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576-04140-20

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to law enforcement activities;
amending s. 683.231, F.S.; authorizing a citizen
support organization for Florida Missing Children's
Day to provide grants to law enforcement agencies for
specified purposes; redefining the term "citizen
support organization"; providing requirements for such
grants and for the citizen support organization;
amending ss. 775.21 and 943.0435, F.S.; authorizing
sexual predators and sexual offenders to report online
certain information to the Department of Law
Enforcement; revising reporting requirements for
sexual predators and sexual offenders; making
technical changes; providing for consideration for
removal of the requirement to register as a sexual
offender under certain circumstances; amending s.
943.0311, F.S.; requiring the Chief of Domestic
Security to oversee the development of a statewide
strategy for targeted violence prevention; requiring
the chief to coordinate with state and local law
enforcement agencies in the development of the
statewide strategy and in its implementation;
requiring periodic evaluation of the statewide
strategy; providing construction; providing an
effective date.

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



481528

576-04140-20

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Section 1. Subsection (7) of section 683.231, Florida Statutes, is renumbered as subsection (10), subsection (1), paragraph (b) of subsection (2), and subsection (4) are amended, and a new subsection (7) and subsections (8) and (9) are added to that section, to read:

683.231 Citizen support organization for Florida Missing Children's Day.—

(1) The Department of Law Enforcement may establish a citizen support organization to provide assistance, funding, and promotional support for activities authorized for Florida Missing Children's Day under s. 683.23 and to provide financial support to law enforcement agencies for missing and unidentified persons investigations and specialized training to support the resolution of such investigations through the issuance of grants.

(2) As used in this section, the term "citizen support organization" means an organization that is:

(b) Organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, either real or personal; and make expenditures to or for the direct or indirect benefit of the department in furtherance of Florida Missing Children's Day and missing and unidentified persons investigations and specialized training to support the resolution of such investigations.

(4) The citizen support organization is specifically authorized to collect and expend funds to be used for awards;



481528

576-04140-20

57 public awareness and awards ceremonies, workshops, and other
58 meetings, including distribution materials for public education
59 and awareness; grants to assist missing and unidentified persons
60 investigations and specialized training to support the
61 resolution of such investigations; travel; Internet and web-
62 hosting services; administrative costs, including personnel
63 costs; costs of audits; and costs of facilities rental.

64 (7) The citizen support organization is authorized to
65 create a grant program to provide financial support to law
66 enforcement agencies for missing and unidentified persons
67 investigations and specialized training to support the
68 resolution of such investigations through the issuance of
69 grants. The citizen support organization may raise and accept
70 funds from any public or private source. The citizen support
71 organization may establish criteria and set specific time
72 periods for the acceptance of applications from local and state
73 law enforcement agencies and for the selection process for
74 awards. The citizen support organization shall make such
75 criteria publicly available on its website.

76 (8) The citizen support organization may not award grants
77 if the president of the citizen support organization or the
78 staff of the department reasonably believe that the citizen
79 support organization has not yet met its obligations for funding
80 Florida Missing Children's Day. The total amount of grants
81 awarded may not exceed funds available to the citizen support
82 organization.

83 (9) The citizen support organization shall manage the
84 assignment and use of grants awarded. The department shall
85 oversee these activities consistent with subsection (5).



481528

576-04140-20

86 Section 2. Paragraphs (a), (g), and (i) of subsection (6)
87 of section 775.21, Florida Statutes, are amended to read:

88 775.21 The Florida Sexual Predators Act.—

89 (6) REGISTRATION.—

90 (a) A sexual predator shall register with the department
91 through the sheriff's office by providing the following
92 information to the department:

