, any Department of Corrections office that

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253 is responsible for supervising the sexual predator. In addition,
254 the Department of Corrections shall notify the department if the
255 sexual predator escapes or absconds from custody or supervision
256 or if the sexual predator dies.

257 (c) If the sexual predator is in the custody of a local
258 jail, the custodian of the local jail shall register the sexual
259 predator within 3 business days after intake of the sexual
260 predator for any reason and upon release, and shall forward the
261 registration information to the department. The custodian of the
262 local jail shall also take a digitized photograph of the sexual
263 predator while the sexual predator remains in custody and shall
264 provide the digitized photograph to the department. The
265 custodian shall notify the department if the sexual predator
266 escapes from custody or dies.

267 (d) If the sexual predator is under federal supervision,
268 the federal agency responsible for supervising the sexual
269 predator may forward to the department any information regarding
270 the sexual predator which is consistent with the information
271 provided by the Department of Corrections under this section,
272 and may indicate whether use of the information is restricted to
273 law enforcement purposes only or may be used by the department
274 for purposes of public notification.

275 (e)1. If the sexual predator is not in the custody or
276 control of, or under the supervision of, the Department of
277 Corrections or is not in the custody of a private correctional
278 facility, the sexual predator shall register in person:

279 a. At the sheriff's office in the county where he or she
280 establishes or maintains a residence within 48 hours after

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281 establishing or maintaining a residence in this state; and

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

285 2. Any change in the sexual predator's permanent or
286 temporary residence, name, ~~or any electronic mail addresses, or~~
287 Internet identifiers ~~address and any instant message name~~
288 required to be provided pursuant to subparagraph (g)4., after
289 the sexual predator registers in person at the sheriff's office
290 as provided in subparagraph 1., shall be accomplished in the
291 manner provided in paragraphs (g), (i), and (j). When a sexual
292 predator registers with the sheriff's office, the sheriff shall
293 take a photograph, ~~and~~ a set of fingerprints, and palm prints of
294 the predator and forward the photographs, palm prints, and
295 fingerprints to the department, along with the information that
296 the predator is required to provide pursuant to this section.

297 (f) Within 48 hours after the registration required under
298 paragraph (a) or paragraph (e), a sexual predator who is not
299 incarcerated and who resides in the community, including a
300 sexual predator under the supervision of the Department of
301 Corrections, shall register in person at a driver ~~driver's~~
302 license office of the Department of Highway Safety and Motor
303 Vehicles and shall present proof of registration. At the driver
304 ~~driver's~~ license office the sexual predator shall:

305 1. If otherwise qualified, secure a Florida driver
306 ~~driver's~~ license, renew a Florida driver ~~driver's~~ license, or
307 secure an identification card. The sexual predator shall
308 identify himself or herself as a sexual predator who is required

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309 to comply with this section, provide his or her place of
310 permanent, temporary, or transient residence, including a rural
311 route address and a post office box, and submit to the taking of
312 a photograph for use in issuing a driver ~~driver's~~ license,
313 renewed license, or identification card, and for use by the
314 department in maintaining current records of sexual predators. A
315 post office box shall not be provided in lieu of a physical
316 residential address. If the sexual predator's place of residence
317 is a motor vehicle, trailer, mobile home, or manufactured home,
318 as defined in chapter 320, the sexual predator shall also
319 provide to the Department of Highway Safety and Motor Vehicles
320 the vehicle identification number; the license tag number; the
321 registration number; and a description, including color scheme,
322 of the motor vehicle, trailer, mobile home, or manufactured
323 home. If a sexual predator's place of residence is a vessel,
324 live-aboard vessel, or houseboat, as defined in chapter 327, the
325 sexual predator shall also provide to the Department of Highway
326 Safety and Motor Vehicles the hull identification number; the
327 manufacturer's serial number; the name of the vessel, live-
328 aboard vessel, or houseboat; the registration number; and a
329 description, including color scheme, of the vessel, live-aboard
330 vessel, or houseboat.

331 2. Pay the costs assessed by the Department of Highway
332 Safety and Motor Vehicles for issuing or renewing a driver
333 ~~driver's~~ license or identification card as required by this
334 section. The driver ~~driver's~~ license or identification card
335 issued to the sexual predator must be in compliance with s.
336 322.141(3).

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337 3. Provide, upon request, any additional information
338 necessary to confirm the identity of the sexual predator,
339 including a set of fingerprints.

340 (g)1. Each time a sexual predator's driver ~~driver's~~
341 license or identification card is subject to renewal, and,
342 without regard to the status of the predator's driver ~~driver's~~
343 license or identification card, within 48 hours after any change
344 of the predator's residence or change in the predator's name by
345 reason of marriage or other legal process, the predator shall
346 report in person to a driver ~~driver's~~ license office and shall
347 be subject to the requirements specified in paragraph (f). The
348 Department of Highway Safety and Motor Vehicles shall forward to
349 the department and to the Department of Corrections all
350 photographs and information provided by sexual predators.
351 Notwithstanding the restrictions set forth in s. 322.142, the
352 Department of Highway Safety and Motor Vehicles is authorized to
353 release a reproduction of a color-photograph or digital-image
354 license to the Department of Law Enforcement for purposes of
355 public notification of sexual predators as provided in this
356 section. A sexual predator who is unable to secure or update a
357 driver license or identification card with the Department of
358 Highway Safety and Motor Vehicles as provided in paragraph (f)
359 and this paragraph must also report any change of the predator's
360 residence or change in the predator's name by reason of marriage
361 or other legal process within 48 hours after the change to the
362 sheriff's office in the county where the predator resides or is
363 located and provide confirmation that he or she reported such
364 information to the Department of Highway Safety and Motor

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365 | Vehicles.

366 | 2. A sexual predator who vacates a permanent, temporary,
367 | or transient residence and fails to establish or maintain
368 | another permanent, temporary, or transient residence shall,
369 | within 48 hours after vacating the permanent, temporary, or
370 | transient residence, report in person to the sheriff's office of
371 | the county in which he or she is located. The sexual predator
372 | shall specify the date upon which he or she intends to or did
373 | vacate such residence. The sexual predator must provide or
374 | update all of the registration information required under
375 | paragraph (a). The sexual predator must provide an address for
376 | the residence or other place that he or she is or will be
377 | located during the time in which he or she fails to establish or
378 | maintain a permanent or temporary residence.

379 | 3. A sexual predator who remains at a permanent,
380 | temporary, or transient residence after reporting his or her
381 | intent to vacate such residence shall, within 48 hours after the
382 | date upon which the predator indicated he or she would or did
383 | vacate such residence, report in person to the sheriff's office
384 | to which he or she reported pursuant to subparagraph 2. for the
385 | purpose of reporting his or her address at such residence. When
386 | the sheriff receives the report, the sheriff shall promptly
387 | convey the information to the department. An offender who makes
388 | a report as required under subparagraph 2. but fails to make a
389 | report as required under this subparagraph commits a felony of
390 | the second degree, punishable as provided in s. 775.082, s.
391 | 775.083, or s. 775.084.

392 | 4. A sexual predator must register all ~~any~~ electronic mail

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393 | addresses and Internet identifiers ~~address or instant message~~
394 | ~~name~~ with the department prior to using such electronic mail
395 | addresses and Internet identifiers ~~address or instant message~~
396 | ~~name on or after October 1, 2007~~. The department shall establish
397 | an online system through which sexual predators may securely
398 | access and update all electronic mail address and Internet
399 | identifier ~~instant message name~~ information.

400 | (h) The department must notify the sheriff and the state
401 | attorney of the county and, if applicable, the police chief of
402 | the municipality, where the sexual predator maintains a
403 | residence.

404 | (i) A sexual predator who intends to establish a
405 | permanent, temporary, or transient residence in another state or
406 | jurisdiction other than the State of Florida shall report in
407 | person to the sheriff of the county of current residence within
408 | 48 hours before the date he or she intends to leave this state
409 | to establish residence in another state or jurisdiction or
410 | within 21 days before his or her planned departure date if the
411 | intended residence of 5 days or more is outside of the United
412 | States. The sexual predator must provide to the sheriff the
413 | address, municipality, county, ~~and~~ state, and country of
414 | intended residence. The sheriff shall promptly provide to the
415 | department the information received from the sexual predator.
416 | The department shall notify the statewide law enforcement
417 | agency, or a comparable agency, in the intended state, ~~or~~
418 | jurisdiction, or country of residence of the sexual predator's
419 | intended residence. The failure of a sexual predator to provide
420 | his or her intended place of residence is punishable as provided

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421 in subsection (10).

422 (j) A sexual predator who indicates his or her intent to
423 establish a permanent, temporary, or transient residence in
424 another state, a ~~or~~ jurisdiction other than the State of
425 Florida, or another country and later decides to remain in this
426 state shall, within 48 hours after the date upon which the
427 sexual predator indicated he or she would leave this state,
428 report in person to the sheriff to which the sexual predator
429 reported the intended change of residence, and report his or her
430 intent to remain in this state. If the sheriff is notified by
431 the sexual predator that he or she intends to remain in this
432 state, the sheriff shall promptly report this information to the
433 department. A sexual predator who reports his or her intent to
434 establish a permanent, temporary, or transient residence in
435 another state, a ~~or~~ jurisdiction other than the State of
436 Florida, or another country, but who remains in this state
437 without reporting to the sheriff in the manner required by this
438 paragraph, commits a felony of the second degree, punishable as
439 provided in s. 775.082, s. 775.083, or s. 775.084.

