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LEGISLATIVE ACTION

| Senate     | . | House |
|------------|---|-------|
| Comm: RCS  | . |       |
| 02/21/2014 | . |       |
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The Committee on Appropriations (Grimsley) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsections (1), (3), (7), and (11) of section 394.912, Florida Statutes, are amended, and paragraph (i) is added to subsection (9) of that section, to read:

394.912 Definitions.—As used in this part, the term:



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10 (1) "Agency with jurisdiction" means the entity ~~agency~~ that  
11 releases, upon lawful order or authority, a person who is  
12 serving a sentence in the custody of the Department of  
13 Corrections, a person who was adjudicated delinquent and is  
14 committed to the custody of the Department of Juvenile Justice,  
15 ~~or~~ a person who was involuntarily committed to the custody of  
16 the Department of Children and Families ~~Family Services~~ upon an  
17 adjudication of not guilty by reason of insanity, or a person  
18 who is serving a sentence in a county or municipal jail for a  
19 sexually violent offense as defined in paragraph (9) (i).

20 (3) "Department" means the Department of Children and  
21 Families ~~Family Services~~.

22 (7) "Secretary" means the secretary of the Department of  
23 Children and Families ~~Family Services~~.

24 (9) "Sexually violent offense" means:

25 (i) A criminal offense in which the state attorney refers a  
26 person to the department for civil commitment proceedings  
27 pursuant to s. 394.9125.

28 (11) "Total confinement" means that the person is currently  
29 being held in any physically secure facility being operated or  
30 contractually operated for the Department of Corrections, the  
31 Department of Juvenile Justice, or the Department of Children  
32 and Families ~~Family Services~~. A person shall also be deemed to  
33 be in total confinement for applicability of provisions under  
34 this part if:

35 (a) The person is serving an incarcerative sentence under  
36 the custody of the Department of Corrections or the Department  
37 of Juvenile Justice and is being held in any other secure  
38 facility for any reason;



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39       (b) The person is serving a sentence in a county or  
40 municipal jail for a sexually violent offense as defined in  
41 paragraph (9)(i); or

42       (c) A court or the agency with jurisdiction determines that  
43 the person who is being held should have been lawfully released  
44 at an earlier date and that the provisions of this part would  
45 have been applicable to the person on the date that he or she  
46 should have been lawfully released.

47       Section 2. Section 394.9125, Florida Statutes, is created  
48 to read:

49       394.9125 State attorney; authority to refer a person for  
50 civil commitment.-

51       (1) A state attorney shall refer a person to the department  
52 for civil commitment proceedings if:

53       (a) The state attorney receives an arrest alert on the  
54 person pursuant to s. 394.926(3); and

55       (b) The person is subsequently sentenced to a term of  
56 imprisonment in a county or municipal jail for any criminal  
57 offense.

58       (2) A state attorney may refer a person to the department  
59 for civil commitment proceedings if the person:

60       (a) Is required to register as a sexual offender pursuant  
61 to s. 943.0435;

62       (b) Has previously been convicted of a sexually violent  
63 offense as defined in s. 394.912(9)(a)-(h); and

64       (c) Has been sentenced to a term of imprisonment in a  
65 county or municipal jail for any criminal offense.

66       (3) A state attorney who refers a person for civil  
67 commitment pursuant to subsection (1) or subsection (2) shall



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68 notify the county or municipal jail to which the person has been  
69 sentenced within 24 hours after the referral is made.

70 (4) (a) If a person is sentenced to a term of imprisonment  
71 in a county or municipal jail but is not subsequently totally  
72 confined in the jail due to receiving credit for time served,  
73 the state attorney may file a petition with the circuit court  
74 within 120 hours after such person's sentencing proceeding  
75 requesting the court to order such person into the department's  
76 custody for purposes of initiating civil commitment proceedings.

77 (b) If the judge determines that there is probable cause to  
78 believe that the person should have been referred to the  
79 department pursuant to subsection (1) or subsection (2) but that  
80 the referral was not made because the person was not totally  
81 confined in a county or municipal jail due to receiving credit  
82 for time served, the judge shall order that the person be taken  
83 into custody and delivered to the custody of the department for  
84 civil commitment proceedings.