93 1. Name; social security number; age; race; sex; date of
94 birth; height; weight; tattoos or other identifying marks; hair
95 and eye color; photograph; address of legal residence and
96 address of any current temporary residence, within the state or
97 out of state, including a rural route address and a post office
98 box; if no permanent or temporary address, any transient
99 residence within the state; address, location or description,
100 and dates of any current or known future temporary residence
101 within the state or out of state; electronic mail addresses;
102 Internet identifiers and each Internet identifier's
103 corresponding website homepage or application software name;
104 home telephone numbers and cellular telephone numbers;
105 employment information; the make, model, color, vehicle
106 identification number (VIN), and license tag number of all
107 vehicles owned; date and place of each conviction; fingerprints;
108 palm prints; and a brief description of the crime or crimes
109 committed by the offender. A post office box may not be provided
110 in lieu of a physical residential address. The sexual predator
111 shall produce his or her passport, if he or she has a passport,
112 and, if he or she is an alien, shall produce or provide
113 information about documents establishing his or her immigration
114 status. The sexual predator shall also provide information about



481528

576-04140-20

115 any professional licenses he or she has.

116 a. Any change that occurs after the sexual predator
117 registers in person at the sheriff's office as provided in this
118 subparagraph in any of the following information related to the
119 sexual predator must be reported as provided in paragraphs (g),
120 (i), and (j): permanent, temporary, or transient residence;
121 name; electronic mail addresses; Internet identifiers and each
122 Internet identifier's corresponding website homepage or
123 application software name; home and cellular telephone numbers;
124 employment information; and status at an institution of higher
125 education.

126 b. If the sexual predator's place of residence is a motor
127 vehicle, trailer, mobile home, or manufactured home, as defined
128 in chapter 320, the sexual predator shall also provide to the
129 department written notice of the vehicle identification number;
130 the license tag number; the registration number; and a
131 description, including color scheme, of the motor vehicle,
132 trailer, mobile home, or manufactured home. If a sexual
133 predator's place of residence is a vessel, live-aboard vessel,
134 or houseboat, as defined in chapter 327, the sexual predator
135 shall also provide to the department written notice of the hull
136 identification number; the manufacturer's serial number; the
137 name of the vessel, live-aboard vessel, or houseboat; the
138 registration number; and a description, including color scheme,
139 of the vessel, live-aboard vessel, or houseboat.

140 c. If the sexual predator is enrolled or employed, whether
141 for compensation or as a volunteer, at an institution of higher
142 education in this state, the sexual predator shall also provide
143 to the department the name, address, and county of each



481528

576-04140-20

144 institution, including each campus attended, and the sexual
145 predator's enrollment, volunteer, or employment status. The
146 sheriff, the Department of Corrections, or the Department of
147 Juvenile Justice shall promptly notify each institution of
148 higher education of the sexual predator's presence and any
149 change in the sexual predator's enrollment, volunteer, or
150 employment status.

151 d. A sexual predator shall report to the department through
152 the department's online system or in person to the sheriff's
153 office within 48 hours after any change in vehicles owned to
154 report those vehicle information changes.

155 2. Any other information determined necessary by the
156 department, including criminal and corrections records;
157 nonprivileged personnel and treatment records; and evidentiary
158 genetic markers when available.

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



481528

576-04140-20

173 for purposes of public notification of sexual predators as
174 provided in this section. A sexual predator who is unable to
175 secure or update a driver license or an identification card with
176 the Department of Highway Safety and Motor Vehicles as provided
177 in paragraph (f) and this paragraph shall also report any change
178 of the predator's residence or change in the predator's name by
179 reason of marriage or other legal process within 48 hours after
180 the change to the sheriff's office in the county where the
181 predator resides or is located and provide confirmation that he
182 or she reported such information to the Department of Highway
183 Safety and Motor Vehicles. The reporting requirements under this
184 subparagraph do not negate the requirement for a sexual predator
185 to obtain a Florida driver license or identification card as
186 required by this section.

