

By Senator Hooper

16-00635B-22

20221932__

1 A bill to be entitled
2 An act relating to sexual offenders and predators;
3 amending s. 775.21, F.S.; revising the definitions of
4 the terms "permanent residence," "temporary
5 residence," and "transient residence"; providing that
6 a person must meet specified criteria to qualify for
7 removal of a sexual predator, sexually violent
8 predator, or any other specified sexual offender
9 designation; providing an additional reporting method
10 for a sexual predator to report certain vehicle
11 information changes to the Department of Law
12 Enforcement; providing an additional reporting method
13 for a sexual predator to report specified information
14 to the Department of Highway Safety and Motor
15 Vehicles; revising the reporting requirements with
16 which a sexual predator must comply relating to
17 establishing a residence in another state or
18 jurisdiction or for travel outside of the United
19 States; conforming provisions to changes made by the
20 act; amending s. 943.0435, F.S.; revising the
21 definition of the term "convicted"; providing a short
22 title; providing an additional reporting method for a
23 sexual offender to report specified information to the
24 Department of Highway Safety and Motor Vehicles;
25 providing an additional reporting method for a sexual
26 offender to report certain vehicle information changes
27 to the Department of Law Enforcement; requiring the
28 custodian of a local jail to register a sexual
29 offender within a certain number of business days

16-00635B-22

20221932__

30 after intake of such sexual offender and to forward
31 the registration information to the department;
32 requiring the custodian of a local jail to take a
33 digitized photograph of such sexual offender and
34 provide it to the department; requiring the custodian
35 of a local jail to notify the department if a sexual
36 offender in its custody escapes or dies; revising the
37 reporting requirements with which a sexual offender
38 must comply relating to establishing a residence in
39 another state or jurisdiction or for travel outside of
40 the United States; requiring that the department be
41 given notice of a petition for removing the
42 requirement for registration as a sexual offender;
43 authorizing the department to present evidence in
44 opposition to the requested relief or to otherwise
45 demonstrate the reasons why the petition should be
46 denied; requiring a sexual offender to establish that
47 he or she does not meet specified criteria that
48 require registration as a sexual offender for the
49 purpose of removing the requirement for registration
50 as a sexual offender; requiring a specified sexual
51 offender to establish that his or her designation has
52 been removed and that he or she does not meet any
53 other specified criteria that require registration as
54 a sexual offender to qualify for removal of the
55 requirement for registration as a sexual offender;
56 providing additional requirements with which a sexual
57 offender must comply to be considered for removal of
58 the requirement to register as a sexual offender;

16-00635B-22

20221932__

59 conforming provisions to changes made by the act;
60 reenacting and amending s. 944.607, F.S.; conforming
61 cross-references; making technical changes; amending
62 ss. 322.141, 794.056, 921.0022, 938.085, 944.606,
63 944.607, 985.481, and 985.4815, F.S.; conforming
64 cross-references; making technical changes; reenacting
65 ss. 944.606(1)(d), 985.481(1)(d), and 985.4815(1)(f),
66 F.S., all relating to the definition of the terms
67 "permanent residence," "temporary residence," and
68 "transient residence," to incorporate the amendment
69 made to s. 775.21, F.S., in references thereto;
70 providing an effective date.

71

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

73

74 Section 1. Section 775.21, Florida Statutes, is amended to
75 read:

76 (Substantial rewording of section. See

77 s. 775.21, F.S., for present text.)

78 775.21 The Florida Sexual Predators Act.—

79 (1) SHORT TITLE.—This section may be cited as "The Florida
80 Sexual Predators Act."

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

82 (a) "Change in status at an institution of higher
83 education" means the commencement or termination of enrollment,
84 including, but not limited to, a traditional classroom setting
85 or online courses, or employment, whether for compensation or as
86 a volunteer, at an institution of higher education or a change
87 in location of enrollment or employment, whether for

16-00635B-22

20221932__

88 compensation or as a volunteer, at an institution of higher
89 education.

90 (b) "Chief of police" means the chief law enforcement
91 officer of a municipality.

92 (c) "Child care facility" has the same meaning as provided
93 in s. 402.302.

94 (d) "Community" means any county where the sexual predator
95 lives or otherwise establishes or maintains a permanent,
96 temporary, or transient residence.

97 (e) "Conviction" means a determination of guilt which is
98 the result of a trial or the entry of a plea of guilty or nolo
99 contendere, regardless of whether adjudication is withheld. A
100 conviction for a similar offense includes, but is not limited
101 to, a conviction by a federal or military tribunal, including
102 courts-martial conducted by the Armed Forces of the United
103 States, and includes a conviction or entry of a plea of guilty
104 or nolo contendere resulting in a sanction in any state of the
105 United States or other jurisdiction. A sanction includes, but is
106 not limited to, a fine, probation, community control, parole,
107 conditional release, control release, or incarceration in a
108 state prison, federal prison, private correctional facility, or
109 local detention facility.

110 (f) "Department" means the Department of Law Enforcement.

111 (g) "Electronic mail address" has the same meaning as
112 provided in s. 668.602.

113 (h) "Entering the county" includes being discharged from a
114 correctional facility, jail, or secure treatment facility within
115 the county or being under supervision within the county for the
116 commission of a violation enumerated in subsection (4).

16-00635B-22

20221932__

117 (i) "Institution of higher education" means a career
118 center, a community college, a college, a state university, or
119 an independent postsecondary educational institution.

120 (j) "Internet identifier" means any designation, moniker,
121 screen name, username, or other name used for self-
122 identification to send or receive social Internet communication.
123 Internet identifier does not include a date of birth, social
124 security number, personal identification number (PIN), or
125 password. A sexual offender's or sexual predator's use of an
126 Internet identifier that discloses his or her date of birth,
127 social security number, PIN, password, or other information that
128 would reveal the identity of the sexual offender or sexual
129 predator waives the disclosure exemption in this paragraph for
130 such personal information.

131 (k) "Permanent residence" means a place where the person
132 abides, lodges, or resides for 3 or more consecutive days. For
133 the purpose of calculating a day under this paragraph, the first
134 day that a person abides, lodges, or resides at a place is
135 excluded and each subsequent day is counted. A day includes any
136 part of a calendar day.

137 (l) "Professional license" means the document of
138 authorization or certification issued by an agency of this state
139 for a regulatory purpose, or by any similar agency in another
140 jurisdiction for a regulatory purpose, to a person to engage in
141 an occupation or to carry out a trade or business.

142 (m) "Social Internet communication" means any communication
143 through a commercial social networking website as defined in s.
144 943.0437, or application software. The term does not include any
145 of the following:

16-00635B-22

20221932__

146 1. Communication for which the primary purpose is the
147 facilitation of commercial transactions involving goods or
148 services;

149 2. Communication on an Internet website for which the
150 primary purpose of the website is the dissemination of news; or

151 3. Communication with a governmental entity.

152
153 As used in this paragraph, the term "application software" means
154 any computer program designed to run on a mobile device such as
155 a smartphone or tablet computer, that allows users to create web
156 pages or profiles that provide information about themselves and
157 are available publicly or to other users, and that offers a
158 mechanism for communication with other users through a forum, a
159 chatroom, electronic mail, or an instant messenger.

160 (n) "Temporary residence" means a place where the person
161 abides, lodges, or resides, including, but not limited to,
162 vacation, business, or personal travel destinations in or out of
163 this state, for a period of 3 or more days in the aggregate
164 during any calendar year and which is not the person's permanent
165 address or, for a person whose permanent residence is not in
166 this state, a place where the person is employed, practices a
167 vocation, or is enrolled as a student for any period of time in
168 this state. For the purpose of calculating a day under this
169 paragraph, the first day that a person abides, lodges, or
170 resides at a place is excluded and each subsequent day is
171 counted. A day includes any part of a calendar day.

172 (o) "Transient residence" means a county where the person
173 lives, remains, or is located for the purpose of abiding,
174 lodging, or residing for a period of 3 or more days in the

16-00635B-22

20221932__

175 aggregate during a calendar year and which is not the person's
176 permanent or temporary address. The term includes, but is not
177 limited to, a place where the person sleeps or seeks shelter and
178 a location that has no specific street address. For the purpose
179 of calculating a day under this paragraph, the first day that a
180 person lives, remains, or is located in a county for the purpose
181 of abiding, lodging, or residing is excluded and each subsequent
182 day is counted. A day includes any part of a calendar day.

183 (p) "Vehicles owned" means any motor vehicle as defined in
184 s. 320.01, which is registered, coregistered, leased, titled, or
185 rented by a sexual predator or sexual offender; a rented vehicle
186 that a sexual predator or sexual offender is authorized to
187 drive; or a vehicle for which a sexual predator or sexual
188 offender is insured as a driver. The term also includes any
189 motor vehicle as defined in s. 320.01, which is registered,
190 coregistered, leased, titled, or rented by a person or persons
191 residing at a sexual predator's or sexual offender's permanent
192 residence for 5 or more consecutive days.

193 (3) LEGISLATIVE FINDINGS AND PURPOSE; LEGISLATIVE INTENT.—

194 (a) Repeat sexual offenders, sexual offenders who use
195 physical violence, and sexual offenders who prey on children are
196 sexual predators who present an extreme threat to the public
197 safety. Sexual offenders are extremely likely to use physical
198 violence and to repeat their offenses, and most sexual offenders
199 commit many offenses, have many more victims than are ever
200 reported, and are prosecuted for only a fraction of their
201 crimes. This makes the cost of sexual offender victimization to
202 society at large, while incalculable, clearly exorbitant.

203 (b) The high level of threat that a sexual predator

16-00635B-22

20221932__

204 presents to the public safety, and the long-term effects
205 suffered by victims of sex offenses, provide the state with
206 sufficient justification to implement a strategy that includes:

207 1. Incarcerating sexual predators and maintaining adequate
208 facilities to ensure that decisions to release sexual predators
209 into the community are not made on the basis of inadequate
210 space.

211 2. Providing for specialized supervision of sexual
212 predators who are in the community by specially trained
213 probation officers with low caseloads, as described in ss.
214 947.1405(7) and 948.30. The sexual predator is subject to
215 specified terms and conditions implemented at sentencing or at
216 the time of release from incarceration, with a requirement that
217 those who are financially able must pay all or part of the costs
218 of supervision.

219 3. Requiring the registration of sexual predators, with a
220 requirement that complete and accurate information be maintained
221 and accessible for use by law enforcement authorities,
222 communities, and the public.

