

By the Committees on Rules; Judiciary; and Criminal Justice; and
Senator McClain

595-02930-26

2026212c3

1 A bill to be entitled
2 An act relating to sexual offenders and sexual
3 predators; amending s. 775.215, F.S.; defining the
4 term "public swimming pool"; revising residency
5 restrictions for persons convicted of certain sexual
6 offenses occurring on or after a specified date;
7 providing penalties; providing applicability; amending
8 s. 856.022, F.S.; revising the prohibition of
9 specified offenders from coming within a specified
10 distance of a place where children congregate;
11 prohibiting certain persons from contacting,
12 communicating with, or knowingly approaching with the
13 intent to contact or communicate with certain persons
14 at certain locations; providing an exception;
15 requiring a person who has been convicted of specified
16 offenses to provide notice to a school or child care
17 facility under certain circumstances; defining terms;
18 amending s. 901.15, F.S.; authorizing the warrantless
19 arrest of a person if a law enforcement officer has
20 probable cause to believe the person committed
21 specified offenses; amending s. 943.04351, F.S.;
22 revising requirements for state agencies or
23 governmental subdivisions to search before appointing
24 or employing a person to work at specified locations;
25 amending s. 947.1405, F.S.; revising special
26 conditions for certain sexual offenders subject to
27 conditional release supervision for offenses committed
28 on or after a specified date; amending s. 948.30,
29 F.S.; revising conditions of probation or community

595-02930-26

2026212c3

30 control for certain sexual offenders for offenses
31 committed on or after a specified date; providing an
32 effective date.
33

34 Be It Enacted by the Legislature of the State of Florida:
35

36 Section 1. Present paragraph (d) of subsection (1) of
37 section 775.215, Florida Statutes, is redesignated as paragraph
38 (e), a new paragraph (d) is added to that subsection, subsection
39 (4) is added to that section, and paragraph (c) of subsection
40 (2) and paragraph (c) of subsection (3) of that section are
41 amended, to read:

42 775.215 Residency restriction for persons convicted of
43 certain sex offenses.—

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

45 (d) "Public swimming pool" means a structure that is
46 located either indoors or outdoors and used for recreational
47 bathing or swimming by humans. The term includes a conventional
48 pool, spa-type pool, wading pool, special purpose pool, spray
49 pool, splash pad, or other water recreation attraction, to which
50 admission may be gained with or without payment of a fee,
51 regardless of whether entry to the swimming pool is limited by a
52 gate or other method of controlling access. The term includes
53 swimming pools operated by or serving subdivisions, apartments,
54 condominiums, mobile home parks, or townhouses, or any pool
55 operated by a governmental entity which is held open to the
56 public. The term does not include a swimming pool at a private
57 single-family residence, hotel, motel, or recreational vehicle
58 park, or a swimming pool where the operator prohibits the use of

595-02930-26

2026212c3

59 such pool by persons younger than 18 years of age.

60 (2)

61 (c) This subsection applies to any person convicted of a
62 violation of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5),
63 or s. 847.0145 for offenses that occurred ~~occur~~ on or after
64 October 1, 2004, and before July 1, 2026, excluding persons who
65 have been removed from the requirement to register as a sexual
66 offender or sexual predator pursuant to s. 943.04354.

67 (3)

68 (c) This subsection applies to any person convicted of an
69 offense in another jurisdiction that is similar to a violation
70 of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s.
71 847.0145 if such offense occurred on or after May 26, 2010, and
72 before July 1, 2026, excluding persons who have been removed
73 from the requirement to register as a sexual offender or sexual
74 predator pursuant to s. 943.04354.

75 (4) (a) A person who has been convicted of a violation of s.
76 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,
77 regardless of whether adjudication has been withheld, in which
78 the victim was less than 16 years of age at the time of the
79 offense, or who has been convicted of a similar offense in
80 another jurisdiction, regardless of whether adjudication has
81 been withheld, in which the victim was less than 16 years of age
82 at the time of the offense, may not reside within 1,000 feet of
83 any school, child care facility, park, playground, or public
84 swimming pool. However, a person does not violate this
85 subsection and may not be forced to relocate if he or she is
86 living in a residence that meets the requirements of this
87 subsection and a school, child care facility, park, playground,

595-02930-26

2026212c3

88 or public swimming pool is subsequently established within 1,000
89 feet of his or her residence.