440 (k)1. The department is responsible for the online
441 maintenance of current information regarding each registered
442 sexual predator. The department must maintain hotline access for
443 state, local, and federal law enforcement agencies to obtain
444 instantaneous locator file and offender characteristics
445 information on all released registered sexual predators for
446 purposes of monitoring, tracking, and prosecution. The
447 photograph and fingerprints do not have to be stored in a
448 computerized format.

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449 2. The department's sexual predator registration list,
450 containing the information described in subparagraph (a)1., is a
451 public record. The department is authorized to disseminate this
452 public information by any means deemed appropriate, including
453 operating a toll-free telephone number for this purpose. When
454 the department provides information regarding a registered
455 sexual predator to the public, department personnel must advise
456 the person making the inquiry that positive identification of a
457 person believed to be a sexual predator cannot be established
458 unless a fingerprint comparison is made, and that it is illegal
459 to use public information regarding a registered sexual predator
460 to facilitate the commission of a crime.

461 3. The department shall adopt guidelines as necessary
462 regarding the registration of sexual predators and the
463 dissemination of information regarding sexual predators as
464 required by this section.

465 (1) A sexual predator must maintain registration with the
466 department for the duration of his or her life, unless the
467 sexual predator has received a full pardon or has had a
468 conviction set aside in a postconviction proceeding for any
469 offense that met the criteria for the sexual predator
470 designation.

471 (8) VERIFICATION.—The department and the Department of
472 Corrections shall implement a system for verifying the addresses
473 of sexual predators. The system must be consistent with the
474 provisions of the federal Adam Walsh Child Protection and Safety
475 Act of 2006 and any other federal standards applicable to such
476 verification or required to be met as a condition for the

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477 receipt of federal funds by the state. The Department of
478 Corrections shall verify the addresses of sexual predators who
479 are not incarcerated but who reside in the community under the
480 supervision of the Department of Corrections and shall report to
481 the department any failure by a sexual predator to comply with
482 registration requirements. County and local law enforcement
483 agencies, in conjunction with the department, shall verify the
484 addresses of sexual predators who are not under the care,
485 custody, control, or supervision of the Department of
486 Corrections. Local law enforcement agencies shall report to the
487 department any failure by a sexual predator to comply with
488 registration requirements.

489 (a) A sexual predator must report in person each year
490 during the month of the sexual predator's birthday and during
491 every third month thereafter to the sheriff's office in the
492 county in which he or she resides or is otherwise located to
493 reregister. The sheriff's office may determine the appropriate
494 times and days for reporting by the sexual predator, which shall
495 be consistent with the reporting requirements of this paragraph.
496 Reregistration shall include any changes to the following
497 information:

498 1. Name; social security number; age; race; sex; date of
499 birth; height; weight; tattoos or other identifying marks; hair
500 and eye color; address of any permanent residence and address of
501 any current temporary residence, within the state or out of
502 state, including a rural route address and a post office box; if
503 no permanent or temporary address, any transient residence
504 within the state; address, location or description, and dates of

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505 any current or known future temporary residence within the state
506 or out of state; ~~any~~ electronic mail addresses or Internet
507 identifiers ~~address and any instant message name~~ required to be
508 provided pursuant to subparagraph (6)(g)4.; home telephone
509 numbers or number ~~and any~~ cellular telephone numbers ~~number~~;
510 date and place of any employment; ~~the vehicle~~ make, model,
511 color, registration number, and license tag number of any
512 vehicles owned; fingerprints; palm prints; and photograph. A
513 post office box shall not be provided in lieu of a physical
514 residential address. The sexual predator must also produce his
515 or her passport, if he or she has a passport, and, if he or she
516 is an alien, must produce or provide information about documents
517 establishing his or her immigration status. The sexual predator
518 must also provide information about any professional licenses
519 that he or she may have.

520 2. If the sexual predator is enrolled, employed,
521 volunteering, or carrying on a vocation at an institution of
522 higher education in this state, the sexual predator shall also
523 provide to the department the name, address, and county of each
524 institution, including each campus attended, and the sexual
525 predator's enrollment, volunteer, or employment status.

526 3. If the sexual predator's place of residence is a motor
527 vehicle, trailer, mobile home, or manufactured home, as defined
528 in chapter 320, the sexual predator shall also provide the
529 vehicle identification number; the license tag number; the
530 registration number; and a description, including color scheme,
531 of the motor vehicle, trailer, mobile home, or manufactured
532 home. If the sexual predator's place of residence is a vessel,

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533 live-aboard vessel, or houseboat, as defined in chapter 327, the
534 sexual predator shall also provide the hull identification
535 number; the manufacturer's serial number; the name of the
536 vessel, live-aboard vessel, or houseboat; the registration
537 number; and a description, including color scheme, of the
538 vessel, live-aboard vessel, or houseboat.

539 (b) The sheriff's office shall, within 2 working days,
540 electronically submit and update all information provided by the
541 sexual predator to the department in a manner prescribed by the
542 department.

543 (10) PENALTIES.—

544 (a) Except as otherwise specifically provided, a sexual
545 predator who fails to register; who fails, after registration,
546 to maintain, acquire, or renew a driver ~~driver's~~ license or
547 identification card; who fails to provide required location
548 information, electronic mail address information prior to use,
549 Internet identifier ~~instant message name~~ information prior to
550 use, all home telephone numbers ~~number~~ and ~~any~~ cellular
551 telephone numbers ~~number~~, or change-of-name information; who
552 fails to make a required report in connection with vacating a
553 permanent residence; who fails to reregister as required; who
554 fails to respond to any address verification correspondence from
555 the department within 3 weeks of the date of the correspondence;
556 who knowingly provides false registration information by act or
557 omission; or who otherwise fails, by act or omission, to comply
558 with the requirements of this section, commits a felony of the
559 third degree, punishable as provided in s. 775.082, s. 775.083,
560 or s. 775.084.

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561 Section 3. Section 800.03, Florida Statutes, is amended to
 562 read:

563 800.03 Exposure of sexual organs.—

564 (1) It is unlawful to expose or exhibit one's sexual
 565 organs in public or on the private premises of another, or so
 566 near thereto as to be seen from such private premises, in a
 567 vulgar or indecent manner, or to be naked in public except in
 568 any place provided or set apart for that purpose.

569 (2) (a) Except as provided in paragraph (b), a violation of
 570 this section is a misdemeanor of the first degree, punishable as
 571 provided in s. 775.082 or s. 775.083.

572 (b) A third or subsequent violation of this section is a
 573 felony of the third degree, punishable as provided in s.
 574 775.082, s. 775.083, or s. 775.084.

575 (3) A mother's breastfeeding of her baby does not under
 576 any circumstance violate this section.

577 Section 4. Paragraph (m) is added to subsection (2) of
 578 section 903.046, Florida Statutes, to read:

579 903.046 Purpose of and criteria for bail determination.—

580 (2) When determining whether to release a defendant on
 581 bail or other conditions, and what that bail or those conditions
 582 may be, the court shall consider:

583 (m) Whether the defendant, other than a defendant whose
 584 only criminal charge is a misdemeanor offense under chapter 316,
 585 is required to register as a sexual offender under s. 943.0435
 586 or a sexual predator under s. 775.21; and, if so, he or she is
 587 not eligible for release on bail or surety bond until the first
 588 appearance on the case in order to ensure the full participation

589 | of the prosecutor and the protection of the public.

590 | Section 5. Paragraphs (a) and (g) of subsection (1),
 591 | subsection (2), paragraphs (a) and (d) of subsection (4),
 592 | subsections (7), (8), and (11), and paragraphs (b) and (c) of
 593 | subsection (14) of section 943.0435, Florida Statutes, are
 594 | amended to read:

595 | 943.0435 Sexual offenders required to register with the
 596 | department; penalty.—

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

598 | (a)1. "Sexual offender" means a person who meets the
 599 | criteria in sub-subparagraph a., sub-subparagraph b., sub-
 600 | subparagraph c., or sub-subparagraph d., as follows:

601 | a.(I) Has been convicted of committing, or attempting,
 602 | soliciting, or conspiring to commit, any of the criminal
 603 | offenses proscribed in the following statutes in this state or
 604 | similar offenses in another jurisdiction: s. 393.135(2); s.
 605 | 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
 606 | the victim is a minor and the defendant is not the victim's
 607 | parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s.
 608 | 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 609 | 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s.
 610 | 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 611 | 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
 612 | similar offense committed in this state which has been
 613 | redesignated from a former statute number to one of those listed
 614 | in this sub-sub-subparagraph; and

615 | (II) Has been released on or after October 1, 1997, from
 616 | the sanction imposed for any conviction of an offense described

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617 in sub-sub-subparagraph (I). For purposes of sub-sub-
618 subparagraph (I), a sanction imposed in this state or in any
619 other jurisdiction includes, but is not limited to, a fine,
620 probation, community control, parole, conditional release,
621 control release, or incarceration in a state prison, federal
622 prison, private correctional facility, or local detention
623 facility;

624 b. Establishes or maintains a residence in this state and
625 who has not been designated as a sexual predator by a court of
626 this state but who has been designated as a sexual predator, as
627 a sexually violent predator, or by another sexual offender
628 designation in another state or jurisdiction and was, as a
629 result of such designation, subjected to registration or
630 community or public notification, or both, or would be if the
631 person were a resident of that state or jurisdiction, without
632 regard to whether the person otherwise meets the criteria for
633 registration as a sexual offender;

634 c. Establishes or maintains a residence in this state who
635 is in the custody or control of, or under the supervision of,
636 any other state or jurisdiction as a result of a conviction for
637 committing, or attempting, soliciting, or conspiring to commit,
638 any of the criminal offenses proscribed in the following
639 statutes or similar offense in another jurisdiction: s.
640 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
641 787.025(2)(c), where the victim is a minor and the defendant is
642 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
643 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
644 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.