223 4. Providing for community and public notification
224 concerning the presence of sexual predators.

225 5. Prohibiting sexual predators from working with children,
226 either for compensation or as a volunteer.

227 (c) The state has a compelling interest in protecting the
228 public from sexual predators and in protecting children from
229 predatory sexual activity, and there is sufficient justification
230 for requiring sexual predators to register and for requiring
231 community and public notification of the presence of sexual
232 predators.

16-00635B-22

20221932__

233 (d) It is the purpose of the Legislature that, upon the
234 court's written finding that an offender is a sexual predator,
235 in order to protect the public, it is necessary that the sexual
236 predator be registered with the department and that members of
237 the community and the public be notified of the sexual
238 predator's presence. The designation of a person as a sexual
239 predator is neither a sentence nor a punishment but simply a
240 status resulting from the conviction of certain crimes.

241 (e) It is the intent of the Legislature to address the
242 problem of sexual predators by:

243 1. Requiring sexual predators supervised in the community
244 to have special conditions of supervision and to be supervised
245 by probation officers with low caseloads;

246 2. Requiring sexual predators to register with the
247 department, as provided in this section; and

248 3. Requiring community and public notification of the
249 presence of a sexual predator, as provided in this section.

250 (4) SEXUAL PREDATOR CRITERIA.—

251 (a) For a current offense committed on or after October 1,
252 1993, upon conviction, an offender shall be designated as a
253 "sexual predator" under subsection (5), and subject to
254 registration under subsections (6)-(9) and community and public
255 notification under subsection (11), if:

256 1. The felony is:

257 a. A capital, life, or first degree felony violation, or
258 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
259 is a minor, or s. 794.011, s. 800.04, or s. 847.0145, or a
260 violation of a similar law of another jurisdiction; or

261 b. Any felony violation, or any attempt thereof, of s.

16-00635B-22

20221932__

262 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
263 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),
264 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding
265 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;
266 s. 800.04; s. 810.145(8)(b); s. 825.1025; s. 827.071; s.
267 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 895.03, if
268 the court makes a written finding that the racketeering activity
269 involved at least one sexual offense listed in this sub-
270 subparagraph or at least one offense listed in this sub-
271 subparagraph with sexual intent or motive; s. 916.1075(2); or s.
272 985.701(1); or a violation of a similar law of another
273 jurisdiction, and the offender has previously been convicted of
274 or found to have committed, or has pled nolo contendere or
275 guilty to, regardless of adjudication, any violation of s.
276 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
277 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),
278 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding
279 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;
280 s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
281 excluding s. 847.0135(6); s. 847.0145; s. 895.03, if the court
282 makes a written finding that the racketeering activity involved
283 at least one sexual offense listed in this sub-subparagraph or
284 at least one offense listed in this sub-subparagraph with sexual
285 intent or motive; s. 916.1075(2); or s. 985.701(1); or a
286 violation of a similar law of another jurisdiction;
287 2. The offender has not received a pardon for any felony or
288 similar law of another jurisdiction that is necessary for the
289 operation of this paragraph; and
290 3. A conviction of a felony or similar law of another

16-00635B-22

20221932__

291 jurisdiction necessary to the operation of this paragraph has
292 not been set aside in any postconviction proceeding.

293 (b) In order to be counted as a prior felony for purposes
294 of this subsection, the felony must have resulted in a
295 conviction sentenced separately, or an adjudication of
296 delinquency entered separately, prior to the current offense and
297 sentenced or adjudicated separately from any other felony
298 conviction that is to be counted as a prior felony regardless of
299 the date of offense of the prior felony.

300 (c) If an offender has been registered as a sexual predator
301 by the Department of Corrections, the department, or any other
302 law enforcement agency and if:

303 1. The court did not, for whatever reason, make a written
304 finding at the time of sentencing that the offender was a sexual
305 predator; or

306 2. The offender was administratively registered as a sexual
307 predator because the Department of Corrections, the department,
308 or any other law enforcement agency obtained information that
309 indicated that the offender met the criteria for designation as
310 a sexual predator based on a violation of a similar law in
311 another jurisdiction,

312
313 the department shall remove that offender from the department's
314 list of sexual predators and, for an offender described under
315 subparagraph 1., shall notify the state attorney who prosecuted
316 the offense that met the criteria for administrative designation
317 as a sexual predator, and, for an offender described under this
318 paragraph, shall notify the state attorney of the county where
319 the offender establishes or maintains a permanent, temporary, or

16-00635B-22

20221932__

320 transient residence. The state attorney shall bring the matter
321 to the court's attention in order to establish that the offender
322 meets the criteria for designation as a sexual predator. If the
323 court makes a written finding that the offender is a sexual
324 predator, the offender must be designated as a sexual predator,
325 must register or be registered as a sexual predator with the
326 department as provided in subsections (6)-(9), and is subject to
327 the community and public notification as provided in subsection
328 (11). If the court does not make a written finding that the
329 offender is a sexual predator, the offender may not be
330 designated as a sexual predator with respect to that offense and
331 is not required to register or be registered as a sexual
332 predator with the department.

333 (d) An offender who has been determined to be a sexually
334 violent predator pursuant to a civil commitment proceeding under
335 chapter 394 shall be designated as a "sexual predator" under
336 subsection (5) and subject to registration under subsections
337 (6)-(9) and community and public notification under subsection
338 (11).

339 (5) SEXUAL PREDATOR DESIGNATION.—An offender is designated
340 as a sexual predator as follows:

341 (a)1. An offender who meets the sexual predator criteria
342 described in paragraph (4)(d) is a sexual predator, and the
343 court shall make a written finding at the time such offender is
344 determined to be a sexually violent predator under chapter 394
345 that such person meets the criteria for designation as a sexual
346 predator for purposes of this section. The clerk shall transmit
347 a copy of the order containing the written finding to the
348 department within 48 hours after the entry of the order;

16-00635B-22

20221932__

349 2. An offender who meets the sexual predator criteria
350 described in paragraph (4) (a) who is before the court for
351 sentencing for a current offense committed on or after October
352 1, 1993, is a sexual predator, and the sentencing court must
353 make a written finding at the time of sentencing that the
354 offender is a sexual predator, and the clerk of the court shall
355 transmit a copy of the order containing the written finding to
356 the department within 48 hours after the entry of the order; or

357 3. If the Department of Corrections, the department, or any
358 other law enforcement agency obtains information which indicates
359 that an offender who establishes or maintains a permanent,
360 temporary, or transient residence in this state meets the sexual
361 predator criteria described in paragraph (4) (a) or paragraph
362 (4) (d) because the offender was civilly committed or committed a
363 similar violation in another jurisdiction on or after October 1,
364 1993, the Department of Corrections, the department, or the law
365 enforcement agency shall notify the state attorney of the county
366 where the offender establishes or maintains a permanent,
367 temporary, or transient residence of the offender's presence in
368 the community. The state attorney shall file a petition with the
369 criminal division of the circuit court for the purpose of
370 holding a hearing to determine if the offender's criminal record
371 or record of civil commitment from another jurisdiction meets
372 the sexual predator criteria. If the court finds that the
373 offender meets the sexual predator criteria because the offender
374 has violated a similar law or similar laws in another
375 jurisdiction, the court shall make a written finding that the
376 offender is a sexual predator.

377

16-00635B-22

20221932__

378 When the court makes a written finding that an offender is a
379 sexual predator, the court shall inform the sexual predator of
380 the registration and community and public notification
381 requirements described in this section. Within 48 hours after
382 the court designates an offender as a sexual predator, the clerk
383 of the circuit court shall transmit a copy of the court's
384 written sexual predator finding to the department. If the
385 offender is sentenced to a term of imprisonment or supervision,
386 a copy of the court's written sexual predator finding must be
387 submitted to the Department of Corrections.

388 (b) If a sexual predator is not sentenced to a term of
389 imprisonment, the clerk of the court shall ensure that the
390 sexual predator's fingerprints are taken and forwarded to the
391 department within 48 hours after the court renders its written
392 sexual predator finding. The fingerprints shall be clearly
393 marked, "Sexual Predator Registration." The clerk of the court
394 that convicts and sentences the sexual predator for the offense
395 or offenses described in subsection (4) shall forward to the
396 department and to the Department of Corrections a certified copy
397 of any order entered by the court imposing any special condition
398 or restriction on the sexual predator that restricts or
399 prohibits access to the victim, if the victim is a minor, or to
400 other minors.

401 (c) If the Department of Corrections, the department, or
402 any other law enforcement agency obtains information which
403 indicates that an offender meets the sexual predator criteria
404 but the court did not make a written finding that the offender
405 is a sexual predator as required in paragraph (a), the
406 Department of Corrections, the department, or the law

16-00635B-22

20221932__

407 enforcement agency shall notify the state attorney who
408 prosecuted the offense for offenders described in subparagraph
409 (a)1., or the state attorney of the county where the offender
410 establishes or maintains a residence upon first entering the
411 state for offenders described in subparagraph (a)3. The state
412 attorney shall bring the matter to the court's attention in
413 order to establish that the offender meets the sexual predator
414 criteria. If the state attorney fails to establish that an
415 offender meets the sexual predator criteria and the court does
416 not make a written finding that an offender is a sexual
417 predator, the offender is not required to register with the
418 department as a sexual predator. The Department of Corrections,
419 the department, or any other law enforcement agency shall not
420 administratively designate an offender as a sexual predator
421 without a written finding from the court that the offender is a
422 sexual predator.

423 (d) A person who establishes or maintains a residence in
424 this state and who has not been designated as a sexual predator
425 by a court of this state but who has been designated as a sexual
426 predator, as a sexually violent predator, or any other sexual
427 offender designation in another state or jurisdiction and was,
428 as a result of such designation, subjected to registration or
429 community or public notification, or both, or would be if the
430 person was a resident of that state or jurisdiction, without
431 regard to whether the person otherwise meets the criteria for
432 registration as a sexual offender, shall register in the manner
433 provided in s. 943.0435 or s. 944.607 and shall be subject to
434 community and public notification as provided in s. 943.0435 or
435 s. 944.607. A person who meets the criteria of this section is

16-00635B-22

20221932__

436 subject to the requirements and penalty provisions of s.
437 943.0435 or s. 944.607 until the person provides the department
438 with an order issued by the court that designated the person as
439 a sexual predator, as a sexually violent predator, or any other
440 sexual offender designation in the state or jurisdiction in
441 which the order was issued which states that such designation
442 has been removed or demonstrates to the department that such
443 designation, if not imposed by a court, has been removed by
444 operation of law or court order in the state or jurisdiction in
445 which the designation was made, provided that such person no
446 longer meets the criteria for registration as a sexual offender
447 under the laws of this state. To qualify for removal, all sexual
448 offenders as described in this paragraph must meet the criteria
449 for removal provided under s. 943.0435.