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

200 b. A sexual predator shall report in person at the
201 sheriff's office in the county in which he or she is located



481528

576-04140-20

202 within 48 hours after establishing a transient residence and
203 thereafter must report in person every 30 days to the sheriff's
204 office in the county in which he or she is located while
205 maintaining a transient residence. The sexual predator must
206 provide the addresses and locations where he or she maintains a
207 transient residence. Each sheriff's office shall establish
208 procedures for reporting transient residence information and
209 provide notice to transient registrants to report transient
210 residence information as required in this sub-subparagraph.
211 Reporting to the sheriff's office as required by this sub-
212 subparagraph does not exempt registrants from any reregistration
213 requirement. The sheriff may coordinate and enter into
214 agreements with police departments and other governmental
215 entities to facilitate additional reporting sites for transient
216 residence registration required in this sub-subparagraph. The
217 sheriff's office shall, within 2 business days, electronically
218 submit and update all information provided by the sexual
219 predator to the department.

220 3. A sexual predator who remains at a permanent, temporary,
221 or transient residence after reporting his or her intent to
222 vacate such residence shall, within 48 hours after the date upon
223 which the predator indicated he or she would or did vacate such
224 residence, report in person to the sheriff's office to which he
225 or she reported pursuant to subparagraph 2. for the purpose of
226 reporting his or her address at such residence. When the sheriff
227 receives the report, the sheriff shall promptly convey the
228 information to the department. An offender who makes a report as
229 required under subparagraph 2. but fails to make a report as
230 required under this subparagraph commits a felony of the second



481528

576-04140-20

231 degree, punishable as provided in s. 775.082, s. 775.083, or s.
232 775.084.

233 4. The failure of a sexual predator who maintains a
234 transient residence to report in person to the sheriff's office
235 every 30 days as required by sub-subparagraph 2.b. is punishable
236 as provided in subsection (10).

237 5.a. A sexual predator shall register all electronic mail
238 addresses and Internet identifiers, and each Internet
239 identifier's corresponding website homepage or application
240 software name, with the department through the department's
241 online system or in person at the sheriff's office within 48
242 hours after using such electronic mail addresses and Internet
243 identifiers. If the sexual predator is in the custody or
244 control, or under the supervision, of the Department of
245 Corrections, he or she must report all electronic mail addresses
246 and Internet identifiers, and each Internet identifier's
247 corresponding website homepage or application software name, to
248 the Department of Corrections before using such electronic mail
249 addresses or Internet identifiers. If the sexual predator is in
250 the custody or control, or under the supervision, of the
251 Department of Juvenile Justice, he or she must report all
252 electronic mail addresses and Internet identifiers, and each
253 Internet identifier's corresponding website homepage or
254 application software name, to the Department of Juvenile Justice
255 before using such electronic mail addresses or Internet
256 identifiers.

257 b. A sexual predator shall register all changes to vehicles
258 owned, all changes to home telephone numbers and cellular
259 telephone numbers, including added and deleted numbers, all



481528

576-04140-20

260 changes to employment information, and all changes in status
261 related to enrollment, volunteering, or employment at
262 institutions of higher education, through the department's
263 online system; in person at the sheriff's office; in person at
264 the Department of Corrections if the sexual predator is in the
265 custody or control, or under the supervision, of the Department
266 of Corrections; or in person at the Department of Juvenile
267 Justice if the sexual predator is in the custody or control, or
268 under the supervision, of the Department of Juvenile Justice.
269 All changes required to be reported in this sub-subparagraph
270 shall be reported within 48 hours after the change.

271 c. The department shall establish an online system through
272 which sexual predators may securely access, submit, and update
273 all vehicles owned; electronic mail addresses; Internet
274 identifiers and each Internet identifier's corresponding website
275 homepage or application software name; home telephone numbers
276 and cellular telephone numbers; employment information; and
277 institution of higher education information.