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645 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
646 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.
647 985.701(1); or any similar offense committed in this state which
648 has been redesignated from a former statute number to one of
649 those listed in this sub-subparagraph; or

650 d. On or after July 1, 2007, has been adjudicated
651 delinquent for committing, or attempting, soliciting, or
652 conspiring to commit, any of the criminal offenses proscribed in
653 the following statutes in this state or similar offenses in
654 another jurisdiction when the juvenile was 14 years of age or
655 older at the time of the offense:

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

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

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

662 (IV) Section 800.04(5)(d) where the court finds the use of
663 force or coercion and unclothed genitals.

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

667
668 For each violation of a qualifying offense listed in this
669 subsection, except for a violation of s. 794.011, the court
670 shall make a written finding of the age of the victim at the
671 time of the offense. For a violation of s. 800.04(4), the court
672 shall additionally make a written finding indicating that the

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673 offense did or did not involve sexual activity and indicating
674 that the offense did or did not involve force or coercion. For a
675 violation of s. 800.04(5), the court shall additionally make a
676 written finding that the offense did or did not involve
677 unclothed genitals or genital area and that the offense did or
678 did not involve the use of force or coercion.

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

683 (2) A sexual offender shall:

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

685 1. In the county in which the offender establishes or
686 maintains a permanent, temporary, or transient residence within
687 48 hours after:

688 a. Establishing permanent, temporary, or transient
689 residence in this state; or

690 b. Being released from the custody, control, or
691 supervision of the Department of Corrections or from the custody
692 of a private correctional facility; or

693 2. In the county where he or she was convicted within 48
694 hours after being convicted for a qualifying offense for
695 registration under this section if the offender is not in the
696 custody or control of, or under the supervision of, the
697 Department of Corrections, or is not in the custody of a private
698 correctional facility.

699 Any change in the information required to be provided pursuant
700 to paragraph (b), including, but not limited to, any change in

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701 the sexual offender's permanent, temporary, or transient
 702 residence, name, ~~any~~ electronic mail addresses, or Internet
 703 identifiers ~~address and any instant message name~~ required to be
 704 provided pursuant to paragraph (4) (d), after the sexual offender
 705 reports in person at the sheriff's office, shall be accomplished
 706 in the manner provided in subsections (4), (7), and (8).

707 (b) Provide his or her name; date of birth; social
 708 security number; race; sex; height; weight; hair and eye color;
 709 tattoos or other identifying marks; occupation and place of
 710 employment; address of permanent or legal residence or address
 711 of any current temporary residence, within the state or out of
 712 state, including a rural route address and a post office box; if
 713 no permanent or temporary address, any transient residence
 714 within the state, address, location or description, and dates of
 715 any current or known future temporary residence within the state
 716 or out of state; the make, model, color, registration number,
 717 and license tag number of all vehicles owned; all home telephone
 718 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; all
 719 ~~any~~ electronic mail addresses ~~address~~ and all Internet
 720 identifiers ~~any instant message name~~ required to be provided
 721 pursuant to paragraph (4) (d); fingerprints; palm prints;
 722 photograph; date and place of each conviction; and a brief
 723 description of the crime or crimes committed by the offender. A
 724 post office box shall not be provided in lieu of a physical
 725 residential address. The sexual offender must also produce his
 726 or her passport, if he or she has a passport, and, if he or she
 727 is an alien, must produce or provide information about documents
 728 establishing his or her immigration status. The sexual offender

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729 must also provide information about any professional licenses
730 that he or she may have.

731 1. If the sexual offender's place of residence is a motor
732 vehicle, trailer, mobile home, or manufactured home, as defined
733 in chapter 320, the sexual offender shall also provide to the
734 department through the sheriff's office written notice of the
735 vehicle identification number; the license tag number; the
736 registration number; and a description, including color scheme,
737 of the motor vehicle, trailer, mobile home, or manufactured
738 home. If the sexual offender's place of residence is a vessel,
739 live-aboard vessel, or houseboat, as defined in chapter 327, the
740 sexual offender shall also provide to the department written
741 notice of the hull identification number; the manufacturer's
742 serial number; the name of the vessel, live-aboard vessel, or
743 houseboat; the registration number; and a description, including
744 color scheme, of the vessel, live-aboard vessel, or houseboat.

745 2. If the sexual offender is enrolled, employed,
746 volunteering, or carrying on a vocation at an institution of
747 higher education in this state, the sexual offender shall also
748 provide to the department through the sheriff's office the name,
749 address, and county of each institution, including each campus
750 attended, and the sexual offender's enrollment, volunteer, or
751 employment status. Each change in enrollment, volunteer, or
752 employment status shall be reported in person at the sheriff's
753 office, within 48 hours after any change in status. The sheriff
754 shall promptly notify each institution of the sexual offender's
755 presence and any change in the sexual offender's enrollment,
756 volunteer, or employment status.

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757 (c) Provide any other information determined necessary by
758 the department, including criminal and corrections records;
759 nonprivileged personnel and treatment records; and evidentiary
760 genetic markers, when available.

761 When a sexual offender reports at the sheriff's office, the
762 sheriff shall take a photograph, ~~and~~ a set of fingerprints, and
763 palm prints of the offender and forward the photographs, palm
764 prints, and fingerprints to the department, along with the
765 information provided by the sexual offender. The sheriff shall
766 promptly provide to the department the information received from
767 the sexual offender.

768 (4) (a) Each time a sexual offender's driver ~~driver's~~
769 license or identification card is subject to renewal, and,
770 without regard to the status of the offender's driver ~~driver's~~
771 license or identification card, within 48 hours after any change
772 in the offender's permanent, temporary, or transient residence
773 or change in the offender's name by reason of marriage or other
774 legal process, the offender shall report in person to a driver
775 ~~driver's~~ license office, and shall be subject to the
776 requirements specified in subsection (3). The Department of
777 Highway Safety and Motor Vehicles shall forward to the
778 department all photographs and information provided by sexual
779 offenders. Notwithstanding the restrictions set forth in s.
780 322.142, the Department of Highway Safety and Motor Vehicles is
781 authorized to release a reproduction of a color-photograph or
782 digital-image license to the Department of Law Enforcement for
783 purposes of public notification of sexual offenders as provided
784 in this section and ss. 943.043 and 944.606. A sexual offender

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785 who is unable to secure or update a driver license or
786 identification card with the Department of Highway Safety and
787 Motor Vehicles as provided in subsection (3) and this subsection
788 must also report any change in the sexual offender's permanent,
789 temporary, or transient residence or change in the offender's
790 name by reason of marriage or other legal process within 48
791 hours after the change to the sheriff's office in the county
792 where the offender resides or is located and provide
793 confirmation that he or she reported such information to the
794 Department of Highway Safety and Motor Vehicles.

795 (d) A sexual offender must register all ~~any~~ electronic
796 mail addresses and Internet identifiers ~~address or instant~~
797 ~~message name~~ with the department prior to using such electronic
798 mail addresses and Internet identifiers ~~address or instant~~
799 ~~message name on or after October 1, 2007~~. The department shall
800 establish an online system through which sexual offenders may
801 securely access and update all electronic mail address and
802 Internet identifier ~~instant message name~~ information.

803 (7) A sexual offender who intends to establish a
804 permanent, temporary, or transient residence in another state or
805 jurisdiction other than the State of Florida shall report in
806 person to the sheriff of the county of current residence within
807 48 hours before the date he or she intends to leave this state
808 to establish residence in another state or jurisdiction or
809 within 21 days before his or her planned departure date if the
810 intended residence of 5 days or more is outside of the United
811 States. The notification must include the address, municipality,
812 county, ~~and~~ state, and country of intended residence. The

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813 | sheriff shall promptly provide to the department the information
 814 | received from the sexual offender. The department shall notify
 815 | the statewide law enforcement agency, or a comparable agency, in
 816 | the intended state, ~~or~~ jurisdiction, or country of residence of
 817 | the sexual offender's intended residence. The failure of a
 818 | sexual offender to provide his or her intended place of
 819 | residence is punishable as provided in subsection (9).