450 (6) REGISTRATION.—

451 (a) A sexual predator shall register with the department
452 through the sheriff's office by providing the following
453 information to the department:

454 1. Name; social security number; age; race; sex; date of
455 birth; height; weight; tattoos or other identifying marks; hair
456 and eye color; photograph; address of legal residence and
457 address of any current temporary residence, within this state or
458 out of state, including a rural route address and a post office
459 box; if he or she has no permanent or temporary address, any
460 transient residence within this state; address, location or
461 description, and dates of any current or known future temporary
462 residence within this state or out of state; electronic mail
463 addresses; Internet identifiers and each Internet identifier's
464 corresponding website homepage or application software name;

16-00635B-22

20221932__

465 home telephone numbers and cellular telephone numbers;
466 employment information; the make, model, color, vehicle
467 identification number (VIN), and license tag number of all
468 vehicles owned; date and place of each conviction; fingerprints;
469 palm prints; and a brief description of the crime or crimes
470 committed by the offender. A post office box may not be provided
471 in lieu of a physical residential address. The sexual predator
472 shall produce his or her passport, if he or she has a passport,
473 and, if he or she is an alien, shall produce or provide
474 information about documents establishing his or her immigration
475 status. The sexual predator shall also provide information about
476 any professional licenses he or she has.

477 a. Any change that occurs after the sexual predator
478 registers in person at the sheriff's office as provided in this
479 subparagraph in any of the following information related to the
480 sexual predator must be reported as provided in this subsection
481 and subsections (7), (8), and (9): permanent, temporary, or
482 transient residence; name; electronic mail addresses; Internet
483 identifiers and each Internet identifier's corresponding website
484 homepage or application software name; home and cellular
485 telephone numbers; employment information; and status at an
486 institution of higher education.

487 b. If the sexual predator's place of residence is a motor
488 vehicle, trailer, mobile home, or manufactured home, as those
489 terms are defined in chapter 320, the sexual predator shall also
490 provide to the department written notice of the vehicle
491 identification number (VIN); the license tag number; the
492 registration number; and a description, including color scheme,
493 of the motor vehicle, trailer, mobile home, or manufactured

16-00635B-22

20221932__

494 home. If a sexual predator's place of residence is a vessel,
495 live-aboard vessel, or houseboat, as those terms are defined in
496 chapter 327, the sexual predator shall also provide to the
497 department written notice of the hull identification number; the
498 manufacturer's serial number; the name of the vessel, live-
499 aboard vessel, or houseboat; the registration number of the
500 vessel, live-aboard vessel, or houseboat; and a description,
501 including color scheme, of the vessel, live-aboard vessel, or
502 houseboat.

503 c. If the sexual predator is enrolled or employed, whether
504 for compensation or as a volunteer, at an institution of higher
505 education in this state, the sexual predator shall also provide
506 to the department the name, address, and county of each
507 institution, including each campus attended, and the sexual
508 predator's enrollment, volunteer, or employment status. The
509 sheriff, the Department of Corrections, or the Department of
510 Juvenile Justice shall promptly notify each institution of
511 higher education of the sexual predator's presence and any
512 change in the sexual predator's enrollment, volunteer, or
513 employment status.

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

518 2. Any other information determined necessary by the
519 department, including criminal and corrections records;
520 nonprivileged personnel and treatment records; and evidentiary
521 genetic markers when available.

522 (b) If the sexual predator is in the custody or control of,

16-00635B-22

20221932__

523 or under the supervision of, the Department of Corrections, or
524 is in the custody of a private correctional facility, the sexual
525 predator shall register with the Department of Corrections. A
526 sexual predator who is under the supervision of the Department
527 of Corrections but who is not incarcerated shall register with
528 the Department of Corrections within 3 business days after the
529 court finds the offender to be a sexual predator. The Department
530 of Corrections shall provide to the department registration
531 information and the location of, and local telephone number for,
532 any Department of Corrections office that is responsible for
533 supervising the sexual predator. In addition, the Department of
534 Corrections shall notify the department if the sexual predator
535 escapes or absconds from custody or supervision or if the sexual
536 predator dies.

537 (c) If the sexual predator is in the custody of a local
538 jail, the custodian of the local jail shall register the sexual
539 predator within 3 business days after intake of the sexual
540 predator for any reason and upon release, and shall forward the
541 registration information to the department. The custodian of the
542 local jail shall also take a digitized photograph of the sexual
543 predator while the sexual predator remains in custody and shall
544 provide the digitized photograph to the department. The
545 custodian shall notify the department if the sexual predator
546 escapes from custody or dies.

547 (d) If the sexual predator is under federal supervision,
548 the federal agency responsible for supervising the sexual
549 predator may forward to the department any information regarding
550 the sexual predator which is consistent with the information
551 provided by the Department of Corrections under this section,

16-00635B-22

20221932__

552 and may indicate whether use of the information is restricted to
553 law enforcement purposes only or may be used by the department
554 for purposes of public notification.

555 (e)1. If the sexual predator is not in the custody or
556 control of, or under the supervision of, the Department of
557 Corrections or is not in the custody of a private correctional
558 facility, the sexual predator shall register in person:

559 a. At the sheriff's office in the county where he or she
560 establishes or maintains a residence within 48 hours after
561 establishing or maintaining a residence in this state; and

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

565 2. Any change that occurs after the sexual predator
566 registers in person at the sheriff's office as provided in
567 subparagraph 1. in any of the following information related to
568 the sexual predator must be reported as provided in this
569 subsection and subsections (7), (8), and (9): permanent,
570 temporary, or transient residence; name; vehicles owned;
571 electronic mail addresses; Internet identifiers and each
572 Internet identifier's corresponding website homepage or
573 application software name; home and cellular telephone numbers;
574 employment information; and change in status at an institution
575 of higher education. When a sexual predator registers with the
576 sheriff's office, the sheriff shall take a photograph, a set of
577 fingerprints, and palm prints of the predator and forward the
578 photographs, palm prints, and fingerprints to the department,
579 along with the information that the predator is required to
580 provide pursuant to this section.

16-00635B-22

20221932__

581 (f) Within 48 hours after the registration required under
582 paragraph (a) or paragraph (e), a sexual predator who is not
583 incarcerated and who resides in the community, including a
584 sexual predator under the supervision of the Department of
585 Corrections, shall register in person at a driver license office
586 of the Department of Highway Safety and Motor Vehicles and shall
587 present proof of registration unless a driver license or an
588 identification card that complies with the requirements of s.
589 322.141(3) was previously secured or updated under s. 944.607.
590 At the driver license office the sexual predator shall:

591 1. If otherwise qualified, secure a Florida driver license,
592 renew a Florida driver license, or secure an identification
593 card. The sexual predator shall identify himself or herself as a
594 sexual predator who is required to comply with this section,
595 provide his or her place of permanent, temporary, or transient
596 residence, including a rural route address and a post office
597 box, and submit to the taking of a photograph for use in issuing
598 a driver license, a renewed license, or an identification card,
599 and for use by the department in maintaining current records of
600 sexual predators. A post office box may not be provided in lieu
601 of a physical residential address. If the sexual predator's
602 place of residence is a motor vehicle, trailer, mobile home, or
603 manufactured home, as those terms are defined in chapter 320,
604 the sexual predator shall also provide to the Department of
605 Highway Safety and Motor Vehicles the vehicle identification
606 number (VIN); the license tag number; the registration number;
607 and a description, including color scheme, of the motor vehicle,
608 trailer, mobile home, or manufactured home. If a sexual
609 predator's place of residence is a vessel, live-aboard vessel,

16-00635B-22

20221932__

610 or houseboat, as those terms are defined in chapter 327, the
611 sexual predator shall also provide to the Department of Highway
612 Safety and Motor Vehicles the hull identification number; the
613 manufacturer's serial number; the name of the vessel, live-
614 aboard vessel, or houseboat; the registration number of the
615 vessel, live-aboard vessel, or houseboat; and a description,
616 including color scheme, of the vessel, live-aboard vessel, or
617 houseboat.

618 2. Pay the costs assessed by the Department of Highway
619 Safety and Motor Vehicles for issuing or renewing a driver
620 license or an identification card as required by this section.
621 The driver license or identification card issued to the sexual
622 predator must comply with s. 322.141(3).

623 3. Provide, upon request, any additional information
624 necessary to confirm the identity of the sexual predator,
625 including a set of fingerprints.

626 (g) A sexual predator shall report in person to a driver
627 license office, or through an authorized alternate method as
628 provided by the Department of Highway Safety and Motor Vehicles,
629 and is subject to the requirements specified in paragraph (f):

630 1. Each time a sexual predator's driver license or
631 identification card is subject to renewal; and

632 2. Without regard to the status of the sexual predator's
633 driver license or identification card, within 48 hours after any
634 change in the sexual predator's name by reason of marriage or
635 other legal process.

636 (h) The Department of Highway Safety and Motor Vehicles
637 shall forward to the department and to the Department of
638 Corrections all photographs and information provided by sexual

16-00635B-22

20221932__

639 predators. Notwithstanding the restrictions set forth in s.
640 322.142, the Department of Highway Safety and Motor Vehicles may
641 release a reproduction of a color-photograph or digital-image
642 license to the Department of Law Enforcement for purposes of
643 public notification of sexual predators as provided in this
644 section.

645 (i) A sexual predator who is unable to secure or update a
646 driver license or an identification card with the Department of
647 Highway Safety and Motor Vehicles as provided in paragraphs (f)
648 and (g) shall also report any change in the sexual predator's
649 name by reason of marriage or other legal process within 48
650 hours after the change to the sheriff's office in the county
651 where the predator resides or is located and provide
652 confirmation that he or she reported such information to the
653 Department of Highway Safety and Motor Vehicles. The reporting
654 requirements under this paragraph do not negate the requirement
655 for a sexual predator to obtain a Florida driver license or
656 identification card as required by this section.