278 (i) A sexual predator who intends to establish a permanent,
279 temporary, or transient residence in another state or
280 jurisdiction other than the State of Florida or intends to
281 travel outside of the United States shall report in person to
282 the sheriff of the county of current residence at least ~~within~~
283 48 hours before the date he or she intends to leave this state
284 to establish residence in another state or jurisdiction or at
285 least 21 days before the date he or she intends to travel ~~if the~~
286 ~~intended residence of 5 days or more is~~ outside of the United
287 States. Any travel that is not known by the sexual predator 48
288 hours before he or she intends to establish a residence in



481528

576-04140-20

289 another state or jurisdiction or 21 days before the departure
290 date for travel outside of the United States must be reported to
291 the sheriff's office as soon as possible before departure. The
292 sexual predator shall provide to the sheriff the address,
293 municipality, county, state, and country of intended residence.
294 For international travel, the sexual predator shall also provide
295 travel information, including, but not limited to, expected
296 departure and return dates, flight numbers ~~number~~, airports
297 ~~airport~~ of departure and return, cruise ports ~~port~~ of departure
298 and return, or any other means of intended travel. The sheriff
299 shall promptly provide to the department the information
300 received from the sexual predator. The department shall notify
301 the statewide law enforcement agency, or a comparable agency, in
302 the intended state, jurisdiction, or country of residence or the
303 intended country of travel of the sexual predator's intended
304 residence or intended travel. The failure of a sexual predator
305 to provide his or her intended place of residence or intended
306 travel is punishable as provided in subsection (10).

307 Section 3. Paragraph (b) of subsection (2), paragraph (e)
308 of subsection (4), subsection (7), and paragraph (b) of
309 subsection (11) of section 943.0435, Florida Statutes, are
310 amended, and paragraph (c) is added to subsection (11) of that
311 section, to read:

312 943.0435 Sexual offenders required to register with the
313 department; penalty.—

314 (2) Upon initial registration, a sexual offender shall:

315 (b) Provide his or her name; date of birth; social security
316 number; race; sex; height; weight; hair and eye color; tattoos
317 or other identifying marks; fingerprints; palm prints;



481528

576-04140-20

318 photograph; employment information; address of permanent or
319 legal residence or address of any current temporary residence,
320 within the state or out of state, including a rural route
321 address and a post office box; if no permanent or temporary
322 address, any transient residence within the state, address,
323 location or description, and dates of any current or known
324 future temporary residence within the state or out of state; the
325 make, model, color, vehicle identification number (VIN), and
326 license tag number of all vehicles owned; home telephone numbers
327 and cellular telephone numbers; electronic mail addresses;
328 Internet identifiers and each Internet identifier's
329 corresponding website homepage or application software name;
330 date and place of each conviction; and a brief description of
331 the crime or crimes committed by the offender. A post office box
332 may not be provided in lieu of a physical residential address.
333 The sexual offender shall also produce his or her passport, if
334 he or she has a passport, and, if he or she is an alien, shall
335 produce or provide information about documents establishing his
336 or her immigration status. The sexual offender shall also
337 provide information about any professional licenses he or she
338 has.

339 1. If the sexual offender's place of residence is a motor
340 vehicle, trailer, mobile home, or manufactured home, as defined
341 in chapter 320, the sexual offender shall also provide to the
342 department through the sheriff's office written notice of the
343 vehicle identification number; the license tag number; the
344 registration number; and a description, including color scheme,
345 of the motor vehicle, trailer, mobile home, or manufactured
346 home. If the sexual offender's place of residence is a vessel,



481528

576-04140-20

347 live-aboard vessel, or houseboat, as defined in chapter 327, the
348 sexual offender shall also provide to the department written
349 notice of the hull identification number; the manufacturer's
350 serial number; the name of the vessel, live-aboard vessel, or
351 houseboat; the registration number; and a description, including
352 color scheme, of the vessel, live-aboard vessel, or houseboat.

353 2. If the sexual offender is enrolled or employed, whether
354 for compensation or as a volunteer, at an institution of higher
355 education in this state, the sexual offender shall also provide
356 to the department the name, address, and county of each
357 institution, including each campus attended, and the sexual
358 offender's enrollment, volunteer, or employment status. The
359 sheriff, the Department of Corrections, or the Department of
360 Juvenile Justice shall promptly notify each institution of
361 higher education of the sexual offender's presence and any
362 change in the sexual offender's enrollment, volunteer, or
363 employment status.

364 3. A sexual offender shall report to the department through
365 the department's online system or in person to the sheriff's
366 office within 48 hours after any change in vehicles owned to
367 report those vehicle information changes.