90 (b) A person who violates this subsection and whose
91 conviction under s. 794.011, s. 800.04, s. 827.071, s.
92 847.0135(5), or s. 847.0145 was classified as a felony of the
93 first degree or higher or whose conviction in another
94 jurisdiction resulted in a penalty that is substantially similar
95 to a felony of the first degree or higher commits a felony of
96 the third degree, punishable as provided in s. 775.082, s.
97 775.083, or s. 775.084. A person who violates this subsection
98 and whose conviction under s. 794.011, s. 800.04, s. 827.071, s.
99 847.0135(5), or s. 847.0145 was classified as a felony of the
100 second or third degree or whose conviction in another
101 jurisdiction was substantially similar to a felony of the second
102 or third degree commits a misdemeanor of the first degree,
103 punishable as provided in s. 775.082 or s. 775.083.

104 (c) This subsection applies to:

105 1. Any person convicted of a violation described in
106 paragraph (a) for offenses that occur on or after July 1, 2026,
107 excluding persons who have been removed from the requirement to
108 register as a sexual offender or sexual predator pursuant to s.
109 943.04354.

110 2. Any person who is subject to the residency restrictions
111 in subsection (2) or subsection (3) who changes his or her
112 permanent residence, as that term is defined in s. 775.21(2), on
113 or after July 1, 2026.

114 Section 2. Section 856.022, Florida Statutes, is amended to
115 read:

116 856.022 Loitering or prowling by certain offenders in close

595-02930-26

2026212c3

117 proximity to children; prohibition on contact or communication
118 with children in certain locations; penalty.—

119 (1) Except as provided in subsection (2), this section
120 applies to a person convicted of committing, or attempting,
121 soliciting, or conspiring to commit, any of the criminal
122 offenses proscribed in the following statutes in this state or
123 similar offenses in another jurisdiction against a victim who
124 was younger than ~~under~~ 18 years of age at the time of the
125 offense: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the
126 victim is a minor; s. 787.06(3)(g); s. 794.011, excluding s.
127 794.011(10); s. 794.05; former s. 796.03; former s. 796.035; s.
128 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
129 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
130 s. 985.701(1); or any similar offense committed in this state
131 which has been redesignated from a former statute number to one
132 of those listed in this subsection, if the person has not
133 received a pardon for any felony or similar law of another
134 jurisdiction necessary for the operation of this subsection and
135 a conviction of a felony or similar law of another jurisdiction
136 necessary for the operation of this subsection has not been set
137 aside in any postconviction proceeding.

138 (2) This section does not apply to a person who has been
139 removed from the requirement to register as a sexual offender or
140 sexual predator pursuant to s. 943.04354.

141 (3) A person described in subsection (1) commits loitering
142 and prowling by a person convicted of a sexual offense against a
143 minor if, in committing loitering and prowling, he or she was
144 within 500 ~~300~~ feet of a place where children were congregating.

145 (4) (a) It is unlawful for a person described in subsection

595-02930-26

2026212c3

146 (1) to knowingly ~~approach~~, contact, ~~or~~ communicate with, or
147 approach with the intent to contact or communicate with a person
148 younger than child under 18 years of age in any public park
149 building or on real property comprising any public park, or
150 playground, or public swimming pool. This subsection does not
151 prohibit a person from contacting, communicating with, or
152 approaching with the intent to contact or communicate with, a
153 person younger than 18 years of age if such person is his or her
154 family or household member as defined in s. 741.28 ~~with the~~
155 ~~intent to engage in conduct of a sexual nature or to make a~~
156 ~~communication of any type with any content of a sexual nature.~~
157 ~~This paragraph applies only to a person described in subsection~~
158 ~~(1) whose offense was committed on or after May 26, 2010.~~

159 (b) It is unlawful for a person described in subsection (1)
160 to knowingly be present in any child care facility or school
161 containing any students in prekindergarten through grade 12 or
162 on real property comprising any child care facility or school
163 containing any students in prekindergarten through grade 12 when
164 the child care facility or school is in operation, if such
165 person fails to:

166 1. Provide written notification ~~of his or her intent to be~~
167 ~~present~~ to the school board, superintendent, principal, or child
168 care facility owner that he or she has a conviction specified in
169 subsection (1) and that he or she intends to be present at the
170 school or child care facility;

171 2. Notify the child care facility owner or the school
172 principal's office when he or she arrives and departs the child
173 care facility or school; and ~~or~~

174 3. Remain under direct supervision of a school official or

595-02930-26

2026212c3

175 designated chaperone when present in the vicinity of children.
176 As used in this paragraph, the term "school official" means a
177 principal, a school resource officer, a teacher or any other
178 employee of the school, the superintendent of schools, a member
179 of the school board, a child care facility owner, or a child
180 care provider.