657 (j)1. A sexual predator shall register all electronic mail
658 addresses and Internet identifiers, and each Internet
659 identifier's corresponding website homepage or application
660 software name, with the department through the department's
661 online system or in person at the sheriff's office within 48
662 hours after using such electronic mail addresses or Internet
663 identifiers. If the sexual predator is in the custody or
664 control, or under the supervision, of the Department of
665 Corrections, he or she must report all electronic mail addresses
666 and Internet identifiers, and each Internet identifier's
667 corresponding website homepage or application software name, to

16-00635B-22

20221932__

668 the Department of Corrections before using such electronic mail
669 addresses or Internet identifiers. If the sexual predator is in
670 the custody or control, or under the supervision, of the
671 Department of Juvenile Justice, he or she must report all
672 electronic mail addresses and Internet identifiers, and each
673 Internet identifier's corresponding website homepage or
674 application software name, to the Department of Juvenile Justice
675 before using such electronic mail addresses or Internet
676 identifiers.

677 2. A sexual predator shall register all changes to vehicles
678 owned, all changes to home telephone numbers and cellular
679 telephone numbers, including added and deleted numbers, all
680 changes to employment information, and all changes in status
681 related to enrollment, volunteering, or employment at
682 institutions of higher education, through the department's
683 online system; in person at the sheriff's office; in person at
684 the Department of Corrections if the sexual predator is in the
685 custody or control, or under the supervision, of the Department
686 of Corrections; or in person at the Department of Juvenile
687 Justice if the sexual predator is in the custody or control, or
688 under the supervision, of the Department of Juvenile Justice.
689 All changes required to be reported in this subparagraph shall
690 be reported within 48 hours after the change.

691 3. The department shall establish an online system through
692 which sexual predators may securely access, submit, and update
693 all vehicles owned; electronic mail addresses; Internet
694 identifiers and each Internet identifier's corresponding website
695 homepage or application software name; home telephone numbers
696 and cellular telephone numbers; employment information; and

16-00635B-22

20221932__

697 institution of higher education information.

698 (k) The department shall notify the sheriff and the state
699 attorney of the county and, if applicable, the police chief of
700 the municipality, where the sexual predator maintains a
701 residence.

702 (l)1. The department is responsible for the online
703 maintenance of current information regarding each registered
704 sexual predator. The department shall maintain hotline access
705 for state, local, and federal law enforcement agencies to obtain
706 instantaneous locator file and offender characteristics
707 information on all released registered sexual predators for
708 purposes of monitoring, tracking, and prosecution. The
709 photograph, palm prints, and fingerprints do not have to be
710 stored in a computerized format.

711 2. The department's sexual predator registration list,
712 containing the information described in subparagraph (a)1., is a
713 public record, unless otherwise made exempt or confidential and
714 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
715 Constitution. The department may disseminate this public
716 information by any means deemed appropriate, including operating
717 a toll-free telephone number for this purpose. When the
718 department provides information regarding a registered sexual
719 predator to the public, department personnel shall advise the
720 person making the inquiry that positive identification of a
721 person believed to be a sexual predator cannot be established
722 unless a fingerprint comparison is made, and that it is illegal
723 to use public information regarding a registered sexual predator
724 to facilitate the commission of a crime.

725 3. The department shall adopt guidelines as necessary

16-00635B-22

20221932__

726 regarding the registration of sexual predators and the
727 dissemination of information regarding sexual predators as
728 required by this section.

729 (m) A sexual predator shall maintain registration with the
730 department for the duration of his or her life, unless the
731 sexual predator has received a full pardon or has had a
732 conviction set aside in a postconviction proceeding for any
733 offense that met the criteria for the sexual predator
734 designation.

735 (7) CHANGES TO IN-STATE RESIDENCE INFORMATION.-

736 (a) A sexual predator shall report in person to a driver
737 license office, or through an authorized alternate method as
738 provided by the Department of Highway Safety and Motor Vehicles,
739 and is subject to the requirements specified in paragraph

740 (6) (f):

741 1. Each time a sexual predator's driver license or
742 identification card is subject to renewal; and

743 2. Without regard to the status of the sexual predator's
744 driver license or identification card, within 48 hours after any
745 change in the sexual predator's permanent, temporary, or
746 transient residence.

747 (b) The Department of Highway Safety and Motor Vehicles
748 shall forward to the department and to the Department of
749 Corrections all photographs and information provided by sexual
750 predators. Notwithstanding the restrictions set forth in s.
751 322.142, the Department of Highway Safety and Motor Vehicles may
752 release a reproduction of a color-photograph or digital-image
753 license to the Department of Law Enforcement for purposes of
754 public notification of sexual predators as provided in this

16-00635B-22

20221932__

755 section.

756 (c) A sexual predator who is unable to secure or update a
757 driver license or an identification card with the Department of
758 Highway Safety and Motor Vehicles as provided in paragraph (a)
759 and paragraph (6) (f) shall also report any change in the sexual
760 predator's permanent, temporary, or transient residence within
761 48 hours after the change to the sheriff's office in the county
762 where the predator resides or is located and provide
763 confirmation that he or she reported such information to the
764 Department of Highway Safety and Motor Vehicles. The reporting
765 requirements under this paragraph do not negate the requirement
766 for a sexual predator to obtain a Florida driver license or
767 identification card as required by this section.

768 (d) A sexual predator who vacates a permanent, temporary,
769 or transient residence and fails to establish or maintain
770 another permanent, temporary, or transient residence shall,
771 within 48 hours after vacating the permanent, temporary, or
772 transient residence, report in person to the sheriff's office of
773 the county in which he or she is located. The sexual predator
774 shall specify the date upon which he or she intends to or did
775 vacate such residence. The sexual predator shall provide or
776 update all of the registration information required under
777 paragraph (6) (a). The sexual predator shall provide an address
778 for the residence or other place where he or she is or will be
779 located during the time in which he or she fails to establish or
780 maintain a permanent or temporary residence.

781 (e) A sexual predator who remains at a permanent,
782 temporary, or transient residence after reporting his or her
783 intent to vacate such residence shall, within 48 hours after the

16-00635B-22

20221932__

784 date upon which the predator indicated he or she would or did
785 vacate such residence, report in person to the sheriff's office
786 to which he or she reported pursuant to paragraph (d), for the
787 purpose of reporting his or her address at such residence. When
788 the sheriff receives the report, the sheriff shall promptly
789 convey the information to the department. An offender who makes
790 a report as required under paragraph (d) but fails to make a
791 report as required under this paragraph commits a felony of the
792 second degree, punishable as provided in s. 775.082, s. 775.083,
793 or s. 775.084.

794 (8) ESTABLISHING A NON-FLORIDA RESIDENCE; INTERNATIONAL
795 TRAVEL.—

796 (a) A sexual predator who intends to establish a permanent,
797 temporary, or transient residence in another state or
798 jurisdiction other than the State of Florida shall report in
799 person to the sheriff of the county of current residence at
800 least 48 hours before the date he or she intends to leave this
801 state to establish residence in another state or jurisdiction or
802 at least 21 days before the date he or she intends to travel
803 outside of the United States. Any travel that is not known by
804 the sexual predator 48 hours before he or she intends to
805 establish a residence in another state or jurisdiction, or 21
806 days before the departure date for travel outside of the United
807 States, must be reported to the sheriff's office as soon as
808 possible before departure. The sexual predator shall provide to
809 the sheriff the address, municipality, county, state, and
810 country of intended residence. For international travel, the
811 sexual predator shall also provide travel information,
812 including, but not limited to, expected departure and return

16-00635B-22

20221932__

813 dates, flight number, airport of departure, cruise port of
814 departure, or any other means of intended travel. The sheriff
815 shall promptly provide to the department the information
816 received from the sexual predator. The department shall notify
817 the statewide law enforcement agency, or a comparable agency, in
818 the intended state, jurisdiction, or country of residence or the
819 intended country of travel of the sexual predator's intended
820 residence or intended travel. The failure of a sexual predator
821 to provide his or her intended place of residence or intended
822 travel is punishable as provided in subsection (14).

823 (b) A sexual predator who indicates his or her intent to
824 establish a permanent, temporary, or transient residence in
825 another state, a jurisdiction other than the State of Florida,
826 or another country and later decides to remain in this state
827 shall, within 48 hours after the date upon which the sexual
828 predator indicated he or she would leave this state, report in
829 person to the sheriff's office to which the sexual predator
830 reported the intended change of residence, and report his or her
831 intent to remain in this state. If the sheriff is notified by
832 the sexual predator that he or she intends to remain in this
833 state, the sheriff shall promptly report this information to the
834 department. A sexual predator who reports his or her intent to
835 establish a permanent, temporary, or transient residence in
836 another state, a jurisdiction other than the State of Florida,
837 or another country, but who remains in this state without
838 reporting to the sheriff in the manner required by this
839 paragraph, commits a felony of the second degree, punishable as
840 provided in s. 775.082, s. 775.083, or s. 775.084.

841 (9) TRANSIENT REPORTING.—

16-00635B-22

20221932__

842 (a) A sexual predator shall report in person at the
843 sheriff's office in the county in which he or she is located
844 within 48 hours after establishing a transient residence and
845 thereafter must report in person every 30 days to the sheriff's
846 office in the county in which he or she is located while
847 maintaining a transient residence. The sexual predator must
848 provide the addresses and locations where he or she maintains a
849 transient residence. Each sheriff's office shall establish
850 procedures for reporting transient residence information and
851 provide notice to transient registrants to report transient
852 residence information as required in this paragraph. Reporting
853 to the sheriff's office as required by this paragraph does not
854 exempt registrants from any reregistration requirement. The
855 sheriff may coordinate and enter into agreements with police
856 departments and other governmental entities to facilitate
857 additional reporting sites for transient residence registration
858 required in this paragraph. The sheriff's office shall
859 electronically submit to and update with the department all such
860 information within 2 business days after it is provided to the
861 office.

862 (b) The failure of a sexual predator who maintains a
863 transient residence to report in person to the sheriff's office
864 every 30 days as required by paragraph (a) is punishable as
865 provided in subsection (14).