820 | (8) A sexual offender who indicates his or her intent to
 821 | establish a permanent, temporary, or transient residence in
 822 | another state, a ~~or~~ jurisdiction other than the State of
 823 | Florida, or another country and later decides to remain in this
 824 | state shall, within 48 hours after the date upon which the
 825 | sexual offender indicated he or she would leave this state,
 826 | report in person to the sheriff to which the sexual offender
 827 | reported the intended change of permanent, temporary, or
 828 | transient residence, and report his or her intent to remain in
 829 | this state. The sheriff shall promptly report this information
 830 | to the department. A sexual offender who reports his or her
 831 | intent to establish a permanent, temporary, or transient
 832 | residence in another state, a ~~or~~ jurisdiction other than the
 833 | State of Florida, or another country but who remains in this
 834 | state without reporting to the sheriff in the manner required by
 835 | this subsection commits a felony of the second degree,
 836 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

837 | (11) Except as provided in this subsection and s.
 838 | 943.04354, a sexual offender must maintain registration with the
 839 | department for the duration of his or her life, unless the
 840 | sexual offender has received a full pardon or has had a

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841 conviction set aside in a postconviction proceeding for any
842 offense that meets the criteria for classifying the person as a
843 sexual offender for purposes of registration. ~~However, a sexual~~
844 ~~offender:~~

845 (a)1. A sexual offender may petition the criminal division
846 of the circuit court of the circuit in which the sexual offender
847 resides for the purpose of removing the requirement for
848 registration as a sexual offender if ~~Who has been lawfully~~
849 ~~released from confinement, supervision, or sanction, whichever~~
850 ~~is later, for at least 25 years and has not been arrested for~~
851 ~~any felony or misdemeanor offense since release, provided that~~
852 ~~the sexual offender's requirement to register was not based upon~~
853 ~~an adult conviction:~~

854 a. Twenty-five years have elapsed since the sexual
855 offender's registration period for the most recent conviction
856 that required the offender to register began, excluding any
857 period in which the offender was supervised by the Department of
858 Corrections.

859 b. The sexual offender has not been convicted or
860 adjudicated delinquent of any felony offense or of an offense
861 punishable by more than 1 year of imprisonment during the 25
862 years preceding the petition to the court.

863 c. The sexual offender has successfully completed all
864 sanctions imposed for all offenses that required the offender to
865 register.

866 d. The sexual offender's requirement to register was not
867 based upon an adult conviction for a violation of ss. 787.01 and
868 794.011, excluding s. 794.011(10), s. 800.04(4)(b) where the

869 court finds the offense involved a victim under 12 years of age
 870 or sexual activity by the use of force or coercion, s.
 871 800.04(5)(b) or s. 800.04(5)(c)2. where the court finds the
 872 offense involved the use of force or coercion and unclothed
 873 genitals or genital area; for any attempt or conspiracy to
 874 commit any offense listed in this sub-subparagraph; for a
 875 violation of similar law of another jurisdiction; or for a
 876 violation of a similar offense committed in this state which has
 877 been redesignated from a former statute number to one of those
 878 listed in this sub-subparagraph.

879 e. For sexual offenders whose requirement to register is
 880 based upon a conviction in another state, the sexual offender is
 881 not required to register as a sexual offender pursuant to the
 882 laws of the state where the conviction occurred. Such an
 883 offender must provide the court written confirmation that he or
 884 she is not required to register in the state where the
 885 conviction occurred.

886 ~~a. For a violation of s. 787.01 or s. 787.02;~~

887 ~~b. For a violation of s. 794.011, excluding s.~~
 888 ~~794.011(10);~~

889 ~~e. For a violation of s. 800.04(4)(b) where the court~~
 890 ~~finds the offense involved a victim under 12 years of age or~~
 891 ~~sexual activity by the use of force or coercion;~~

892 ~~d. For a violation of s. 800.04(5)(b);~~

893 ~~e. For a violation of s. 800.04(5)c.2. where the court~~
 894 ~~finds the offense involved unclothed genitals or genital area;~~

895 ~~f. For any attempt or conspiracy to commit any such~~
 896 ~~offense; or~~

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897 ~~g. For a violation of similar law of another jurisdiction,~~
898 ~~may petition the criminal division of the circuit court of the~~
899 ~~circuit in which the sexual offender resides for the purpose of~~
900 ~~removing the requirement for registration as a sexual offender.~~

901 2. A sexual offender whose requirement to register was
902 based upon an adult conviction for a violation of s. 787.02 or
903 s. 827.071(5), for any attempt or conspiracy to commit any
904 offense listed in this subparagraph, or for a violation of
905 similar law of another jurisdiction may petition the criminal
906 division of the circuit court of the circuit in which the sexual
907 offender resides for the purpose of removing the requirement for
908 registration as a sexual offender if:

909 a. Fifteen years have elapsed since the sexual offender's
910 registration period for the most recent conviction that required
911 the offender to register began, excluding any period in which
912 the offender was supervised by the Department of Corrections.

913 b. The sexual offender has not been convicted or
914 adjudicated delinquent of any felony offense or of an offense
915 punishable by more than 1 year of imprisonment during the 10
916 years preceding the petition to the court.

917 c. The sexual offender has successfully completed all
918 sanctions imposed for all offenses that required the offender to
919 register.

920 d. For sexual offenders whose requirement to register is
921 based upon a conviction in another state, the sexual offender is
922 not required to register as a sexual offender pursuant to the
923 laws of the state where the conviction occurred. Such an
924 offender must provide the court written confirmation that he or

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925 she is not required to register in the state where the
926 conviction occurred.

927 3. A sexual offender required to register under sub-
928 subparagraph (1)(a)1.d. may petition the criminal division of
929 the circuit court of the circuit in which the sexual offender
930 resides for the purpose of removing the requirement for
931 registration as a sexual offender if:

932 a. Twenty-five years have elapsed since the sexual
933 offender's registration period for the most recent adjudication
934 that required the offender to register began, excluding any
935 period in which the offender was supervised by the Department of
936 Juvenile Justice.

937 b. The sexual offender has not been convicted or
938 adjudicated delinquent of any felony offense or of an offense
939 punishable by more than 1 year of imprisonment during the 25
940 years preceding the petition to the court.

941 c. The sexual offender has successfully completed all
942 sanctions imposed for all offenses that required the offender to
943 register.

944 4.2. The court may grant or deny relief if the offender
945 demonstrates to the court that ~~he or she has not been arrested~~
946 ~~for any crime since release;~~ the requested relief complies with
947 this paragraph, ~~the provisions of~~ the federal Adam Walsh Child
948 Protection and Safety Act of 2006, and any other federal
949 standards applicable to the removal of registration requirements
950 for a sexual offender or required to be met as a condition for
951 the receipt of federal funds by the state; and the court is
952 otherwise satisfied that the offender is not a current or

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953 potential threat to public safety. The state attorney in the
954 circuit in which the petition is filed and the department must
955 be given notice of the petition at least 3 weeks before the
956 hearing on the matter. The state attorney may present evidence
957 in opposition to the requested relief or may otherwise
958 demonstrate the reasons why the petition should be denied. If
959 the court grants the petition, the court shall instruct the
960 petitioner to provide the department with a certified copy of
961 the order granting relief. If the court denies the petition, the
962 court may set a future date at which the sexual offender may
963 again petition the court for relief, subject to the standards
964 for relief provided in this subsection.

965 ~~5.3.~~ The department shall remove an offender from
966 classification as a sexual offender for purposes of registration
967 if the offender provides to the department a certified copy of
968 the court's written findings or order that indicates that the
969 offender is no longer required to comply with the requirements
970 for registration as a sexual offender.

971 6. For purposes of this paragraph:

972 a. The registration period of a sexual offender sentenced
973 to a term of incarceration or committed to a residential program
974 begins upon the offender's release from incarceration or
975 commitment for the most recent conviction that required the
976 offender to register.

977 b. A sexual offender's registration period is tolled
978 during any period in which the offender is incarcerated, civilly
979 committed, detained pursuant to chapter 985, or committed to a
980 residential program.

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981 (b) A sexual offender as defined in sub-subparagraph
982 (1)(a)1.b. must maintain registration with the department for
983 the duration of his or her life until the person provides the
984 department with an order issued by the court that designated the
985 person as a sexual predator, as a sexually violent predator, or
986 by another sexual offender designation in the state or
987 jurisdiction in which the order was issued which states that
988 such designation has been removed or demonstrates to the
989 department that such designation, if not imposed by a court, has
990 been removed by operation of law or court order in the state or
991 jurisdiction in which the designation was made, and provided
992 such person no longer meets the criteria for registration as a
993 sexual offender under the laws of this state.

994 (14)

995 (b) However, a sexual offender who is required to register
996 as a result of a conviction for:

- 997 1. Section 787.01 or s. 787.02 where the victim is a minor
998 and the offender is not the victim's parent or guardian;
999 2. Section 794.011, excluding s. 794.011(10);
1000 3. Section 800.04(4)(b) where the court finds the offense
1001 involved a victim under 12 years of age or sexual activity by
1002 the use of force or coercion;
1003 4. Section 800.04(5)(b);
1004 5. Section 800.04(5)(c)1. where the court finds
1005 molestation involving unclothed genitals or genital area;
1006 6. Section 800.04(5)c.2. where the court finds molestation
1007 involving the use of force or coercion and unclothed genitals or
1008 genital area;

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1009 7. Section 800.04(5)(d) where the court finds the use of
 1010 force or coercion and unclothed genitals or genital area;

1011 8. Any attempt or conspiracy to commit such offense; ~~or~~

1012 9. A violation of a similar law of another jurisdiction;
 1013 or

1014 10. A violation of a similar offense committed in this
 1015 state which has been redesignated from a former statute number
 1016 to one of those listed in this paragraph,

1017
 1018 must reregister each year during the month of the sexual
 1019 offender's birthday and every third month thereafter.