85 Section 3. Section 394.913, Florida Statutes, is amended to  
86 read:

87 394.913 Notice to state attorney and multidisciplinary team  
88 of release of sexually violent predator; establishing  
89 multidisciplinary teams; information to be provided to  
90 multidisciplinary teams.—

91 (1) The agency with jurisdiction over a person who has been  
92 convicted of a sexually violent offense shall give written  
93 notice to the multidisciplinary team, and shall provide a copy  
94 of the notice to the state attorney of the circuit in which  
95 ~~where~~ that person was last convicted of a sexually violent  
96 offense. If the person has never been convicted of a sexually



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97 violent offense in this state but has been convicted of a  
98 sexually violent offense in another state or in federal court,  
99 the agency with jurisdiction shall give written notice to the  
100 multidisciplinary team and a copy to the state attorney of the  
101 circuit in which ~~where~~ the person was last convicted of any  
102 offense in this state. If the person is being confined in this  
103 state pursuant to interstate compact and has a prior or current  
104 conviction for a sexually violent offense, the agency with  
105 jurisdiction shall give written notice to the multidisciplinary  
106 team and shall provide a copy to the state attorney of the  
107 circuit in which ~~where~~ the person plans to reside upon release  
108 or, if no residence in this state is planned, the state attorney  
109 in the circuit in which ~~where~~ the facility from which the person  
110 to be released is located. Except as provided in s. 394.9135,  
111 the written notice must be given:

112 (a) At least 545 days before ~~prior to~~ the anticipated  
113 release from total confinement of a person serving a sentence in  
114 the custody of the Department of Corrections, except that in the  
115 case of a person ~~persons~~ who is ~~are~~ totally confined for a  
116 period of less than 545 days, written notice must be given as  
117 soon as practicable;

118 (b) At least 180 days before ~~prior to~~ the anticipated  
119 release from residential commitment of a person committed to the  
120 custody of the Department of Juvenile Justice, except that in  
121 the case of a person ~~persons~~ who is ~~are~~ committed to a low or  
122 moderate risk facility, written notice must be given as soon as  
123 practicable; ~~or~~

124 (c) At least 180 days before ~~prior to~~ the anticipated  
125 hearing regarding possible release of a person committed to the



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126 custody of the department who has been found not guilty by  
127 reason of insanity or mental incapacity of a sexually violent  
128 offense; or-

129 (d) At least 180 days before the anticipated release from  
130 total confinement of a person serving a sentence in a county or  
131 municipal jail, except that in the case of a person who is  
132 totally confined for a period of less than 180 days, written  
133 notice must be given as soon as practicable.

134 (2) The agency having jurisdiction shall provide the  
135 multidisciplinary team with the following information:

136 (a) The person's name; identifying characteristics;  
137 anticipated future residence; the type of supervision the person  
138 will receive in the community, if any; and the person's offense  
139 history;

140 (b) The person's criminal history, including police  
141 reports, victim statements, presentence investigation reports,  
142 postsentence investigation reports, if available, and any other  
143 documents containing facts of the person's criminal incidents or  
144 indicating whether the criminal incidents included sexual acts  
145 or were sexually motivated;

146 (c) Mental health, mental status, and medical records,  
147 including all clinical records and notes concerning the person;

148 (d) Documentation of institutional adjustment and any  
149 treatment received and, in the case of an adjudicated delinquent  
150 committed to the Department of Juvenile Justice, copies of the  
151 most recent performance plan and performance summary; and

152 (e) If the person was returned to custody after a period of  
153 supervision, documentation of adjustment during supervision and  
154 any treatment received.



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155 (3) (a) The secretary or his or her designee shall establish  
156 a multidisciplinary team or teams.

157 (b) Each team shall include, but need ~~is~~ not be limited to,  
158 two licensed psychiatrists or psychologists or one licensed  
159 psychiatrist and one licensed psychologist.

160 (c) The multidisciplinary team shall assess and evaluate  
161 each person referred to the team. The assessment and evaluation  
162 must ~~shall~~ include a review of the person's institutional  
163 history and treatment record, if any, the person's criminal  
164 background, and any other factor that is relevant to the  
165 determination of whether the ~~such~~ person is a sexually violent  
166 predator.

167 (d) The multidisciplinary team may consult with law  
168 enforcement agencies and victim advocate groups during the  
169 assessment and evaluation process. A clinical evaluation of the  
170 person may be conducted. A second clinical evaluation must be  
171 conducted if a member of the multidisciplinary team questions  
172 the conclusion of the first clinical evaluation. All members of  
173 the multidisciplinary team shall review, at a minimum, the  
174 information provided in subsection (2) and any clinical  
175 evaluation before making a recommendation pursuant to paragraph  
176 (f).

