

1 A bill to be entitled
 2 An act relating to sexual offenders and predators;
 3 amending s. 775.21, F.S.; reducing the aggregate and
 4 consecutive number of days used to determine residency
 5 for purposes of sexual predator or sexual offender
 6 registration; providing for a mandatory minimum
 7 sentence of community control with electronic
 8 monitoring for certain offenses committed by sexual
 9 predators; amending s. 943.0435, F.S.; providing for a
 10 mandatory minimum sentence of community control with
 11 electronic monitoring for certain offenses committed
 12 by sexual offenders; providing an effective date.

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

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 16 Section 1. Paragraphs (k), (n), and (o) of subsection (2)
 17 and paragraph (a) of subsection (10) of section 775.21, Florida
 18 Statutes, are amended to read:

19 775.21 The Florida Sexual Predators Act.—

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

21 (k) "Permanent residence" means a place where the person
 22 abides, lodges, or resides for 3 ~~5~~ or more consecutive days.

23 (n) "Temporary residence" means a place where the person
 24 abides, lodges, or resides, including, but not limited to,
 25 vacation, business, or personal travel destinations in or out of

26 | this state, for a period of 3 ~~5~~ or more days in the aggregate
27 | during any calendar year and which is not the person's permanent
28 | address or, for a person whose permanent residence is not in
29 | this state, a place where the person is employed, practices a
30 | vocation, or is enrolled as a student for any period of time in
31 | this state.

32 | (o) "Transient residence" means a county where a person
33 | lives, remains, or is located for a period of 3 ~~5~~ or more days
34 | in the aggregate during a calendar year and which is not the
35 | person's permanent or temporary address. The term includes, but
36 | is not limited to, a place where the person sleeps or seeks
37 | shelter and a location that has no specific street address.

38 | (10) PENALTIES.—

39 | (a) Except as otherwise specifically provided, a sexual
40 | predator who fails to register; who fails, after registration,
41 | to maintain, acquire, or renew a driver license or an
42 | identification card; who fails to provide required location
43 | information; who fails to provide electronic mail addresses,
44 | Internet identifiers, and each Internet identifier's
45 | corresponding website homepage or application software name; who
46 | fails to provide all home telephone numbers and cellular
47 | telephone numbers, employment information, change in status at
48 | an institution of higher education, or change-of-name
49 | information; who fails to make a required report in connection
50 | with vacating a permanent residence; who fails to reregister as

51 required; who fails to respond to any address verification
52 correspondence from the department within 3 weeks of the date of
53 the correspondence; who knowingly provides false registration
54 information by act or omission; or who otherwise fails, by act
55 or omission, to comply with the requirements of this section
56 commits a felony of the third degree, punishable as provided in
57 s. 775.082, s. 775.083, or s. 775.084 and, for offenses
58 committed after July 1, 2018, shall carry a mandatory minimum
59 sentence as follows:

60 1. For a first offense, a mandatory minimum sentence of 6
61 months of community control with electronic monitoring as
62 provided in chapter 948.

63 2. For a second offense, a mandatory minimum sentence of 1
64 year of community control with electronic monitoring as provided
65 in chapter 948.

66 3. For a third or subsequent offense, a mandatory minimum
67 sentence of 2 years of community control with electronic
68 monitoring as provided in chapter 948.

69 Section 2. Paragraph (a) of subsection (9) of section
70 943.0435, Florida Statutes, is amended to read:

71 943.0435 Sexual offenders required to register with the
72 department; penalty.—

73 (9) (a) Except as otherwise specifically provided, a sexual
74 offender who does not comply with the requirements of this
75 section commits a felony of the third degree, punishable as

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76 | provided in s. 775.082, s. 775.083, or s. 775.084 and, for
77 | offenses committed after July 1, 2018, shall carry a mandatory
78 | minimum sentence as follows:

79 | 1. For an initial offense, a mandatory minimum sentence of
80 | 6 months of community control with electronic monitoring as
81 | provided in chapter 948.

82 | 2. For a second offense, a mandatory minimum sentence of 1
83 | year of community control with electronic monitoring as provided
84 | in chapter 948.

85 | 3. For a third or subsequent offense, a mandatory minimum
86 | sentence of 2 years of community control with electronic
87 | monitoring as provided in chapter 948.

88 | Section 3. This act shall take effect July 1, 2018.