1020 (c) The sheriff's office may determine the appropriate
 1021 times and days for reporting by the sexual offender, which shall
 1022 be consistent with the reporting requirements of this
 1023 subsection. Reregistration shall include any changes to the
 1024 following information:

1025 1. Name; social security number; age; race; sex; date of
 1026 birth; height; weight; hair and eye color; address of any
 1027 permanent residence and address of any current temporary
 1028 residence, within the state or out of state, including a rural
 1029 route address and a post office box; if no permanent or
 1030 temporary address, any transient residence within the state;
 1031 address, location or description, and dates of any current or
 1032 known future temporary residence within the state or out of
 1033 state; ~~any~~ electronic mail addresses or Internet identifiers
 1034 ~~address and any instant message name~~ required to be provided
 1035 pursuant to paragraph (4)(d); home telephone numbers or number
 1036 ~~and any~~ cellular telephone numbers number; date and place of any

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1037 employment; ~~the vehicle~~ make, model, color, registration number,
1038 and license tag number of any vehicles owned; fingerprints; palm
1039 prints; and photograph. A post office box may ~~shall~~ not be
1040 provided in lieu of a physical residential address. The sexual
1041 offender must produce his or her passport, if he or she has a
1042 passport, and, if he or she is an alien, and must also produce
1043 or provide information about documents establishing his or her
1044 immigration status. The sexual offender must also provide
1045 information about any professional licenses that he or she may
1046 have.

1047 2. If the sexual offender is enrolled, volunteering,
1048 employed, or carrying on a vocation at an institution of higher
1049 education in this state, the sexual offender shall also provide
1050 to the department the name, address, and county of each
1051 institution, including each campus attended, and the sexual
1052 offender's enrollment, volunteer, or employment status.

1053 3. If the sexual offender's place of residence is a motor
1054 vehicle, trailer, mobile home, or manufactured home, as defined
1055 in chapter 320, the sexual offender shall also provide the
1056 vehicle identification number; the license tag number; the
1057 registration number; and a description, including color scheme,
1058 of the motor vehicle, trailer, mobile home, or manufactured
1059 home. If the sexual offender's place of residence is a vessel,
1060 live-aboard vessel, or houseboat, as defined in chapter 327, the
1061 sexual offender shall also provide the hull identification
1062 number; the manufacturer's serial number; the name of the
1063 vessel, live-aboard vessel, or houseboat; the registration
1064 number; and a description, including color scheme, of the

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1065 vessel, live-aboard vessel or houseboat.

1066 4. Any sexual offender who fails to report in person as
 1067 required at the sheriff's office, ~~or~~ who fails to respond to any
 1068 address verification correspondence from the department within 3
 1069 weeks of the date of the correspondence, ~~or~~ who fails to report
 1070 all electronic mail addresses and all Internet identifiers prior
 1071 to use ~~or instant message names,~~ or who knowingly provides false
 1072 registration information by act or omission commits a felony of
 1073 the third degree, punishable as provided in s. 775.082, s.
 1074 775.083, or s. 775.084.

1075 Section 6. Section 943.04351, Florida Statutes, is amended
 1076 to read:

1077 943.04351 Search of registration information regarding
 1078 sexual predators and sexual offenders required prior to
 1079 appointment or employment.—A state agency or governmental
 1080 subdivision, prior to making any decision to appoint or employ a
 1081 person to work, whether for compensation or as a volunteer, at
 1082 any park, playground, day care center, or other place where
 1083 children regularly congregate, must conduct a search of that
 1084 person's name or other identifying information against the
 1085 registration information regarding sexual predators and sexual
 1086 offenders maintained by the Department of Law Enforcement under
 1087 s. 943.043. The agency or governmental subdivision may conduct
 1088 the search using the Internet site maintained by the Department
 1089 of Law Enforcement. Also, a national search must be conducted
 1090 through the Dru Sjodin National Sex Offender Public Website
 1091 maintained by the United States Department of Justice. This
 1092 section does not apply to those positions or appointments within

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1093 a state agency or governmental subdivision for which a state and
 1094 national criminal history background check is conducted.

1095 Section 7. Section 943.04354, Florida Statutes, is amended
 1096 to read:

1097 943.04354 Removal of the requirement to register as a
 1098 sexual offender or sexual predator in special circumstances.—

1099 (1) For purposes of this section, a person shall be
 1100 considered for removal of the requirement to register as a
 1101 sexual offender or sexual predator only if the person:

1102 (a) Was ~~or will be~~ convicted, regardless of adjudication,
 1103 or adjudicated delinquent of a violation of s. 794.011, s.
 1104 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in
 1105 another jurisdiction, ~~or the person committed a violation of s.~~
 1106 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~
 1107 ~~adjudication of guilt was or will be withheld,~~ and the person
 1108 does not have any other conviction, regardless of adjudication,
 1109 or adjudication of delinquency, ~~or withhold of adjudication of~~
 1110 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or
 1111 s. 847.0135(5), or a similar offense in another jurisdiction;

1112 (b) 1. Was convicted, regardless of adjudication, or
 1113 adjudicated delinquent of an offense listed in paragraph (a) and
 1114 is required to register as a sexual offender or sexual predator
 1115 solely on the basis of this conviction or adjudication
 1116 violation; or and

1117 2. Was convicted, regardless of adjudication, or
 1118 adjudicated delinquent of an offense in another jurisdiction
 1119 that is similar to an offense listed in paragraph (a) and no
 1120 longer meets the criteria for registration as a sexual offender

1121 or sexual predator under the laws of the jurisdiction where the
 1122 similar offense occurred; and

1123 (c) Is not more than 4 years older than the victim of this
 1124 violation who was 13 ~~14~~ years of age or older but less ~~not more~~
 1125 than 18 ~~17~~ years of age at the time the person committed this
 1126 violation.

1127 (2) If a person meets the criteria in subsection (1) ~~and~~
 1128 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
 1129 ~~847.0135(5) was committed on or after July 1, 2007, the person~~
 1130 may move the criminal court of the circuit in which the offense
 1131 occurred or the sentencing court or, for persons convicted or
 1132 adjudicated delinquent of a qualifying offense in another
 1133 jurisdiction, the criminal circuit court of the circuit in which
 1134 the person resides ~~court that will sentence or dispose of this~~
 1135 ~~violation~~ to remove the requirement that the person register as
 1136 a sexual offender or sexual predator. The person must allege in
 1137 the motion that he or she meets the criteria in subsection (1)
 1138 and that removal of the registration requirement will not
 1139 conflict with federal law. Persons convicted or adjudicated
 1140 delinquent of an offense in another jurisdiction that is similar
 1141 to an offense listed in paragraph (1)(a) must provide the court
 1142 written confirmation that he or she is not required to register
 1143 in the state where the conviction or adjudication occurred. The
 1144 state attorney and the department must be given notice of the
 1145 motion at least 21 days before the date of sentencing, ~~or~~
 1146 disposition of the ~~this~~ violation, or hearing on the motion and
 1147 may present evidence in opposition to the requested relief or
 1148 may otherwise demonstrate why the motion should be denied. At

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1149 sentencing, ~~or~~ disposition of the ~~this~~ violation, or hearing on
1150 the motion, the court shall rule on this motion and, if the
1151 court determines the person meets the criteria in subsection (1)
1152 and the removal of the registration requirement will not
1153 conflict with federal law, it may grant the motion and order the
1154 removal of the registration requirement. The court shall
1155 instruct the person to provide the department a certified copy
1156 of the order granting relief. If the court denies the motion,
1157 the person is not authorized under this section to file another
1158 motion ~~petition~~ for removal of the registration requirement.

1159 ~~(3) (a) This subsection applies to a person who:~~

1160 ~~1. Is not a person described in subsection (2) because the~~
1161 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
1162 ~~committed on or after July 1, 2007;~~

1163 ~~2. Is subject to registration as a sexual offender or~~
1164 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
1165 ~~827.071; and~~

1166 ~~3. Meets the criteria in subsection (1).~~

1167 ~~(b) A person may petition the court in which the sentence~~
1168 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~
1169 ~~827.071 occurred for removal of the requirement to register as a~~
1170 ~~sexual offender or sexual predator. The person must allege in~~
1171 ~~the petition that he or she meets the criteria in subsection (1)~~
1172 ~~and removal of the registration requirement will not conflict~~
1173 ~~with federal law. The state attorney must be given notice of the~~
1174 ~~petition at least 21 days before the hearing on the petition and~~
1175 ~~may present evidence in opposition to the requested relief or~~
1176 ~~may otherwise demonstrate why the petition should be denied. The~~

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1177 | ~~court shall rule on the petition and, if the court determines~~
1178 | ~~the person meets the criteria in subsection (1) and removal of~~
1179 | ~~the registration requirement will not conflict with federal law,~~
1180 | ~~it may grant the petition and order the removal of the~~
1181 | ~~registration requirement. If the court denies the petition, the~~
1182 | ~~person is not authorized under this section to file any further~~
1183 | ~~petition for removal of the registration requirement.~~

1184 | ~~(3)-(4)~~ If a person provides to the Department of Law
1185 | Enforcement a certified copy of the court's order removing the
1186 | requirement that the person register as a sexual offender or
1187 | sexual predator for the violation of s. 794.011, s. 800.04, s.
1188 | 827.071, or s. 847.0135(5), or a similar offense in another
1189 | jurisdiction, the registration requirement will not apply to the
1190 | person and the department shall remove all information about the
1191 | person from the public registry of sexual offenders and sexual
1192 | predators maintained by the department. However, the removal of
1193 | this information from the public registry does not mean that the
1194 | public is denied access to information about the person's
1195 | criminal history or record that is otherwise available as a
1196 | public record.