368
369 When a sexual offender reports at the sheriff's office, the
370 sheriff shall take a photograph, a set of fingerprints, and palm
371 prints of the offender and forward the photographs, palm prints,
372 and fingerprints to the department, along with the information
373 provided by the sexual offender. The sheriff shall promptly
374 provide to the department the information received from the
375 sexual offender.



481528

576-04140-20

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(4)
(e)1. A sexual offender shall register all electronic mail addresses and Internet identifiers, and each Internet identifier's corresponding website homepage or application software name, with the department through the department's online system or in person at the sheriff's office within 48 hours after using such electronic mail addresses and Internet identifiers. If the sexual offender is in the custody or control, or under the supervision, of the Department of Corrections, he or she must report all electronic mail addresses and Internet identifiers, and each Internet identifier's corresponding website homepage or application software name, to the Department of Corrections before using such electronic mail addresses or Internet identifiers. If the sexual offender is in the custody or control, or under the supervision, of the Department of Juvenile Justice, he or she must report all electronic mail addresses and Internet identifiers, and each Internet identifier's corresponding website homepage or application software name, to the Department of Juvenile Justice before using such electronic mail addresses or Internet identifiers.

2. A sexual offender shall register all changes to vehicles owned, all changes to home telephone numbers and cellular telephone numbers, including added and deleted numbers, all changes to employment information, and all changes in status related to enrollment, volunteering, or employment at institutions of higher education, through the department's online system; in person at the sheriff's office; in person at the Department of Corrections if the sexual offender is in the



481528

576-04140-20

405 custody or control, or under the supervision, of the Department
406 of Corrections; or in person at the Department of Juvenile
407 Justice if the sexual offender is in the custody or control, or
408 under the supervision, of the Department of Juvenile Justice.
409 All changes required to be reported under this subparagraph must
410 be reported within 48 hours after the change.

411 3. The department shall establish an online system through
412 which sexual offenders may securely access, submit, and update
413 all changes in status to vehicles owned; electronic mail
414 addresses; Internet identifiers and each Internet identifier's
415 corresponding website homepage or application software name;
416 home telephone numbers and cellular telephone numbers;
417 employment information; and institution of higher education
418 information.

419 (7) A sexual offender who intends to establish a permanent,
420 temporary, or transient residence in another state or
421 jurisdiction other than the State of Florida or intends to
422 travel outside of the United States shall report in person to
423 the sheriff of the county of current residence at least ~~within~~
424 48 hours before the date he or she intends to leave this state
425 to establish residence in another state or jurisdiction or at
426 least 21 days before the date he or she intends to travel ~~if the~~
427 ~~intended residence of 5 days or more is~~ outside of the United
428 States. Any travel that is not known by the sexual offender 48
429 hours before he or she intends to establish a residence in
430 another state or jurisdiction or 21 days before the departure
431 date for travel outside of the United States must be reported in
432 person to the sheriff's office as soon as possible before
433 departure. The sexual offender shall provide to the sheriff the



481528

576-04140-20

434 address, municipality, county, state, and country of intended
435 residence. For international travel, the sexual offender shall
436 also provide travel information, including, but not limited to,
437 expected departure and return dates, flight numbers ~~number~~,
438 airports ~~airport~~ of departure and return, cruise ports ~~port~~ of
439 departure and return, or any other means of intended travel. The
440 sheriff shall promptly provide to the department the information
441 received from the sexual offender. The department shall notify
442 the statewide law enforcement agency, or a comparable agency, in
443 the intended state, jurisdiction, or country of residence or the
444 intended country of travel of the sexual offender's intended
445 residence or intended travel. The failure of a sexual offender
446 to provide his or her intended place of residence or intended
447 travel is punishable as provided in subsection (9).