177 (e) ~~(e)~~ Before recommending that a person meets the  
178 definition of a sexually violent predator, the person must be  
179 offered a personal interview. If the person agrees to  
180 participate in a personal interview, at least one member of the  
181 team who is a licensed psychiatrist or psychologist must conduct  
182 a personal interview of the person. If the person refuses to  
183 fully participate in a personal interview, the multidisciplinary



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184 team may proceed with its recommendation without the a personal  
185 interview of the person.

186 (f) After all clinical evaluations have been completed, the  
187 department shall provide to the state attorney a written  
188 assessment and recommendation as to whether the person meets the  
189 definition of a sexually violent predator.

190 1. The department must recommend that the state attorney  
191 file a petition for civil commitment if at least two members of  
192 the multidisciplinary team determine that the person meets the  
193 definition of a sexually violent predator.

194 2. When the department determines that a person who has  
195 received a clinical evaluation does or does not meet the  
196 definition of a sexually violent predator, the written  
197 assessment and recommendation shall be sent to the state  
198 attorney. If the state attorney questions, in writing, the  
199 determination that the person does or does not meet the  
200 definition of a sexually violent predator, the multidisciplinary  
201 team must reexamine the case before a final written assessment  
202 and recommendation is provided to the state attorney.

203 (g) ~~(d)~~ The Attorney General's Office shall serve as legal  
204 counsel to the multidisciplinary team.

205 (h) ~~(e)~~ 1. After all clinical evaluations have been  
206 completed, but at least 1 month before the person's scheduled  
207 release date, if the referral date is at least 90 days before  
208 the person's expiration of sentence, the multidisciplinary team  
209 shall provide to the state attorney ~~Within 180 days after~~  
210 receiving notice, there shall be a written assessment and  
211 recommendation as to whether the person meets the definition of  
212 a sexually violent predator and a written recommendation, which



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213 ~~shall be provided to the state attorney. If the referral date is~~  
214 ~~less than 90 days before the person's expiration of sentence,~~  
215 ~~the multidisciplinary team shall provide to the state attorney a~~  
216 ~~written assessment and recommendation as to whether the person~~  
217 ~~meets the definition of a sexually violent predator as soon as~~  
218 ~~is practicable before the person's expiration of sentence. The~~  
219 ~~written recommendation shall be provided by the Department of~~  
220 ~~Children and Families Family Services and must shall include the~~  
221 ~~written report of the multidisciplinary team.~~

222 ~~2. Notwithstanding subparagraph 1., in the case of a person~~  
223 ~~for whom the written assessment and recommendation has not been~~  
224 ~~completed at least 365 days before his or her release from total~~  
225 ~~confinement, the department shall prioritize the assessment of~~  
226 ~~that person based upon the person's release date.~~

227 ~~(4) The multidisciplinary team shall give equal~~  
228 ~~consideration in the evaluation and assessment of an offender~~  
229 ~~whose sexually violent offense was an attempt, criminal~~  
230 ~~solicitation, or conspiracy, in violation of s. 777.04, to~~  
231 ~~commit a sexually violent offense enumerated in s. 394.912(9) as~~  
232 ~~it does in the evaluation and assessment of an offender who~~  
233 ~~completed such an enumerated sexually violent offense. A rule or~~  
234 ~~policy may not be established which reduces the level of~~  
235 ~~consideration because the sexually violent offense was an~~  
236 ~~attempt, criminal solicitation, or conspiracy.~~

237 ~~(5)-(4) The provisions of This section is are not~~  
238 ~~jurisdictional, and failure to comply with it them in no way~~  
239 ~~prevents the state attorney from proceeding against a person~~  
240 ~~otherwise subject to the provisions of this part.~~

241 Section 4. Section 394.9135, Florida Statutes, is amended



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242 to read:

243 394.9135 Immediate releases from total confinement;  
244 transfer of person to department; time limitations on  
245 assessment, notification, and filing petition to hold in  
246 custody; filing petition after release; order into custody of  
247 department after release.—

248 (1) (a) If the anticipated release from total confinement of  
249 a person who has been convicted of a sexually violent offense  
250 becomes immediate for any reason, the agency with jurisdiction  
251 shall upon immediate release from total confinement transfer  
252 that person to the custody of the department ~~of Children and~~  
253 ~~Family Services~~ to be held in an appropriate secure facility.