866 (10) QUARTERLY REREGISTRATION REQUIREMENT.—

867 (a) A sexual predator shall report in person each year
868 during the month of the sexual predator's birthday and during
869 every third month thereafter to the sheriff's office in the
870 county in which he or she resides or is otherwise located to

16-00635B-22

20221932__

871 reregister. The sheriff's office may determine the appropriate
872 times and days for reporting by the sexual predator, which must
873 be consistent with the reporting requirements of this paragraph.
874 Reregistration must include any changes to the following
875 information:

876 1. Name; social security number; age; race; sex; date of
877 birth; height; weight; tattoos or other identifying marks; hair
878 and eye color; address of any permanent residence and address of
879 any current temporary residence, within this state or out of
880 state, including a rural route address and a post office box; if
881 he or she has no permanent or temporary address, any transient
882 residence within this state, including the address, location, or
883 description of the transient residences, and dates of any
884 current or known future temporary residence within this state or
885 out of state; all electronic mail addresses; all Internet
886 identifiers and each Internet identifier's corresponding website
887 homepage or application software name; all home telephone
888 numbers and cellular telephone numbers; date and place of any
889 employment; the make, model, color, vehicle identification
890 number (VIN), and license tag number of all vehicles owned;
891 fingerprints; palm prints; and photograph. A post office box may
892 not be provided in lieu of a physical residential address. The
893 sexual predator shall also produce his or her passport, if he or
894 she has a passport, and, if he or she is an alien, shall produce
895 or provide information about documents establishing his or her
896 immigration status. The sexual predator shall also provide
897 information about any professional licenses he or she has.

898 2. If the sexual predator is enrolled or employed, whether
899 for compensation or as a volunteer, at an institution of higher

16-00635B-22

20221932__

900 education in this state, the sexual predator shall also provide
901 to the department the name, address, and county of each
902 institution, including each campus attended, and the sexual
903 predator's enrollment, volunteer, or employment status.

904 3. If the sexual predator's place of residence is a motor
905 vehicle, trailer, mobile home, or manufactured home, as those
906 terms are defined in chapter 320, the sexual predator shall also
907 provide the vehicle identification number (VIN); the license tag
908 number; the registration number; and a description, including
909 color scheme, of the motor vehicle, trailer, mobile home, or
910 manufactured home. If the sexual predator's place of residence
911 is a vessel, live-aboard vessel, or houseboat, as those terms
912 are defined in chapter 327, the sexual predator shall also
913 provide the hull identification number; the manufacturer's
914 serial number; the name of the vessel, live-aboard vessel, or
915 houseboat; the registration number of the vessel, live-aboard
916 vessel, or houseboat; and a description, including color scheme,
917 of the vessel, live-aboard vessel, or houseboat.

918 (b) The sheriff's office shall electronically submit to and
919 update with the department, in a manner prescribed by the
920 department, all such information provided by the sexual predator
921 within 2 business days after it is provided to the office.

922 (11) COMMUNITY AND PUBLIC NOTIFICATION.—

923 (a) Law enforcement agencies must inform members of the
924 community and the public of a sexual predator's presence. Upon
925 notification of the presence of a sexual predator, the sheriff
926 of the county or the chief of police of the municipality where
927 the sexual predator establishes or maintains a permanent or
928 temporary residence shall notify members of the community and

16-00635B-22

20221932__

929 the public of the presence of the sexual predator in a manner
930 deemed appropriate by the sheriff or the chief of police. Within
931 48 hours after receiving notification of the presence of a
932 sexual predator, the sheriff of the county or the chief of
933 police of the municipality where the sexual predator temporarily
934 or permanently resides shall notify each licensed child care
935 facility, elementary school, middle school, and high school
936 within a 1-mile radius of the temporary or permanent residence
937 of the sexual predator of the presence of the sexual predator.
938 Information provided to members of the community and the public
939 regarding a sexual predator must include:

- 940 1. The name of the sexual predator;
- 941 2. A description of the sexual predator, including a
942 photograph;
- 943 3. The sexual predator's current permanent, temporary, and
944 transient addresses, and descriptions of registered locations
945 that have no specific street address, including the name of the
946 county or municipality if known;
- 947 4. The circumstances of the sexual predator's offense or
948 offenses; and
- 949 5. Whether the victim of the sexual predator's offense or
950 offenses was, at the time of the offense, a minor or an adult.

951
952 This paragraph does not authorize the release of the name of any
953 victim of the sexual predator.

954 (b) The sheriff or the police chief may coordinate the
955 community and public notification efforts with the department.
956 Statewide notification to the public is authorized, as deemed
957 appropriate by local law enforcement personnel and the

16-00635B-22

20221932__

958 department.

959 (c) The department shall notify the public of all
960 designated sexual predators through the Internet. The Internet
961 notice shall include the information required by paragraph (a).

962 (d) The department shall adopt a protocol to assist law
963 enforcement agencies in their efforts to notify the community
964 and the public of the presence of sexual predators.

965 (12) VERIFICATION.—The department and the Department of
966 Corrections shall implement a system for verifying the addresses
967 of sexual predators. The system must be consistent with the
968 federal Adam Walsh Child Protection and Safety Act of 2006 and
969 any other federal standards applicable to such verification or
970 required to be met as a condition for the receipt of federal
971 funds by the state. The Department of Corrections shall verify
972 the addresses of sexual predators who are not incarcerated but
973 who reside in the community under the supervision of the
974 Department of Corrections and shall report to the department any
975 failure by a sexual predator to comply with registration
976 requirements. County and local law enforcement agencies, in
977 conjunction with the department, shall verify the addresses of
978 sexual predators who are not under the care, custody, control,
979 or supervision of the Department of Corrections and may verify
980 the addresses of sexual predators who are under the care,
981 custody, control, or supervision of the Department of
982 Corrections. Local law enforcement agencies shall report to the
983 department any failure by a sexual predator to comply with
984 registration requirements.

985 (13) IMMUNITY.—The department, the Department of Highway
986 Safety and Motor Vehicles, the Department of Corrections, the

16-00635B-22

20221932__

987 Department of Juvenile Justice, any law enforcement agency in
988 this state, and the personnel of those departments; an elected
989 or appointed official, public employee, or school administrator;
990 or an employee, agency, or any individual or entity acting at
991 the request or upon the direction of any law enforcement agency
992 is immune from civil liability for damages for good faith
993 compliance with the requirements of this section or for the
994 release of information under this section, and shall be presumed
995 to have acted in good faith in compiling, recording, reporting,
996 or releasing the information. The presumption of good faith is
997 not overcome if a technical or clerical error is made by the
998 department, the Department of Highway Safety and Motor Vehicles,
999 the Department of Corrections, the Department of Juvenile
1000 Justice, the personnel of those departments, or any individual
1001 or entity acting at the request or upon the direction of any of
1002 those departments in compiling or providing information, or if
1003 information is incomplete or incorrect because a sexual predator
1004 fails to report or falsely reports his or her current place of
1005 permanent or temporary residence.

1006 (14) PENALTIES.—

1007 (a) Except as otherwise specifically provided, a sexual
1008 predator who fails to register; who fails, after registration,
1009 to maintain, acquire, or renew a driver license or an
1010 identification card; who fails to provide required location
1011 information; who fails to provide electronic mail addresses,
1012 Internet identifiers, and each Internet identifier's
1013 corresponding website homepage or application software name; who
1014 fails to provide all home telephone numbers and cellular
1015 telephone numbers, employment information, change in status at

16-00635B-22

20221932__

1016 an institution of higher education, or change-of-name
1017 information; who fails to make a required report in connection
1018 with vacating a permanent residence; who fails to reregister as
1019 required; who fails to respond to any address verification
1020 correspondence from the department within 3 weeks after the date
1021 of the correspondence; who knowingly provides false registration
1022 information by act or omission; or who otherwise fails, by act
1023 or omission, to comply with the requirements of this section
1024 commits a felony of the third degree, punishable as provided in
1025 s. 775.082, s. 775.083, or s. 775.084.

1026 (b) A sexual predator who has been convicted of or found to
1027 have committed, or has pled nolo contendere or guilty to,
1028 regardless of adjudication, any violation, or attempted
1029 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1030 the victim is a minor; s. 794.011, excluding s. 794.011(10); s.
1031 794.05; former s. 796.03; former s. 796.035; s. 800.04; s.
1032 827.071; s. 847.0133; s. 847.0135(5); s. 847.0145; or s.
1033 985.701(1); or a violation of a similar law of another
1034 jurisdiction when the victim of the offense was a minor, and who
1035 works, whether for compensation or as a volunteer, at any
1036 business, school, child care facility, park, playground, or
1037 other place where children regularly congregate, commits a
1038 felony of the third degree, punishable as provided in s.
1039 775.082, s. 775.083, or s. 775.084.

1040 (c) For a felony violation of this section, excluding
1041 subsection (15), committed on or after July 1, 2018, if the
1042 court does not impose a prison sentence, the court shall impose
1043 a mandatory minimum term of community control, as defined in s.
1044 948.001, as follows:

16-00635B-22

20221932__

1045 1. For a first offense, a mandatory minimum term of 6
1046 months with electronic monitoring.

1047 2. For a second offense, a mandatory minimum term of 1 year
1048 with electronic monitoring.

1049 3. For a third or subsequent offense, a mandatory minimum
1050 term of 2 years with electronic monitoring.

1051 (d) A sexual predator who commits any act or omission in
1052 violation of this section may be prosecuted for the act or
1053 omission in the county in which the act or omission was
1054 committed, in the county of the last registered address of the
1055 sexual predator, in the county in which the conviction occurred
1056 for the offense or offenses that meet the criteria for
1057 designating a person as a sexual predator, in the county where
1058 the sexual predator was released from incarceration, or in the
1059 county of the intended address of the sexual predator as
1060 reported by the predator prior to his or her release from
1061 incarceration. In addition, a sexual predator may be prosecuted
1062 for any such act or omission in the county in which he or she
1063 was designated a sexual predator.

1064 (e) An arrest on charges of failure to register, the
1065 service of an information or a complaint for a violation of this
1066 section, or an arraignment on charges for a violation of this
1067 section constitutes actual notice of the duty to register when
1068 the predator has been provided and advised of his or her
1069 statutory obligation to register under subsections (6)-(9). A
1070 sexual predator's failure to immediately register as required by
1071 this section following such arrest, service, or arraignment
1072 constitutes grounds for a subsequent charge of failure to
1073 register. A sexual predator charged with the crime of failure to

16-00635B-22

20221932__

1074 register who asserts, or intends to assert, a lack of notice of
1075 the duty to register as a defense to a charge of failure to
1076 register shall immediately register as required by this section.
1077 A sexual predator who is charged with a subsequent failure to
1078 register may not assert the defense of a lack of notice of the
1079 duty to register. Registration following such arrest, service,
1080 or arraignment is not a defense and does not relieve the sexual
1081 predator of criminal liability for the failure to register.