181 (c) A person is not in violation of paragraph (b) if:

182 1. The child care facility or school is a voting location
183 and the person is present for the purpose of voting during the
184 hours designated for voting; ~~or~~

185 2. The person is a parent, grandparent, or legal guardian
186 who is only dropping off or picking up his or her child or
187 grandchild ~~own children or grandchildren~~ at the child care
188 facility or school; or

189 3. The person is attending a religious service as defined
190 in s. 775.0861.

191 (5) A ~~Any~~ person who violates this section commits a
192 misdemeanor of the first degree, punishable as provided in s.
193 775.082 or s. 775.083.

194 (6) As used in this section, the term:

195 (a) "Child care facility" has the same meaning s. 402.302.

196 (b) "Park" has the same meaning as in s. 775.215(1).

197 (c) "Playground" has the same meaning as in s. 775.215(1).

198 (d) "Public swimming pool" means a structure that is
199 located either indoors or outdoors and used for recreational
200 bathing or swimming by humans, including the area immediately
201 surrounding the structure. The term includes a conventional
202 pool, spa-type pool, wading pool, special purpose pool, spray
203 pool, splash pad, or other water recreation attraction, to which

595-02930-26

2026212c3

204 admission may be gained with or without payment of a fee,
205 regardless of whether entry to the swimming pool is limited by a
206 gate or other method of controlling access. The term also
207 includes, but is not limited to, pools operated by or serving
208 camps, churches, governmental entities, day care centers, parks,
209 schools, subdivisions, apartments, condominiums, hotels, motels,
210 mobile home parks, recreational vehicle parks, and townhouses.
211 The term does not include a swimming pool at a private single-
212 family residence or a swimming pool where the operator prohibits
213 the use of such pool by persons younger than 18 years of age.

214 (e) "School" has the same meaning as in s. 775.215(1).

215 Section 3. Paragraphs (h) and (i) are added to subsection
216 (9) of section 901.15, Florida Statutes, to read:

217 901.15 When arrest by officer without warrant is lawful.—A
218 law enforcement officer may arrest a person without a warrant
219 when:

220 (9) There is probable cause to believe that the person has
221 committed:

222 (h) A violation of s. 856.022(4)(a) by knowingly
223 contacting, communicating with, or approaching with the intent
224 to contact or communicate with, a person younger than 18 years
225 of age in any park building or on real property comprising any
226 park, playground, or public swimming pool.

227 (i) A violation of s. 856.022(4)(b) by knowingly being
228 present in any child care facility or school containing students
229 in prekindergarten through grade 12 or on real property
230 comprising a child care facility or school containing any
231 students in prekindergarten through grade 12 when the child care
232 facility or school is in operation.

595-02930-26

2026212c3

233 Section 4. Section 943.04351, Florida Statutes, is amended
234 to read:

235 943.04351 Search of registration information regarding
236 sexual predators and sexual offenders required before
237 appointment or employment.—A state agency or governmental
238 subdivision, before making any decision to appoint or employ a
239 person to work, whether for compensation or as a volunteer, at
240 any park, playground, public swimming pool, child care facility
241 ~~day care center~~, or other place where children regularly
242 congregate, must conduct a search of that person's name or other
243 identifying information against the registration information
244 regarding sexual predators and sexual offenders through the Dru
245 Sjodin National Sexual Offender Public Website maintained by the
246 United States Department of Justice. If for any reason that site
247 is not available, a search of the registration information
248 regarding sexual predators and sexual offenders maintained by
249 the Department of Law Enforcement under s. 943.043 must ~~shall~~ be
250 performed. This section does not apply to those positions or
251 appointments within a state agency or governmental subdivision
252 for which a state and national criminal history background check
253 is conducted.