254 (b) If a person who committed a sexually violent offense  
255 and who is serving an incarcerative sentence under the custody  
256 of the Department of Corrections or the Department of Juvenile  
257 Justice is released from a local detention facility, the state  
258 attorney, as designated in s. 394.913, may file a petition with  
259 the circuit court within 120 hours after the person's release  
260 alleging that:

261 1. Section 394.913 or this section requires that the person  
262 be referred for consideration for civil commitment before  
263 release and the person was not referred because of a mistake,  
264 oversight, or intentional act; or

265 2. The person was referred for commitment consideration  
266 but, through a mistake, oversight, or intentional act, was  
267 released rather than transferred to the custody of the  
268 Department of Children and Families as required by this part.

269  
270 If the judge determines that there is probable cause to believe



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271 that the person was released in contravention of s. 394.913 or  
272 this section, the judge shall order the person to be taken into  
273 custody and delivered to an appropriate secure facility  
274 designated by the Department of Children and Families.

275 (2) Within 72 hours after transfer pursuant to paragraph  
276 (1) (a) or receipt into the department's custody pursuant to  
277 paragraph (1) (b) or s. 394.9125(4), the multidisciplinary team  
278 shall assess whether the person meets the definition of a  
279 sexually violent predator as defined in s. 394.912. If at least  
280 two members of the multidisciplinary team, after all clinical  
281 evaluations have been conducted, determine ~~determines~~ that the  
282 person does not meet the definition of a sexually violent  
283 predator, that person shall be immediately released. If the  
284 multidisciplinary team determines that the person meets the  
285 definition of a sexually violent predator, the team shall  
286 provide the state attorney, as designated by s. 394.913, with  
287 its written assessment and recommendation within the 72-hour  
288 period or, if the 72-hour period ends after 5 p.m. on a working  
289 day or on a weekend or holiday, within the next working day  
290 thereafter.

291 (3) Within 48 hours after receipt of the written assessment  
292 and recommendation from the multidisciplinary team, the state  
293 attorney, as designated in s. 394.913, may file a petition with  
294 the circuit court alleging that the person is a sexually violent  
295 predator and stating facts sufficient to support the ~~such~~  
296 allegation. If a petition is not filed within 48 hours after  
297 receipt of the written assessment and recommendation by the  
298 state attorney, the person shall be immediately released, except  
299 that, if the 48-hour period ends after 5 p.m. on a working day



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300 or on a weekend or holiday, the petition may be filed on the  
301 next working day without resulting in the person's release. If a  
302 petition is filed pursuant to this section and the judge  
303 determines that there is probable cause to believe that the  
304 person is a sexually violent predator, the judge shall order  
305 that the person be maintained in custody and held in an  
306 appropriate secure facility for further proceedings in  
307 accordance with this part.

308 (4) ~~The provisions of~~ This section is ~~are~~ not  
309 jurisdictional, and failure to comply with the time limitations,  
310 which results in the release of a person who has been convicted  
311 of a sexually violent offense, ~~is~~ not dispositive of the case  
312 and does not prevent the state attorney from proceeding against  
313 a person otherwise subject to ~~the provisions of~~ this part.

314 Section 5. Section 394.914, Florida Statutes, is amended to  
315 read:

316 394.914 Petition; contents.—After ~~Following~~ receipt from  
317 the multidisciplinary team of the written assessment and  
318 positive or negative recommendation as to whether the person  
319 meets the definition of a sexually violent predator ~~from the~~  
320 ~~multidisciplinary team~~, the state attorney, in accordance with  
321 s. 394.913, may file a petition with the circuit court alleging  
322 that the person is a sexually violent predator and stating facts  
323 sufficient to support such allegation. A ~~No~~ fee may not ~~shall~~ be  
324 charged for the filing of a petition under this section.

325 Section 6. Subsection (3) of section 394.918, Florida  
326 Statutes, is amended to read:

327 394.918 Examinations; notice; court hearings for release of  
328 committed persons; burden of proof.—



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329 (3) The court shall hold a limited hearing to determine  
330 whether there is probable cause to believe that the person's  
331 condition has so changed that it is safe for the person to be at  
332 large and that the person will not engage in acts of sexual  
333 violence if discharged. The person has the right to be  
334 represented by counsel at the probable cause hearing and the  
335 right, but the person is not entitled to be present. Both the  
336 petitioner and the respondent may present evidence that the  
337 court may weigh and consider. If the court determines that there  
338 is probable cause to believe it is safe to release the person,  
339 the court shall set a trial before the court on the issue.