1197 | Section 8. Subsection (2) and paragraph (a) of subsection
1198 | (3) of section 943.0437, Florida Statutes, are amended to read:

1199 | 943.0437 Commercial social networking websites.—

1200 | (2) The department may provide information relating to
1201 | electronic mail addresses and Internet identifiers ~~instant~~
1202 | ~~message names~~ maintained as part of the sexual offender registry
1203 | to commercial social networking websites or third parties
1204 | designated by commercial social networking websites. The

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1205 commercial social networking website may use this information
 1206 for the purpose of comparing registered users and screening
 1207 potential users of the commercial social networking website
 1208 against the list of electronic mail addresses and Internet
 1209 identifiers ~~instant message names~~ provided by the department.

1210 (3) This section shall not be construed to impose any
 1211 civil liability on a commercial social networking website for:

1212 (a) Any action voluntarily taken in good faith to remove
 1213 or disable any profile of a registered user associated with an
 1214 electronic mail address or Internet identifier ~~instant message~~
 1215 ~~name~~ contained in the sexual offender registry.

1216 Section 9. Paragraphs (b) and (d) of subsection (1) and
 1217 paragraph (a) of subsection (3) of section 944.606, Florida
 1218 Statutes, are amended to read:

1219 944.606 Sexual offenders; notification upon release.—

1220 (1) As used in this section:

1221 (b) "Sexual offender" means a person who has been
 1222 convicted of committing, or attempting, soliciting, or
 1223 conspiring to commit, any of the criminal offenses proscribed in
 1224 the following statutes in this state or similar offenses in
 1225 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1226 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 1227 the defendant is not the victim's parent or guardian; s.
 1228 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
 1229 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 1230 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
 1231 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
 1232 916.1075(2); or s. 985.701(1); or any similar offense committed

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1233 in this state which has been redesignated from a former statute
1234 number to one of those listed in this subsection, when the
1235 department has received verified information regarding such
1236 conviction; an offender's computerized criminal history record
1237 is not, in and of itself, verified information.

1238 (d) "Internet identifier ~~Instant message name~~" has the
1239 same meaning as provided in s. 775.21 ~~means an identifier that~~
1240 ~~allows a person to communicate in real time with another person~~
1241 ~~using the Internet.~~

1242 (3) (a) The department must provide information regarding
1243 any sexual offender who is being released after serving a period
1244 of incarceration for any offense, as follows:

1245 1. The department must provide: the sexual offender's
1246 name, any change in the offender's name by reason of marriage or
1247 other legal process, and any alias, if known; the correctional
1248 facility from which the sexual offender is released; the sexual
1249 offender's social security number, race, sex, date of birth,
1250 height, weight, and hair and eye color; address of any planned
1251 permanent residence or temporary residence, within the state or
1252 out of state, including a rural route address and a post office
1253 box; if no permanent or temporary address, any transient
1254 residence within the state; address, location or description,
1255 and dates of any known future temporary residence within the
1256 state or out of state; date and county of sentence and each
1257 crime for which the offender was sentenced; a copy of the
1258 offender's fingerprints, palm prints, and a digitized photograph
1259 taken within 60 days before release; the date of release of the
1260 sexual offender; all any electronic mail addresses ~~address~~ and

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1261 all Internet identifiers ~~any instant message name~~ required to be
1262 provided pursuant to s. 943.0435(4) (d); all ~~and~~ home telephone
1263 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
1264 about any professional licenses the offender may have, if known;
1265 and passport information, if he or she has a passport, and, if
1266 he or she is an alien, information about documents establishing
1267 his or her immigration status ~~number~~. The department shall
1268 notify the Department of Law Enforcement if the sexual offender
1269 escapes, absconds, or dies. If the sexual offender is in the
1270 custody of a private correctional facility, the facility shall
1271 take the digitized photograph of the sexual offender within 60
1272 days before the sexual offender's release and provide this
1273 photograph to the Department of Corrections and also place it in
1274 the sexual offender's file. If the sexual offender is in the
1275 custody of a local jail, the custodian of the local jail shall
1276 register the offender within 3 business days after intake of the
1277 offender for any reason and upon release, and shall notify the
1278 Department of Law Enforcement of the sexual offender's release
1279 and provide to the Department of Law Enforcement the information
1280 specified in this paragraph and any information specified in
1281 subparagraph 2. that the Department of Law Enforcement requests.

1282 2. The department may provide any other information deemed
1283 necessary, including criminal and corrections records,
1284 nonprivileged personnel and treatment records, when available.

1285 Section 10. Paragraphs (a) and (f) of subsection (1),
1286 subsection (4), and paragraphs (b) and (c) of subsection (13) of
1287 section 944.607, Florida Statutes, are amended to read:

1288 944.607 Notification to Department of Law Enforcement of

1289 information on sexual offenders.—

1290 (1) As used in this section, the term:

1291 (a) "Sexual offender" means a person who is in the custody
 1292 or control of, or under the supervision of, the department or is
 1293 in the custody of a private correctional facility:

1294 1. On or after October 1, 1997, as a result of a
 1295 conviction for committing, or attempting, soliciting, or
 1296 conspiring to commit, any of the criminal offenses proscribed in
 1297 the following statutes in this state or similar offenses in
 1298 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1299 s. 787.02, or s. 787.025(2) (c), where the victim is a minor and
 1300 the defendant is not the victim's parent or guardian; s.
 1301 787.06(3) (b), (d), (f), (g), or (h); s. 794.011, excluding s.
 1302 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 1303 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
 1304 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
 1305 s. 916.1075(2); or s. 985.701(1); or any similar offense
 1306 committed in this state which has been redesignated from a
 1307 former statute number to one of those listed in this paragraph;
 1308 or

1309 2. Who establishes or maintains a residence in this state
 1310 and who has not been designated as a sexual predator by a court
 1311 of this state but who has been designated as a sexual predator,
 1312 as a sexually violent predator, or by another sexual offender
 1313 designation in another state or jurisdiction and was, as a
 1314 result of such designation, subjected to registration or
 1315 community or public notification, or both, or would be if the
 1316 person were a resident of that state or jurisdiction, without

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1317 regard as to whether the person otherwise meets the criteria for
1318 registration as a sexual offender.

1319 (f) "Internet identifier ~~Instant message name~~" has the
1320 same meaning as provided in s. 775.21 ~~means an identifier that~~
1321 ~~allows a person to communicate in real time with another person~~
1322 ~~using the Internet.~~

1323 (4) A sexual offender, as described in this section, who
1324 is under the supervision of the Department of Corrections but is
1325 not incarcerated must register with the Department of
1326 Corrections within 3 business days after sentencing for a
1327 registrable offense and otherwise provide information as
1328 required by this subsection.

1329 (a) The sexual offender shall provide his or her name;
1330 date of birth; social security number; race; sex; height;
1331 weight; hair and eye color; tattoos or other identifying marks;
1332 all any electronic mail addresses ~~address~~ and all Internet
1333 identifiers ~~any instant message name~~ required to be provided
1334 pursuant to s. 943.0435(4)(d); all home telephone numbers and
1335 cellular telephone numbers; the make, model, color, registration
1336 number, and license tag number of all vehicles owned; permanent
1337 or legal residence and address of temporary residence within the
1338 state or out of state while the sexual offender is under
1339 supervision in this state, including any rural route address or
1340 post office box; if no permanent or temporary address, any
1341 transient residence within the state; and address, location or
1342 description, and dates of any current or known future temporary
1343 residence within the state or out of state. The sexual offender
1344 must also produce his or her passport, if he or she has a

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1345 passport, and, if he or she is an alien, must produce or provide
1346 information about documents establishing his or her immigration
1347 status. The sexual offender must also provide information about
1348 any professional licenses that he or she may have. The
1349 Department of Corrections shall verify the address of each
1350 sexual offender in the manner described in ss. 775.21 and
1351 943.0435. The department shall report to the Department of Law
1352 Enforcement any failure by a sexual predator or sexual offender
1353 to comply with registration requirements.

1354 (b) If the sexual offender is enrolled, employed,
1355 volunteering, or carrying on a vocation at an institution of
1356 higher education in this state, the sexual offender shall
1357 provide the name, address, and county of each institution,
1358 including each campus attended, and the sexual offender's
1359 enrollment, volunteer, or employment status. Each change in
1360 enrollment, volunteer, or employment status shall be reported to
1361 the department within 48 hours after the change in status. The
1362 Department of Corrections shall promptly notify each institution
1363 of the sexual offender's presence and any change in the sexual
1364 offender's enrollment, volunteer, or employment status.

1365 (13)

1366 (b) However, a sexual offender who is required to register
1367 as a result of a conviction for:

1368 1. Section 787.01 or s. 787.02 where the victim is a minor
1369 and the offender is not the victim's parent or guardian;

1370 2. Section 794.011, excluding s. 794.011(10);

1371 3. Section 800.04(4)(b) where the victim is under 12 years
1372 of age or where the court finds sexual activity by the use of

1373 force or coercion;

1374 4. Section 800.04(5)(b);

1375 5. Section 800.04(5)(c)1. where the court finds

1376 molestation involving unclothed genitals or genital area;

1377 6. Section 800.04(5)c.2. where the court finds molestation

1378 involving the use of force or coercion and unclothed genitals or

1379 genital area;

1380 7. Section 800.04(5)(d) where the court finds the use of

1381 force or coercion and unclothed genitals or genital area;

1382 8. Any attempt or conspiracy to commit such offense; ~~or~~

1383 9. A violation of a similar law of another jurisdiction;

1384 or

1385 10. A violation of a similar offense committed in this

1386 state which has been redesignated from a former statute number

1387 to one of those listed in this paragraph,

1388

1389 must reregister each year during the month of the sexual

1390 offender's birthday and every third month thereafter.