254 Section 5. Subsections (15) and (16) are added to section
255 947.1405, Florida Statutes, to read:

256 947.1405 Conditional release program.—

257 (15) Effective for a releasee who is convicted of a crime
258 committed on or after July 1, 2026, or who has been previously
259 convicted of a crime committed on or after July 1, 2026, in
260 violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5),
261 or s. 847.0145, against a victim who was younger than 18 years

595-02930-26

2026212c3

262 of age at the time of the offense, in addition to any other
263 provision of this section, the commission shall impose the
264 following conditions:

265 (a) A prohibition on living within 1,000 feet of any public
266 swimming pool, as defined in s. 775.215. A releasee who is
267 subject to this paragraph may not be forced to relocate and does
268 not violate his or her conditional release supervision if he or
269 she is living in a residence that meets the requirements of this
270 paragraph and a public swimming pool is subsequently established
271 within 1,000 feet of his or her residence.

272 (b) A prohibition on working for pay or as a volunteer at
273 any public swimming pool.

274 (16) In addition to all other conditions imposed, for a
275 releasee who is subject to conditional release for a crime that
276 was committed on or after July 1, 2026, and who has been
277 convicted at any time of committing, or attempting, soliciting,
278 or conspiring to commit, any of the criminal offenses listed in
279 s. 943.0435(1)(h)1.a.(I), or a similar offense in another
280 jurisdiction against a victim who was younger than 18 years of
281 age at the time of the offense, if the releasee has not received
282 a pardon for any felony or similar law of another jurisdiction
283 necessary for the operation of this subsection, if a conviction
284 of a felony or similar law of another jurisdiction necessary for
285 the operation of this subsection has not been set aside in any
286 postconviction proceeding, or if the releasee has not been
287 removed from the requirement to register as a sexual offender or
288 sexual predator pursuant to s. 943.04354, the commission must
289 impose a condition prohibiting the releasee from visiting a
290 public swimming pool, as defined in s. 856.022(6), without prior

595-02930-26

2026212c3

291 approval from his or her supervising officer.

292 Section 6. Subsections (6) and (7) are added to section
293 948.30, Florida Statutes, to read:

294 948.30 Additional terms and conditions of probation or
295 community control for certain sex offenses.—Conditions imposed
296 pursuant to this section do not require oral pronouncement at
297 the time of sentencing and shall be considered standard
298 conditions of probation or community control for offenders
299 specified in this section.

300 (6) In addition to all other conditions imposed, for a
301 probationer or community controllee whose crime was committed on
302 or after July 1, 2026, and who is placed on supervision for
303 committing, or attempting, soliciting, or conspiring to commit,
304 a violation of s. 787.06(3) (b), (d), (f), or (g); chapter 794;
305 s. 800.04; s. 827.071; s. 847.0135(5); or s. 847.0145 against a
306 victim who was younger than 18 years of age at the time of the
307 offense, the court must impose the following conditions:

308 (a) A prohibition on living within 1,000 feet of any public
309 swimming pool, as defined in s. 775.215. A probationer or
310 community controllee who is subject to this paragraph may not be
311 forced to relocate and does not violate his or her probation or
312 community control if he or she is living in a residence that
313 meets the requirements of this paragraph and a public swimming
314 pool is subsequently established within 1,000 feet of his or her
315 residence.

316 (b) A prohibition on working for pay or as a volunteer at
317 any public swimming pool.

318 (7) In addition to all other conditions imposed, for a
319 probationer or community controllee who is subject to

595-02930-26

2026212c3

320 supervision for a crime that was committed on or after July 1,
321 2026, and who has been convicted at any time of committing, or
322 attempting, soliciting, or conspiring to commit, any of the
323 criminal offenses listed in s. 943.0435(1)(h)1.a.(I), or a
324 similar offense in another jurisdiction, against a victim who
325 was younger than 18 years of age at the time of the offense, if
326 the offender has not received a pardon for any felony or similar
327 law of another jurisdiction necessary for the operation of this
328 subsection, if a conviction of a felony or similar law of
329 another jurisdiction necessary for the operation of this
330 subsection has not been set aside in any postconviction
331 proceeding, or if the offender has not been removed from the
332 requirement to register as a sexual offender or sexual predator
333 pursuant to s. 943.04354, the court must impose a condition
334 prohibiting the probationer or community controlee from visiting
335 a public swimming pool, as defined in s. 856.022(6), without
336 prior approval from his or her supervising officer.

337 Section 7. This act shall take effect July 1, 2026.