340 Section 7. Section 394.926, Florida Statutes, is amended to  
341 read:

342 394.926 Notice to victims and others of release of persons  
343 in the custody of the department ~~committed as sexually violent~~  
344 ~~predators; notice to Department of Corrections and Parole~~  
345 ~~Commission.-~~

346 (1) As soon as is practicable, the department shall give  
347 written notice of the release of a person in the custody of the  
348 department ~~committed as a sexually violent predator~~ to any  
349 victim of the ~~committed~~ person who is alive and whose address is  
350 known to the department or, if the victim is deceased, to the  
351 victim's family, if the family's address is known to the  
352 department. Failure to notify is not a reason for postponement  
353 of release. This section does not create a cause of action  
354 against the state or an employee of the state acting within the  
355 scope of the employee's employment as a result of the failure to  
356 notify pursuant to this part.

357 (2) If a person in the custody of the department ~~sexually~~



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358 ~~violent predator~~ who has an active or pending term of probation,  
359 community control, parole, conditional release, or other court-  
360 ordered or postprison release supervision is released ~~from~~  
361 ~~custody~~, the department must immediately notify the Department  
362 of Corrections' Office of Community Corrections in Tallahassee.  
363 The Parole Commission must also be immediately notified of any  
364 releases of a person ~~sexually violent predator~~ who has an active  
365 or pending term of parole, conditional release, or other  
366 postprison release supervision that is administered by the  
367 Parole Commission.

368 (3) If a person in the custody of the department is  
369 released, the department must notify the Department of Law  
370 Enforcement and the sheriff of the county in which the person  
371 intends to reside, or if unknown, the sheriff of the county in  
372 which the person was last convicted.

373 (4) (a) The department, in conjunction with the Department  
374 of Law Enforcement, shall enroll and maintain a sexually violent  
375 offender in the arrest notification program through the Florida  
376 Criminal Justice Network maintained by the Department of Law  
377 Enforcement upon such offender's release from the department's  
378 custody. Upon receiving an alert that a sexually violent  
379 offender has been arrested for a criminal offense subsequent to  
380 his or her release, the department must immediately notify the  
381 state attorney of the circuit in which the arrest occurred.

382 (b) As used in this subsection, the term "sexually violent  
383 offender" means a person who has been committed to the  
384 department as a sexually violent predator or who has been in the  
385 department's custody based upon a court finding of probable  
386 cause to believe the person is a sexually violent predator.



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387 Section 8. Section 394.931, Florida Statutes, is amended to  
388 read:

389 394.931 Quarterly and annual reports. ~~Beginning July 1,~~  
390 ~~1999,~~ The Department of Corrections shall collect information  
391 and compile quarterly reports with statistics profiling inmates  
392 released the previous quarter who fit the criteria and were  
393 referred to the Department of Children and Families ~~Family~~  
394 ~~Services~~ pursuant to this act. ~~The quarterly reports must be~~  
395 ~~produced beginning October 1, 1999.~~ At a minimum, the  
396 information that must be collected and compiled for inclusion in  
397 the reports includes: whether the qualifying offense was the  
398 current offense or the prior offense; the offender's most  
399 serious sexual offense; the total number of distinct victims of  
400 the sexual offense; whether the victim was known to the  
401 offender; whether the sexual act was consensual; whether the  
402 sexual act involved multiple victims; whether direct violence  
403 was involved in the sexual offense; the age of each victim at  
404 the time of the offense; the age of the offender at the time of  
405 the first sexual offense; whether a weapon was used; length of  
406 time since the most recent sexual offense; and the total number  
407 of prior and current sexual offense ~~sexual-offense~~ convictions.  
408 The Department of Corrections shall compile recidivism data on  
409 those referred, detained, or committed to the department ~~In~~  
410 ~~addition, the department of Children and Family Services shall~~  
411 ~~implement a long-term study to determine the overall efficacy of~~  
412 ~~the provisions of this part.~~

413 Section 9. Subsection (14) is added to section 943.053,  
414 Florida Statutes, to read:

415 943.053 Dissemination of criminal justice information;



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416 fees.-

417 (14) Notwithstanding any other law, the department shall  
418 provide to the Sexually Violent Predator Program within the  
419 Department of Children and Families online access to the arrest  
420 notification program through the Florida Criminal Justice  
421 Network to be used solely in support of the duties of the  
422 Department of Children and Families as provided in s.  
423 394.926(4).