1391 (c) The sheriff's office may determine the appropriate

1392 times and days for reporting by the sexual offender, which shall

1393 be consistent with the reporting requirements of this

1394 subsection. Reregistration shall include any changes to the

1395 following information:

1396 1. Name; social security number; age; race; sex; date of

1397 birth; height; weight; hair and eye color; address of any

1398 permanent residence and address of any current temporary

1399 residence, within the state or out of state, including a rural

1400 route address and a post office box; if no permanent or

1401 temporary address, any transient residence; address, location or
 1402 description, and dates of any current or known future temporary
 1403 residence within the state or out of state; ~~any~~ electronic mail
 1404 addresses or Internet identifiers ~~address and any instant~~
 1405 ~~message name~~ required to be provided pursuant to s.
 1406 943.0435(4)(d); home telephone numbers or cellular telephone
 1407 numbers; date and place of any employment; the ~~vehicle~~ make,
 1408 model, color, registration number, and license tag number of any
 1409 vehicles owned; fingerprints; palm prints; and photograph. A
 1410 post office box shall not be provided in lieu of a physical
 1411 residential address. The sexual offender must also produce his
 1412 or her passport, if he or she has a passport, and, if he or she
 1413 is an alien, must produce or provide information about documents
 1414 establishing his or her immigration status. The sexual offender
 1415 must also provide information about any professional licenses
 1416 that he or she may have.

1417 2. If the sexual offender is enrolled, employed,
 1418 volunteering, or carrying on a vocation at an institution of
 1419 higher education in this state, the sexual offender shall also
 1420 provide to the department the name, address, and county of each
 1421 institution, including each campus attended, and the sexual
 1422 offender's enrollment, volunteer, or employment status.

1423 3. If the sexual offender's place of residence is a motor
 1424 vehicle, trailer, mobile home, or manufactured home, as defined
 1425 in chapter 320, the sexual offender shall also provide the
 1426 vehicle identification number; the license tag number; the
 1427 registration number; and a description, including color scheme,
 1428 of the motor vehicle, trailer, mobile home, or manufactured

1429 home. If the sexual offender's place of residence is a vessel,
 1430 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1431 sexual offender shall also provide the hull identification
 1432 number; the manufacturer's serial number; the name of the
 1433 vessel, live-aboard vessel, or houseboat; the registration
 1434 number; and a description, including color scheme, of the
 1435 vessel, live-aboard vessel or houseboat.

1436 4. Any sexual offender who fails to report in person as
 1437 required at the sheriff's office, ~~or~~ who fails to respond to any
 1438 address verification correspondence from the department within 3
 1439 weeks of the date of the correspondence, ~~or~~ who fails to report
 1440 all electronic mail addresses or Internet identifiers prior to
 1441 use ~~or instant message names,~~ or who knowingly provides false
 1442 registration information by act or omission commits a felony of
 1443 the third degree, punishable as provided in s. 775.082, s.
 1444 775.083, or s. 775.084.

1445 Section 11. Subsection (11) of section 947.005, Florida
 1446 Statutes, is amended to read:

1447 947.005 Definitions.—As used in this chapter, unless the
 1448 context clearly indicates otherwise:

1449 (11) "Risk assessment" means an assessment completed by a
 1450 ~~an independent~~ qualified practitioner to evaluate the level of
 1451 risk associated when a sex offender has contact with a child.

1452 Section 12. Section 948.31, Florida Statutes, is amended
 1453 to read:

1454 948.31 Evaluation and treatment of sexual predators and
 1455 offenders on probation or community control.—The court may ~~shall~~
 1456 ~~require an evaluation by a qualified practitioner to determine~~

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1457 ~~the need of a probationer or community controllee for treatment.~~
1458 ~~If the court determines that a need therefor is established by~~
1459 ~~the evaluation process, the court shall require sexual offender~~
1460 ~~treatment as a term or condition of probation or community~~
1461 ~~control for any probationer or community controllee person who~~
1462 ~~is required to register as a sexual predator under s. 775.21 or~~
1463 ~~sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to~~
1464 ~~undergo an evaluation, at the probationer or community~~
1465 ~~controllee's expense, by a qualified practitioner to determine~~
1466 ~~whether such person needs sexual offender treatment. If the~~
1467 ~~qualified practitioner determines that sexual offender treatment~~
1468 ~~is needed and recommends treatment, the probationer or community~~
1469 ~~controllee must successfully complete and pay for the treatment.~~
1470 ~~Such treatment must ~~shall be required to~~ be obtained from a~~
1471 ~~qualified practitioner as defined in s. 948.001. Treatment may~~
1472 ~~not be administered by a qualified practitioner who has been~~
1473 ~~convicted or adjudicated delinquent of committing, or~~
1474 ~~attempting, soliciting, or conspiring to commit, any offense~~
1475 ~~that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~~~
1476 ~~~~impose a restriction against contact with minors if sexual~~~~
1477 ~~~~offender treatment is recommended. The evaluation and~~~~
1478 ~~~~recommendations for treatment of the probationer or community~~~~
1479 ~~~~controllee shall be provided to the court for review.~~~~

1480 Section 13. Paragraph (a) of subsection (3) of section
1481 985.481, Florida Statutes, is amended to read:

1482 985.481 Sexual offenders adjudicated delinquent;
1483 notification upon release.-

1484 (3) (a) The department must provide information regarding

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1485 any sexual offender who is being released after serving a period
1486 of residential commitment under the department for any offense,
1487 as follows:

1488 1. The department must provide the sexual offender's name,
1489 any change in the offender's name by reason of marriage or other
1490 legal process, and any alias, if known; the correctional
1491 facility from which the sexual offender is released; the sexual
1492 offender's social security number, race, sex, date of birth,
1493 height, weight, and hair and eye color; the make, model, color,
1494 registration number, and license tag number of all vehicles
1495 owned, if known; address of any planned permanent residence or
1496 temporary residence, within the state or out of state, including
1497 a rural route address and a post office box; if no permanent or
1498 temporary address, any transient residence within the state;
1499 address, location or description, and dates of any known future
1500 temporary residence within the state or out of state; date and
1501 county of disposition and each crime for which there was a
1502 disposition; a copy of the offender's fingerprints and a
1503 digitized photograph taken within 60 days before release; the
1504 date of release of the sexual offender; all ~~and~~ home telephone
1505 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
1506 about any professional licenses the offender may have, if known;
1507 and passport information, if he or she has a passport, and, if
1508 he or she is an alien, information about documents establishing
1509 his or her immigration status ~~number~~. The department shall
1510 notify the Department of Law Enforcement if the sexual offender
1511 escapes, absconds, or dies. If the sexual offender is in the
1512 custody of a private correctional facility, the facility shall

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1513 take the digitized photograph of the sexual offender within 60
 1514 days before the sexual offender's release and also place it in
 1515 the sexual offender's file. If the sexual offender is in the
 1516 custody of a local jail, the custodian of the local jail shall
 1517 register the offender within 3 business days after intake of the
 1518 offender for any reason and upon release, and shall notify the
 1519 Department of Law Enforcement of the sexual offender's release
 1520 and provide to the Department of Law Enforcement the information
 1521 specified in this subparagraph and any information specified in
 1522 subparagraph 2. which the Department of Law Enforcement
 1523 requests.

1524 2. The department may provide any other information
 1525 considered necessary, including criminal and delinquency
 1526 records, when available.

1527 Section 14. Subsection (4) and paragraph (b) of subsection
 1528 (13) of section 985.4815, Florida Statutes, are amended to read:

1529 985.4815 Notification to Department of Law Enforcement of
 1530 information on juvenile sexual offenders.—

1531 (4) A sexual offender, as described in this section, who
 1532 is under the supervision of the department but who is not
 1533 committed must register with the department within 3 business
 1534 days after adjudication and disposition for a registrable
 1535 offense and otherwise provide information as required by this
 1536 subsection.

1537 (a) The sexual offender shall provide his or her name;
 1538 date of birth; social security number; race; sex; height;
 1539 weight; hair and eye color; tattoos or other identifying marks;
 1540 the make, model, color, registration number, and license tag

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1541 number of all vehicles owned; permanent or legal residence and
1542 address of temporary residence within the state or out of state
1543 while the sexual offender is in the care or custody or under the
1544 jurisdiction or supervision of the department in this state,
1545 including any rural route address or post office box; if no
1546 permanent or temporary address, any transient residence;
1547 address, location or description, and dates of any current or
1548 known future temporary residence within the state or out of
1549 state; and the name and address of each school attended. The
1550 sexual offender must also produce his or her passport, if he or
1551 she has a passport, and, if he or she is an alien, must produce
1552 or provide information about documents establishing his or her
1553 immigration status. The offender must also provide information
1554 about any professional licenses that he or she may have. The
1555 department shall verify the address of each sexual offender and
1556 shall report to the Department of Law Enforcement any failure by
1557 a sexual offender to comply with registration requirements.

1558 (b) If the sexual offender is enrolled, employed,
1559 volunteering, or carrying on a vocation at an institution of
1560 higher education in this state, the sexual offender shall
1561 provide the name, address, and county of each institution,
1562 including each campus attended, and the sexual offender's
1563 enrollment, volunteer, or employment status. Each change in
1564 enrollment, volunteer, or employment status shall be reported to
1565 the department within 48 hours after the change in status. The
1566 department shall promptly notify each institution of the sexual
1567 offender's presence and any change in the sexual offender's
1568 enrollment, volunteer, or employment status.