448 (11) Except as provided in s. 943.04354, a sexual offender
449 shall maintain registration with the department for the duration
450 of his or her life unless the sexual offender has received a
451 full pardon or has had a conviction set aside in a
452 postconviction proceeding for any offense that meets the
453 criteria for classifying the person as a sexual offender for
454 purposes of registration. However, a sexual offender shall be
455 considered for removal of the requirement to register as a
456 sexual offender only if the person:

457 (b) Maintains ~~As defined in sub-subparagraph (1)(h)1.b.~~
458 ~~must maintain~~ registration with the department as described in
459 sub-subparagraph (1)(h)1.b. for the duration of his or her life
460 until the person provides the department with an order issued by
461 the court that designated the person as a sexual predator or, ~~as~~
462 ~~a sexually violent predator,~~ or any other ~~by another~~ sexual



481528

576-04140-20

463 offender designation in the state or jurisdiction in which the
464 order was issued which states that such designation has been
465 removed or demonstrates to the department that such designation,
466 if not imposed by a court, has been removed by operation of law
467 or court order in the state or jurisdiction in which the
468 designation was made, ~~and~~ provided that such person no longer
469 meets the criteria for registration as a sexual offender under
470 the laws of this state.

471 (c)1. Is required to register as a sexual offender solely
472 under the requirements of sub-subparagraph (1)(h)1.b. and files
473 a petition in the circuit court in the jurisdiction in which the
474 person resides or, for a person who no longer resides in this
475 state, the court in the jurisdiction in which the person last
476 resided in this state. The petition must assert that his or her
477 designation as a sexual predator or sexually violent predator or
478 any other sexual offender designation in the state or
479 jurisdiction in which the designation was made is confidential
480 from public disclosure or that such designation, if not imposed
481 by a court, is considered confidential from public disclosure by
482 operation of law or court order in the state or jurisdiction in
483 which the designation was made, provided that such person does
484 not meet the criteria for registration as a sexual offender
485 under the laws of this state.

486 2. If the person meets the criteria in subparagraph 1., the
487 court may grant the petition and remove the requirement to
488 register as a sexual offender.

489 3. A petition under this paragraph must document the
490 person's conviction and include a copy of the order issued by
491 the court in the state or jurisdiction which made the



481528

576-04140-20

492 designation confidential from public disclosure. If such relief
493 was not granted by court order, the person must demonstrate to
494 the court that his or her registration requirement has been made
495 confidential by operation of law in the state or jurisdiction
496 requiring registration. The state attorney and the department
497 must be given notice at least 21 days before the date of the
498 hearing on the petition and may present evidence in opposition
499 to the requested relief or may otherwise demonstrate why it
500 should be denied.

501 4. If a person provides to the department a certified copy
502 of the circuit court's order granting the person removal of the
503 requirement to register as a sexual offender in this state in
504 accordance with this sub-paragraph, the registration requirement
505 does not apply to the person and the department must remove all
506 information about the person from the public registry of sexual
507 offenders and sexual predators maintained by the department.

508 Section 4. Present subsection (7) of section 943.0311,
509 Florida Statutes, is redesignated as subsection (10), and a new
510 subsection (7) and subsections (8) and (9) are added to that
511 section, to read:

512 943.0311 Chief of Domestic Security; duties of the
513 department with respect to domestic security.—

514 (7) The chief shall oversee the development of a statewide
515 strategy for targeted violence prevention to develop a
516 comprehensive threat assessment strategy and appropriate
517 training to be used by state and local law enforcement agencies.
518 The chief shall coordinate with state and local law enforcement
519 agencies in the development of the statewide strategy and its
520 implementation.



481528

576-04140-20

521 (8) Any statewide strategy for targeted violence prevention
522 shall be evaluated periodically, as determined by the
523 department, and after any event of targeted violence, to
524 incorporate changes needed to address deficiencies and improve
525 effectiveness.

526 (9) Subsections (7) and (8) may not be construed to
527 abrogate or diminish any person's right to be secure in their
528 persons, houses, papers, and effects against unreasonable
529 seizures and searches as provided in the United States and
530 Florida Constitutions, and in the laws of this state and the
531 Federal Government, including, but not limited to, s. 933.04.

532 Section 5. This act shall take effect July 1, 2020.