1082 (15) PENALTIES FOR ASSISTING SEXUAL PREDATOR NONCOMPLIANCE
1083 OR FOR MISUSE OF INFORMATION.—

1084 (a) Any person who has reason to believe that a sexual
1085 predator is not complying, or has not complied, with the
1086 requirements of this section and who, with the intent to assist
1087 the sexual predator in eluding a law enforcement agency that is
1088 seeking to find the sexual predator to question the sexual
1089 predator about, or to arrest the sexual predator for, his or her
1090 noncompliance with the requirements of this section:

1091 1. Withholds information from, or does not notify, the law
1092 enforcement agency about the sexual predator's noncompliance
1093 with the requirements of this section, and, if known, the
1094 whereabouts of the sexual predator;

1095 2. Harbors, or attempts to harbor, or assists another
1096 person in harboring or attempting to harbor, the sexual
1097 predator;

1098 3. Conceals or attempts to conceal, or assists another
1099 person in concealing or attempting to conceal, the sexual
1100 predator; or

1101 4. Provides information to the law enforcement agency
1102 regarding the sexual predator which the person knows to be false

16-00635B-22

20221932__

1103 information,
1104
1105 commits a felony of the third degree, punishable as provided in
1106 s. 775.082, s. 775.083, or s. 775.084. This paragraph does not
1107 apply if the sexual predator is incarcerated in or is in the
1108 custody of a state correctional facility, a private correctional
1109 facility, a local jail, or a federal correctional facility.

1110 (b) Any person who misuses public records information
1111 relating to a sexual predator, as defined in this section, or a
1112 sexual offender, as defined in s. 943.0435 or s. 944.607, to
1113 secure a payment from such a predator or offender; who knowingly
1114 distributes or publishes false information relating to such a
1115 predator or offender which the person misrepresents as being
1116 public records information; or who materially alters public
1117 records information with the intent to misrepresent the
1118 information, including documents, summaries of public records
1119 information provided by law enforcement agencies, or public
1120 records information displayed by law enforcement agencies on
1121 websites or provided through other means of communication,
1122 commits a misdemeanor of the first degree, punishable as
1123 provided in s. 775.082 or s. 775.083.

1124 Section 2. Section 943.0435, Florida Statutes, is amended
1125 to read:

1126 (Substantial rewording of section. See
1127 s. 943.0435, F.S., for present text.)

1128 943.0435 Sexual offenders required to register with the
1129 department; penalty.-

1130 (1) DEFINITIONS.-As used in this section, the term:

1131 (a) "Change in status at an institution of higher

16-00635B-22

20221932__

1132 education” has the same meaning as provided in s. 775.21.

1133 (b) “Convicted” means that there has been a determination
1134 of guilt as a result of a trial or the entry of a plea of guilty
1135 or nolo contendere, regardless of whether adjudication is
1136 withheld, and includes an adjudication of delinquency of a
1137 juvenile as specified in this section. Conviction of a similar
1138 offense includes, but is not limited to, a conviction by a
1139 federal or military tribunal, including courts-martial conducted
1140 by the Armed Forces of the United States, and includes a
1141 conviction or entry of a plea of guilty or nolo contendere in
1142 any state of the United States or other jurisdiction.

1143 (c) “Electronic mail address” has the same meaning as
1144 provided in s. 668.602.

1145 (d) “Institution of higher education” has the same meaning
1146 as provided in s. 775.21.

1147 (e) “Internet identifier” has the same meaning as provided
1148 in s. 775.21.

1149 (f) “Permanent residence,” “temporary residence,” and
1150 “transient residence” have the same meaning as provided in s.
1151 775.21.

1152 (g) “Professional license” has the same meaning as provided
1153 in s. 775.21.

1154 (h)1. “Sexual offender” means a person who meets the
1155 criteria in sub-subparagraph a., sub-subparagraph b., sub-
1156 subparagraph c., or sub-subparagraph d., as follows:

1157 a.(I) Has been convicted of committing, or attempting,
1158 soliciting, or conspiring to commit, any of the criminal
1159 offenses proscribed in the following statutes in this state or
1160 similar offenses in another jurisdiction: s. 393.135(2); s.

16-00635B-22

20221932__

1161 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1162 the victim is a minor; s. 787.06(3)(b), (d), (f), or (g); former
1163 s. 787.06(3)(h); s. 794.011, excluding s. 794.011(10); s.
1164 794.05; former s. 796.03; former s. 796.035; s. 800.04; s.
1165 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
1166 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
1167 s. 895.03, if the court makes a written finding that the
1168 racketeering activity involved at least one sexual offense
1169 listed in this sub-sub-subparagraph or at least one offense
1170 listed in this sub-sub-subparagraph with sexual intent or
1171 motive; s. 916.1075(2); or s. 985.701(1); or any similar offense
1172 committed in this state which has been redesignated from a
1173 former statute number to one of those listed in this sub-sub-
1174 subparagraph; and

1175 (II) Has been released on or after October 1, 1997, from a
1176 sanction imposed for any conviction of an offense described in
1177 sub-sub-subparagraph (I) and does not otherwise meet the
1178 criteria for registration as a sexual offender under chapter 944
1179 or chapter 985. For purposes of this sub-sub-subparagraph, a
1180 sanction imposed in this state or in any other jurisdiction
1181 means probation, community control, parole, conditional release,
1182 control release, or incarceration in a state prison, federal
1183 prison, private correctional facility, or local detention
1184 facility. If no sanction is imposed, the person is deemed to be
1185 released upon conviction;

1186 b. Establishes or maintains a residence in this state and
1187 who has not been designated as a sexual predator by a court of
1188 this state but who has been designated as a sexual predator, as
1189 a sexually violent predator, or any other sexual offender

16-00635B-22

20221932__

1190 designation in another state or jurisdiction and was, as a
1191 result of such designation, subjected to registration or
1192 community or public notification, or both, or would be if the
1193 person were a resident of that state or jurisdiction, without
1194 regard to whether the person otherwise meets the criteria for
1195 registration as a sexual offender;

1196 c. Establishes or maintains a residence in this state who
1197 is in the custody or control of, or under the supervision of,
1198 any other state or jurisdiction as a result of a conviction for
1199 committing, or attempting, soliciting, or conspiring to commit,
1200 any of the criminal offenses proscribed in the following
1201 statutes or similar offense in another jurisdiction: s.
1202 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
1203 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),
1204 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding
1205 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;
1206 s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133;
1207 s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138;
1208 s. 847.0145; s. 895.03, if the court makes a written finding
1209 that the racketeering activity involved at least one sexual
1210 offense listed in this sub-subparagraph or at least one offense
1211 listed in this sub-subparagraph with sexual intent or motive; s.
1212 916.1075(2); or s. 985.701(1); or any similar offense committed
1213 in this state which has been redesignated from a former statute
1214 number to one of those listed in this sub-subparagraph; or

1215 d. On or after July 1, 2007, has been adjudicated
1216 delinquent for committing, or attempting, soliciting, or
1217 conspiring to commit, any of the criminal offenses proscribed in
1218 the following statutes in this state or similar offenses in

16-00635B-22

20221932__

1219 another jurisdiction when the juvenile was 14 years of age or
1220 older at the time of the offense:

1221 (I) Section 794.011, excluding s. 794.011(10);

1222 (II) Section 800.04(4)(a)2. where the victim is under 12
1223 years of age or where the court finds sexual activity by the use
1224 of force or coercion;

1225 (III) Section 800.04(5)(c)1. where the court finds
1226 molestation involving unclothed genitals;

1227 (IV) Section 800.04(5)(d) where the court finds the use of
1228 force or coercion and unclothed genitals; or

1229 (V) Any similar offense committed in this state which has
1230 been redesignated from a former statute number to one of those
1231 listed in this sub-subparagraph.

1232 2. For all qualifying offenses listed in sub-subparagraph
1233 1.d., the court shall make a written finding of the age of the
1234 offender at the time of the offense.

1235

1236 For each violation of a qualifying offense listed in this
1237 subsection, except for a violation of s. 794.011, the court
1238 shall make a written finding of the age of the victim at the
1239 time of the offense. For a violation of s. 800.04(4), the court
1240 shall also make a written finding indicating whether the offense
1241 involved sexual activity and indicating whether the offense
1242 involved force or coercion. For a violation of s. 800.04(5), the
1243 court shall also make a written finding that the offense did or
1244 did not involve unclothed genitals or genital area and that the
1245 offense did or did not involve the use of force or coercion.

1246 (i) "Vehicles owned" has the same meaning as provided in s.
1247 775.21.

16-00635B-22

20221932__

1248 (2) SHORT TITLE; APPLICABILITY.—This section may be cited
1249 as “The Florida Sexual Offenders Act.” This section does not
1250 apply to a sexual offender who is also a sexual predator, as
1251 defined in s. 775.21. A sexual predator must register as
1252 required under s. 775.21.

1253 (3) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
1254 that sexual offenders, especially those who have committed
1255 offenses against minors, often pose a high risk of engaging in
1256 sexual offenses even after being released from incarceration or
1257 commitment and that protection of the public from sexual
1258 offenders is a paramount government interest. Sexual offenders
1259 have a reduced expectation of privacy because of the public’s
1260 interest in public safety and in the effective operation of
1261 government. Releasing information concerning sexual offenders to
1262 law enforcement agencies and to persons who request such
1263 information, and the release of such information to the public
1264 by a law enforcement agency or public agency, will further the
1265 governmental interests of public safety. The designation of a
1266 person as a sexual offender is not a sentence or a punishment
1267 but is simply the status of the offender which is the result of
1268 a conviction for having committed certain crimes.

1269 (4) INITIAL REGISTRATION.—Upon initial registration, a
1270 sexual offender shall:

1271 (a) Report in person at the sheriff’s office:

1272 1. In the county in which the offender establishes or
1273 maintains a permanent, temporary, or transient residence within
1274 48 hours after:

1275 a. Establishing permanent, temporary, or transient
1276 residence in this state; or

16-00635B-22

20221932__

1277 b. Being released from the custody, control, or supervision
1278 of the Department of Corrections or from the custody of a
1279 private correctional facility; or

1280 2. In the county where he or she was convicted within 48
1281 hours after being convicted for a qualifying offense for
1282 registration under this section if the offender is not in the
1283 custody or control of, or under the supervision of, the
1284 Department of Corrections, or is not in the custody of a private
1285 correctional facility.