424 Section 10. If any provision of this act or its application  
425 to any person or circumstance is held invalid, the invalidity  
426 does not affect other provisions or applications of this act  
427 which can be given effect without the invalid provision or  
428 application, and to this end the provisions of this act are  
429 severable.

430 Section 11. This act shall take effect July 1, 2014.

431  
432 ===== T I T L E A M E N D M E N T =====

433 And the title is amended as follows:

434 Delete everything before the enacting clause  
435 and insert:

436 A bill to be entitled  
437 An act relating to involuntary civil commitment of  
438 sexually violent predators; amending s. 394.912, F.S.;  
439 redefining terms; creating s. 394.9125, F.S.;  
440 authorizing and requiring a state attorney to refer  
441 certain persons for civil commitment under certain  
442 circumstances; requiring the state attorney to notify  
443 county and municipal jails of a referral within a  
444 specified timeframe; authorizing the state attorney to



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445 file a petition requesting that a person be taken into  
446 custody for civil commitment proceedings; requiring a  
447 judge to order a person into custody for civil  
448 commitment proceedings upon making specified findings;  
449 amending s. 394.913, F.S.; requiring the agency with  
450 jurisdiction over a person who has been convicted of a  
451 sexually violent offense to give written notice to the  
452 multidisciplinary team as soon as practicable after  
453 receipt into custody of such person in a county or  
454 municipal jail facility; authorizing the  
455 multidisciplinary team to consult with law enforcement  
456 agencies and victim advocate groups as part of the  
457 assessment and evaluation process; authorizing a  
458 clinical evaluation; requiring a second clinical  
459 evaluation under certain circumstances; requiring the  
460 Department of Children and Families to recommend that  
461 the state attorney file a civil commitment petition  
462 under certain circumstances; requiring the department  
463 to send a recommendation to the state attorney for  
464 further review under certain circumstances if a person  
465 does not meet the definition of a sexually violent  
466 predator; requiring the multidisciplinary team to  
467 reexamine the case under certain circumstances;  
468 revising the timeframes for the written assessment;  
469 requiring the multidisciplinary team to give equal  
470 consideration to an attempt, criminal solicitation, or  
471 conspiracy to commit certain offenses as it does to  
472 the commission of such offenses; amending s. 394.9135,  
473 F.S.; providing for certain released persons to be



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474 taken into custody by the Department of Children and  
475 Families; authorizing the state attorney to file,  
476 within a specific timeframe, a petition alleging that  
477 a person released from a local detention facility was  
478 not referred as required before release because of a  
479 mistake, oversight, or intentional act or was referred  
480 for commitment consideration but released rather than  
481 transferred to custody, as required, due to a mistake,  
482 oversight, or intentional act; requiring a judge to  
483 order that a person so released be taken into custody  
484 and delivered to an appropriate secure facility under  
485 certain circumstances; amending s. 394.914, F.S.;  
486 authorizing the state attorney to file a petition for  
487 civil commitment regardless of the multidisciplinary  
488 team's recommendation; amending s. 394.918, F.S.,  
489 authorizing the petitioner and respondent to present  
490 evidence at a civil commitment probable cause hearing;  
491 amending s. 394.926, F.S.; requiring the department to  
492 provide written notice of placement of a person in the  
493 department's custody to a victim of such person;  
494 requiring the department to notify the Department of  
495 Corrections, the Department of Law Enforcement, and  
496 the sheriff of the county in which such person intends  
497 to reside of the release of a sexually violent  
498 predator or a person who is in custody; requiring the  
499 Department of Children and Families to enroll certain  
500 persons in an arrest notification program and to  
501 notify the state attorney upon receiving an arrest  
502 alert; amending s. 394.931, F.S.; requiring the



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503 Department of Corrections to collect recidivism  
504 information; amending s. 943.053, F.S.; requiring the  
505 Department of Law Enforcement to provide the  
506 Department of Children and Families access to the  
507 arrest notification program; providing for  
508 severability; providing an effective date.