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1569 (13)

1570 (b) The sheriff's office may determine the appropriate
1571 times and days for reporting by the sexual offender, which shall
1572 be consistent with the reporting requirements of this
1573 subsection. Reregistration shall include any changes to the
1574 following information:

1575 1. Name; social security number; age; race; sex; date of
1576 birth; height; weight; hair and eye color; fingerprints; palm
1577 prints; address of any permanent residence and address of any
1578 current temporary residence, within the state or out of state,
1579 including a rural route address and a post office box; if no
1580 permanent or temporary address, any transient residence;
1581 address, location or description, and dates of any current or
1582 known future temporary residence within the state or out of
1583 state; passport information, if he or she has a passport, and,
1584 if he or she is an alien, information about documents
1585 establishing his or her immigration status; name and address of
1586 each school attended; date and place of any employment; the
1587 ~~vehicle~~ make, model, color, registration number, and license tag
1588 number of all vehicles owned; ~~fingerprints;~~ and photograph. A
1589 post office box shall not be provided in lieu of a physical
1590 residential address. The offender must also provide information
1591 about any professional licenses that he or she may have.

1592 2. If the sexual offender is enrolled, employed,
1593 volunteering, or carrying on a vocation at an institution of
1594 higher education in this state, the sexual offender shall also
1595 provide to the department the name, address, and county of each
1596 institution, including each campus attended, and the sexual

1597 offender's enrollment, volunteer, or employment status.

1598 3. If the sexual offender's place of residence is a motor
 1599 vehicle, trailer, mobile home, or manufactured home, as defined
 1600 in chapter 320, the sexual offender shall also provide the
 1601 vehicle identification number; the license tag number; the
 1602 registration number; and a description, including color scheme,
 1603 of the motor vehicle, trailer, mobile home, or manufactured
 1604 home. If the sexual offender's place of residence is a vessel,
 1605 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1606 sexual offender shall also provide the hull identification
 1607 number; the manufacturer's serial number; the name of the
 1608 vessel, live-aboard vessel, or houseboat; the registration
 1609 number; and a description, including color scheme, of the
 1610 vessel, live-aboard vessel, or houseboat.

1611 4. Any sexual offender who fails to report in person as
 1612 required at the sheriff's office, ~~or~~ who fails to respond to any
 1613 address verification correspondence from the department within 3
 1614 weeks after the date of the correspondence, or who knowingly
 1615 provides false registration information by act or omission
 1616 commits a felony of the third degree, punishable as provided in
 1617 ss. 775.082, 775.083, and 775.084.

1618 Section 15. Paragraphs (g) and (i) of subsection (3) of
 1619 section 921.0022, Florida Statutes, are amended to read:

1620 921.0022 Criminal Punishment Code; offense severity
 1621 ranking chart.—

1622 (3) OFFENSE SEVERITY RANKING CHART

1623 (g) LEVEL 7

1624

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	Florida Statute	Felony Degree	Description
1625	316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
1626	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
1627	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1628	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1629	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1630	409.920	3rd	Medicaid provider fraud;

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1631	(2) (b) 1.a.		\$10,000 or less.
	409.920	2nd	Medicaid provider fraud; more
	(2) (b) 1.b.		than \$10,000, but less than
1632			\$50,000.
	456.065 (2)	3rd	Practicing a health care
1633			profession without a license.
	456.065 (2)	2nd	Practicing a health care
1634			profession without a license
			which results in serious bodily
			injury.
	458.327 (1)	3rd	Practicing medicine without a
1635			license.
	459.013 (1)	3rd	Practicing osteopathic medicine
1636			without a license.
	460.411 (1)	3rd	Practicing chiropractic
1637			medicine without a license.
	461.012 (1)	3rd	Practicing podiatric medicine
1638			without a license.
	462.17	3rd	Practicing naturopathy without
			a license.

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1639	463.015 (1)	3rd	Practicing optometry without a license.
1640	464.016 (1)	3rd	Practicing nursing without a license.
1641	465.015 (2)	3rd	Practicing pharmacy without a license.
1642	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1643	467.201	3rd	Practicing midwifery without a license.
1644	468.366	3rd	Delivering respiratory care services without a license.
1645	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1646	483.901 (9)	3rd	Practicing medical physics without a license.
1647	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.

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1648	484.053	3rd	Dispensing hearing aids without a license.
1649	494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1650	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1651	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1652	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1653	775.21(10)(a)	3rd	Sexual predator; failure to

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1654	775.21(10) (b)	3rd	register; failure to renew <u>driver</u> driver's license or identification card; other registration violations.
1655	775.21(10) (g)	3rd	Sexual predator working where children regularly congregate.
1656	782.051(3)	2nd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1657	782.07(1)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1658	782.071	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
			Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular

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1659			homicide).
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1660			
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1661			
	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1662			
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1663			
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1664			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1665			
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1666			
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility

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1667	784.08 (2) (a)	1st	staff. Aggravated battery on a person 65 years of age or older.
1668	784.081 (1)	1st	Aggravated battery on specified official or employee.
1669	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1670	784.083 (1)	1st	Aggravated battery on code inspector.
1671	787.06 (3) (a)	1st	Human trafficking using coercion for labor and services.
1672	787.06 (3) (e)	1st	Human trafficking using coercion for labor and services by the transfer or transport of any individual from outside Florida to within the state.
1673	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or

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			(2).
1674	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1675	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1676	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1677	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1678	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1679	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1680			

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	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1681	796.03	2nd	Procuring any person under <u>18</u> 16 years for prostitution.
1682	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
1683	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
1684	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1685	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1686	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.

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1687	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1688	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1689	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
1690	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1691	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1692	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1693			

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1694	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1695	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1696	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1697	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1698	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1699	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1700	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency

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1701			of an insuring entity which are a significant cause of the insolvency of that entity.
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1702			
	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
1703			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1704			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1705			
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1706			
	838.015	2nd	Bribery.
1707			

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1708	838.016	2nd	Unlawful compensation or reward for official behavior.
1709	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1710	838.22	2nd	Bid tampering.
1711	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1712	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1713	872.06	2nd	Abuse of a dead human body.
1714	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.) within 1,000 feet of a child

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1715	893.13(1)(e)1.	1st	care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center. Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
1716	893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
1717	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1718	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1719			

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1720	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1721	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1722	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1723	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1724	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1725	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

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1726	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1727	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1728	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1729	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1730	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1731	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

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1732

943.0435(9)(a) 3rd Sexual offender; failure to
comply with reporting
requirements.

1733

943.0435(13) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

1734

943.0435(14) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification.

1735

944.607(9) 3rd Sexual offender; failure to
comply with reporting
requirements.

1736

944.607(10)(a) 3rd Sexual offender; failure to
submit to the taking of a
digitized photograph.

1737

944.607(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

1738

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1739	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1740	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1741	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1742	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1743	(i) LEVEL 9		
1744	Florida Statute	Felony Degree	Description
1745	316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
1746	327.35(3) (c) 3.b.	1st	BUI manslaughter; failing to

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1747			render aid or give information.
	409.920	1st	Medicaid provider fraud;
	(2) (b) 1.c.		\$50,000 or more.
1748			
	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
1749			
	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1750			
	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
1751			
	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1752			
	775.0844	1st	Aggravated white collar crime.
1753			
	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.

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1754

782.04(3) 1st,PBL Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.

1755

782.051(1) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).

1756

782.07(2) 1st Aggravated manslaughter of an elderly person or disabled adult.

1757

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or reward or as a shield or hostage.

1758

787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or facilitate commission of any felony.

1759

787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere with performance of

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1760			any governmental or political function.
	787.02 (3) (a)	1st, <u>PBL</u>	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
1761			
	787.06 (3) (d)	1st	Human trafficking using coercion for commercial sexual activity of an unauthorized alien.
1762			
	787.06 (3) (g)	1st,PBL	Human trafficking for commercial sexual activity of a child under the age of 18.
1763			
	787.06 (4)	1st	Selling or buying of minors into human trafficking.
1764			
	790.161	1st	Attempted capital destructive device offense.
1765			
	790.166 (2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of

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1766			mass destruction.
	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
1767			
	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
1768			
	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1769			
	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1770			
	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
1771			
	796.035	1st	Selling or buying of minors into prostitution.
1772			
	800.04 (5) (b)	Life	Lewd or lascivious molestation;

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			victim less than 12 years; offender 18 years or older.
1773	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
1774	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.
1775	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1776	817.568 (7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
1777	827.03 (2) (a)	1st	Aggravated child abuse.
1778	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
1779	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.

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1780	859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
1781	893.135	1st	Attempted capital trafficking offense.
1782	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1783	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1784	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
1785	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
1786	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.

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1787 893.135 1st Trafficking in amphetamine,
 (1) (f) 1.c. more than 200 grams.

1788 893.135 1st Trafficking in gamma-
 (1) (h) 1.c. hydroxybutyric acid (GHB), 10
 kilograms or more.

1789 893.135 1st Trafficking in 1,4-Butanediol,
 (1) (j) 1.c. 10 kilograms or more.

1790 893.135 1st Trafficking in Phenethylamines,
 (1) (k) 2.c. 400 grams or more.

1791 896.101 (5) (c) 1st Money laundering, financial
 instruments totaling or
 exceeding \$100,000.

1792 896.104 (4) (a) 3. 1st Structuring transactions to
 evade reporting or registration
 requirements, financial
 transactions totaling or
 exceeding \$100,000.

1793

1794 Section 16. This act shall take effect October 1, 2013.