1286
1287 Any change in the information required to be provided pursuant
1288 to paragraph (b), including, but not limited to, any change in
1289 the sexual offender's permanent, temporary, or transient
1290 residence; name; electronic mail addresses; Internet identifiers
1291 and each Internet identifier's corresponding website homepage or
1292 application software name; home telephone numbers and cellular
1293 telephone numbers; employment information; and any change in
1294 status at an institution of higher education after the sexual
1295 offender reports in person at the sheriff's office must be
1296 reported in the manner provided in subsections (5)-(8).

1297 (b) Provide his or her name; date of birth; social security
1298 number; race; sex; height; weight; hair and eye color; tattoos
1299 or other identifying marks; fingerprints; palm prints;
1300 photograph; employment information; address of permanent or
1301 legal residence or address of any current temporary residence,
1302 within this state or out of state, including a rural route
1303 address and a post office box; if he or she has no permanent or
1304 temporary address, any transient residence within this state;
1305 address, location or description, and dates of any current or

16-00635B-22

20221932__

1306 known future temporary residence within this state or out of
1307 state; the make, model, color, vehicle identification number
1308 (VIN), and license tag number of all vehicles owned; home
1309 telephone numbers and cellular telephone numbers; electronic
1310 mail addresses; Internet identifiers and each Internet
1311 identifier's corresponding website homepage or application
1312 software name; date and place of each conviction; and a brief
1313 description of the crime or crimes committed by the offender. A
1314 post office box may not be provided in lieu of a physical
1315 residential address. The sexual offender shall also produce his
1316 or her passport, if he or she has a passport, and, if he or she
1317 is an alien, shall produce or provide information about
1318 documents establishing his or her immigration status. The sexual
1319 offender shall also provide information about any professional
1320 licenses he or she has.

1321 1. If the sexual offender's place of residence is a motor
1322 vehicle, trailer, mobile home, or manufactured home, as those
1323 terms are defined in chapter 320, the sexual offender shall also
1324 provide to the department through the sheriff's office written
1325 notice of the vehicle identification number (VIN); the license
1326 tag number; the registration number; and a description,
1327 including color scheme, of the motor vehicle, trailer, mobile
1328 home, or manufactured home. If the sexual offender's place of
1329 residence is a vessel, live-aboard vessel, or houseboat, as
1330 those terms are defined in chapter 327, the sexual offender
1331 shall also provide to the department written notice of the hull
1332 identification number; the manufacturer's serial number; the
1333 name of the vessel, live-aboard vessel, or houseboat; the
1334 registration number of the vessel, live-aboard vessel, or

16-00635B-22

20221932__

1335 houseboat; and a description, including color scheme, of the
1336 vessel, live-aboard vessel, or houseboat.

1337 2. If the sexual offender is enrolled or employed, whether
1338 for compensation or as a volunteer, at an institution of higher
1339 education in this state, the sexual offender shall also provide
1340 to the department the name, address, and county of each
1341 institution, including each campus attended, and the sexual
1342 offender's enrollment, volunteer, or employment status. The
1343 sheriff, the Department of Corrections, or the Department of
1344 Juvenile Justice shall promptly notify each institution of
1345 higher education of the sexual offender's presence and any
1346 change in the sexual offender's enrollment, volunteer, or
1347 employment status.

1348 (c) Provide any other information determined necessary by
1349 the department, including criminal and corrections records;
1350 nonprivileged personnel and treatment records; and evidentiary
1351 genetic markers, when available.

1352
1353 When a sexual offender reports at the sheriff's office, the
1354 sheriff shall take a photograph, a set of fingerprints, and palm
1355 prints of the offender and forward the photographs, palm prints,
1356 and fingerprints to the department, along with the information
1357 provided by the sexual offender. The sheriff shall promptly
1358 provide to the department the information received from the
1359 sexual offender.

1360 (d) Within 48 hours after the report required under this
1361 subsection, a sexual offender shall report in person at a driver
1362 license office of the Department of Highway Safety and Motor
1363 Vehicles, unless a driver license or identification card that

16-00635B-22

20221932__

1364 complies with the requirements of s. 322.141(3) was previously
1365 secured or updated under s. 944.607. At the driver license
1366 office, the sexual offender shall:

1367 1. If otherwise qualified, secure a Florida driver license,
1368 renew a Florida driver license, or secure an identification
1369 card. The sexual offender shall identify himself or herself as a
1370 sexual offender who is required to comply with this section and
1371 shall provide proof that the sexual offender reported as
1372 required in this subsection. The sexual offender shall provide
1373 any of the information specified in this subsection, if
1374 requested. The sexual offender shall submit to the taking of a
1375 photograph for use in issuing a driver license, renewed license,
1376 or identification card, and for use by the department in
1377 maintaining current records of sexual offenders.

1378 2. Pay the costs assessed by the Department of Highway
1379 Safety and Motor Vehicles for issuing or renewing a driver
1380 license or identification card as required by this section. The
1381 driver license or identification card issued must be in
1382 compliance with s. 322.141(3).

1383 3. Provide, upon request, any additional information
1384 necessary to confirm the identity of the sexual offender,
1385 including a set of fingerprints.

1386 (5) MAINTAINING REGISTRATION.—

1387 (a) A sexual offender shall report in person to a driver
1388 license office, or through an authorized alternate method as
1389 provided by the Department of Highway Safety and Motor Vehicles,
1390 and is subject to the requirements specified in subsection (4):

1391 1. Each time a sexual offender's driver license or
1392 identification card is subject to renewal; and

16-00635B-22

20221932__

1393 2. Without regard to the status of the offender's driver
1394 license or identification card, within 48 hours after any change
1395 in the offender's name by reason of marriage or other legal
1396 process.

1397 (b) The Department of Highway Safety and Motor Vehicles
1398 shall forward to the department all photographs and information
1399 provided by sexual offenders. Notwithstanding the restrictions
1400 set forth in s. 322.142, the Department of Highway Safety and
1401 Motor Vehicles may release a reproduction of a color-photograph
1402 or digital-image license to the Department of Law Enforcement
1403 for purposes of public notification of sexual offenders as
1404 provided in this section and ss. 943.043 and 944.606.

1405 (c) A sexual offender who is unable to secure or update a
1406 driver license or an identification card with the Department of
1407 Highway Safety and Motor Vehicles as provided in subsection (4)
1408 and this subsection shall also report any change in the sexual
1409 offender's name by reason of marriage or other legal process
1410 within 48 hours after the change to the sheriff's office in the
1411 county where the offender resides or is located and provide
1412 confirmation that he or she reported such information to the
1413 Department of Highway Safety and Motor Vehicles. The reporting
1414 requirements under this paragraph do not negate the requirement
1415 for a sexual offender to obtain a Florida driver license or an
1416 identification card as required in this section.

1417 (d)1. A sexual offender shall register all electronic mail
1418 addresses and Internet identifiers, and each Internet
1419 identifier's corresponding website homepage or application
1420 software name, with the department through the department's
1421 online system or in person at the sheriff's office within 48

16-00635B-22

20221932__

1422 hours after using such electronic mail addresses or Internet
1423 identifiers. If the sexual offender is in the custody or
1424 control, or under the supervision, of the Department of
1425 Corrections, he or she must report all electronic mail addresses
1426 and Internet identifiers, and each Internet identifier's
1427 corresponding website homepage or application software name, to
1428 the Department of Corrections before using such electronic mail
1429 addresses or Internet identifiers. If the sexual offender is in
1430 the custody or control, or under the supervision, of the
1431 Department of Juvenile Justice, he or she must report all
1432 electronic mail addresses and Internet identifiers, and each
1433 Internet identifier's corresponding website homepage or
1434 application software name, to the Department of Juvenile Justice
1435 before using such electronic mail addresses or Internet
1436 identifiers.

1437 2. A sexual offender shall report with the department
1438 through the department's online system or in person to the
1439 sheriff's office within 48 hours after any change in vehicles
1440 owned to report those vehicle information changes.

1441 3. A sexual offender shall register all changes to vehicles
1442 owned, all changes to home telephone numbers and cellular
1443 telephone numbers, including added and deleted numbers, all
1444 changes to employment information, and all changes in status
1445 related to enrollment, volunteering, or employment at
1446 institutions of higher education, through the department's
1447 online system; in person at the sheriff's office; in person at
1448 the Department of Corrections if the sexual offender is in the
1449 custody or control, or under the supervision, of the Department
1450 of Corrections; or in person at the Department of Juvenile

16-00635B-22

20221932__

1451 Justice if the sexual offender is in the custody or control, or
1452 under the supervision, of the Department of Juvenile Justice.
1453 All changes required to be reported under this subparagraph must
1454 be reported within 48 hours after the change.

1455 4. The department shall establish an online system through
1456 which sexual offenders may securely access, submit, and update
1457 all changes in status to vehicles owned; electronic mail
1458 addresses; Internet identifiers and each Internet identifier's
1459 corresponding website homepage or application software name;
1460 home telephone numbers and cellular telephone numbers;
1461 employment information; and institution of higher education
1462 information.

1463 (e) If the sexual offender is in the custody of a local
1464 jail, the custodian of the local jail shall register the sexual
1465 offender within 3 business days after intake of the sexual
1466 offender for any reason and upon release, and shall forward the
1467 registration information to the department. The custodian of the
1468 local jail shall also take a digitized photograph of the sexual
1469 offender while the sexual offender remains in custody and shall
1470 provide the digitized photograph to the department. The
1471 custodian shall notify the department if the sexual offender
1472 escapes from custody or dies.

1473 (6) ESTABLISHING A RESIDENCE WITHIN THIS STATE AFTER
1474 INITIAL REGISTRATION.—

1475 (a) A sexual offender shall report in person to a driver
1476 license office, or through an authorized alternate method as
1477 provided by the Department of Highway Safety and Motor Vehicles,
1478 and is subject to the requirements specified in subsection (4):

1479 1. Each time a sexual offender's driver license or

16-00635B-22

20221932__

1480 identification card is subject to renewal; and

1481 2. Without regard to the status of the offender's driver
1482 license or identification card, within 48 hours after any change
1483 in the offender's permanent, temporary, or transient residence.

1484 (b) The Department of Highway Safety and Motor Vehicles
1485 shall forward to the department all photographs and information
1486 provided by sexual offenders. Notwithstanding the restrictions
1487 set forth in s. 322.142, the Department of Highway Safety and
1488 Motor Vehicles may release a reproduction of a color-photograph
1489 or digital-image license to the Department of Law Enforcement
1490 for purposes of public notification of sexual offenders as
1491 provided in this section and ss. 943.043 and 944.606.

1492 (c) A sexual offender who is unable to secure or update a
1493 driver license or an identification card with the Department of
1494 Highway Safety and Motor Vehicles as provided in subsection (4)
1495 and this subsection shall also report any change in the sexual
1496 offender's permanent, temporary, or transient residence within
1497 48 hours after the change to the sheriff's office in the county
1498 where the offender resides or is located and provide
1499 confirmation that he or she reported such information to the
1500 Department of Highway Safety and Motor Vehicles. The reporting
1501 requirements under this paragraph do not negate the requirement
1502 for a sexual offender to obtain a Florida driver license or an
1503 identification card as required in this section.

1504 (d) A sexual offender who vacates a permanent, temporary,
1505 or transient residence and fails to establish or maintain
1506 another permanent, temporary, or transient residence shall,
1507 within 48 hours after vacating the permanent, temporary, or
1508 transient residence, report in person to the sheriff's office of

16-00635B-22

20221932__

1509 the county in which he or she is located. The sexual offender
1510 shall specify the date upon which he or she intends to or did
1511 vacate such residence. The sexual offender must provide or
1512 update all of the registration information required under
1513 paragraph (4) (b). The sexual offender must provide an address
1514 for the residence or other place where he or she is or will be
1515 located during the time in which he or she fails to establish or
1516 maintain a permanent or temporary residence.

1517 (e) A sexual offender who remains at a permanent,
1518 temporary, or transient residence after reporting his or her
1519 intent to vacate such residence shall, within 48 hours after the
1520 date upon which the offender indicated he or she would or did
1521 vacate such residence, report in person to the agency to which
1522 he or she reported pursuant to paragraph (d) for the purpose of
1523 reporting his or her address at such residence. When the sheriff
1524 receives the report, the sheriff shall promptly convey the
1525 information to the department. An offender who makes a report as
1526 required under paragraph (d) but fails to make a report as
1527 required under this paragraph commits a felony of the second
1528 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1529 775.084.

1530 (7) ESTABLISHING A NON-FLORIDA RESIDENCE; INTERNATIONAL
1531 TRAVEL.—

1532 (a) A sexual offender who intends to establish a permanent,
1533 temporary, or transient residence in another state or
1534 jurisdiction other than the State of Florida shall report in
1535 person to the sheriff of the county of current residence at
1536 least 48 hours before the date he or she intends to leave this
1537 state to establish residence in another state or jurisdiction or

16-00635B-22

20221932__

1538 at least 21 days before the date he or she intends to travel
1539 outside of the United States. Any travel that is not known by
1540 the sexual offender 48 hours before he or she intends to
1541 establish a residence in another state or jurisdiction, or 21
1542 days before the departure date for travel outside of the United
1543 States, must be reported in person to the sheriff's office as
1544 soon as possible before departure. The sexual offender shall
1545 provide to the sheriff the address, municipality, county, state,
1546 and country of intended residence. For international travel, the
1547 sexual offender shall also provide travel information,
1548 including, but not limited to, expected departure and return
1549 dates, flight number, airport of departure, cruise port of
1550 departure, or any other means of intended travel. The sheriff
1551 shall promptly provide to the department the information
1552 received from the sexual offender. The department shall notify
1553 the statewide law enforcement agency, or a comparable agency, in
1554 the intended state, jurisdiction, or country of residence or the
1555 intended country of travel of the sexual offender's intended
1556 residence or intended travel. The failure of a sexual offender
1557 to provide his or her intended place of residence or intended
1558 travel is punishable as provided in subsection (13).

1559 (b) A sexual offender who indicates his or her intent to
1560 establish a permanent, temporary, or transient residence in
1561 another state, a jurisdiction other than the State of Florida,
1562 or another country and later decides to remain in this state
1563 shall, within 48 hours after the date upon which the sexual
1564 offender indicated he or she would leave this state, report in
1565 person to the sheriff's office to which the sexual offender
1566 reported the intended change of permanent, temporary, or

16-00635B-22

20221932__

1567 transient residence, and report his or her intent to remain in
1568 this state. The sheriff shall promptly report this information
1569 to the department. A sexual offender who reports his or her
1570 intent to establish a permanent, temporary, or transient
1571 residence in another state, a jurisdiction other than the State
1572 of Florida, or another country but who remains in this state
1573 without reporting to the sheriff in the manner required by this
1574 subsection commits a felony of the second degree, punishable as
1575 provided in s. 775.082, s. 775.083, or s. 775.084.

1576 (8) TRANSIENT REPORTING.—

1577 (a) A sexual offender shall report in person at the
1578 sheriff's office in the county in which he or she is located
1579 within 48 hours after establishing a transient residence and
1580 thereafter must report in person every 30 days to the sheriff's
1581 office in the county in which he or she is located while
1582 maintaining a transient residence. The sexual offender must
1583 provide the addresses and locations where he or she maintains a
1584 transient residence. Each sheriff's office shall establish
1585 procedures for reporting transient residence information and
1586 provide notice to transient registrants to report transient
1587 residence information as required in this paragraph. Reporting
1588 to the sheriff's office as required by this paragraph does not
1589 exempt registrants from any reregistration requirement. The
1590 sheriff may coordinate and enter into agreements with police
1591 departments and other governmental entities to facilitate
1592 additional reporting sites for transient residence registration
1593 required in this paragraph. The sheriff's office shall
1594 electronically submit to and update with the department all such
1595 information within 2 business days after it is provided to the

16-00635B-22

20221932__

1596 office.

1597 (b) The failure of a sexual offender who maintains a
1598 transient residence to report in person to the sheriff's office
1599 every 30 days as required in paragraph (a) is punishable as
1600 provided in subsection (13).

1601 (9) BIENNIAL AND QUARTERLY REREGISTRATION REQUIREMENTS.—

1602 (a) A sexual offender must report in person each year
1603 during the month of the sexual offender's birthday and during
1604 the sixth month following the sexual offender's birth month to
1605 the sheriff's office in the county in which he or she resides or
1606 is otherwise located to reregister.

1607 (b) However, a sexual offender who is required to register
1608 as a result of a conviction for:

- 1609 1. Section 787.01 or s. 787.02 where the victim is a minor;
1610 2. Section 794.011, excluding s. 794.011(10);
1611 3. Section 800.04(4)(a)2. where the court finds the offense
1612 involved a victim under 12 years of age or sexual activity by
1613 the use of force or coercion;
1614 4. Section 800.04(5)(b);
1615 5. Section 800.04(5)(c)1. where the court finds molestation
1616 involving unclothed genitals or genital area;
1617 6. Section 800.04(5)(c)2. where the court finds molestation
1618 involving the use of force or coercion and unclothed genitals or
1619 genital area;
1620 7. Section 800.04(5)(d) where the court finds the use of
1621 force or coercion and unclothed genitals or genital area;
1622 8. Section 825.1025(2)(a);
1623 9. Any attempt or conspiracy to commit such offense;
1624 10. A violation of a similar law of another jurisdiction;

16-00635B-22

20221932__

1625 or

1626 11. A violation of a similar offense committed in this
1627 state which has been redesignated from a former statute number
1628 to one of those listed in this paragraph,

1629
1630 must reregister each year during the month of the sexual
1631 offender's birthday and every third month thereafter.

1632 (c) The sheriff's office may determine the appropriate
1633 times and days for reporting by the sexual offender, which must
1634 be consistent with the reporting requirements of this
1635 subsection. Reregistration must include any changes to the
1636 following information:

1637 1. Name; social security number; age; race; sex; date of
1638 birth; height; weight; tattoos or other identifying marks; hair
1639 and eye color; address of any permanent residence and address of
1640 any current temporary residence, within this state or out of
1641 state, including a rural route address and a post office box; if
1642 he or she has no permanent or temporary address, any transient
1643 residence within this state; address, location or description,
1644 and dates of any current or known future temporary residence
1645 within this state or out of state; all electronic mail addresses
1646 or Internet identifiers and each Internet identifier's
1647 corresponding website homepage or application software name; all
1648 home telephone numbers and cellular telephone numbers;
1649 employment information; the make, model, color, vehicle
1650 identification number (VIN), and license tag number of all
1651 vehicles owned; fingerprints; palm prints; and photograph. A
1652 post office box may not be provided in lieu of a physical
1653 residential address. The sexual offender shall also produce his

16-00635B-22

20221932__

1654 or her passport, if he or she has a passport, and, if he or she
1655 is an alien, shall produce or provide information about
1656 documents establishing his or her immigration status. The sexual
1657 offender shall also provide information about any professional
1658 licenses he or she has.

1659 2. If the sexual offender is enrolled or employed, whether
1660 for compensation or as a volunteer, at an institution of higher
1661 education in this state, the sexual offender shall also provide
1662 to the department the name, address, and county of each
1663 institution, including each campus attended, and the sexual
1664 offender's enrollment, volunteer, or employment status.

1665 3. If the sexual offender's place of residence is a motor
1666 vehicle, trailer, mobile home, or manufactured home, as those
1667 terms are defined in chapter 320, the sexual offender shall also
1668 provide the vehicle identification number (VIN); the license tag
1669 number; the registration number; and a description, including
1670 color scheme, of the motor vehicle, trailer, mobile home, or
1671 manufactured home. If the sexual offender's place of residence
1672 is a vessel, live-aboard vessel, or houseboat, as those terms
1673 are defined in chapter 327, the sexual offender shall also
1674 provide the hull identification number; the manufacturer's
1675 serial number; the name of the vessel, live-aboard vessel, or
1676 houseboat; the registration number of the vessel, live-aboard
1677 vessel, or houseboat; and a description, including color scheme,
1678 of the vessel, live-aboard vessel, or houseboat.

1679 4. Any sexual offender who fails to report in person as
1680 required at the sheriff's office, who fails to respond to any
1681 address verification correspondence from the department within 3
1682 weeks after the date of the correspondence, who fails to report

16-00635B-22

20221932__

1683 all electronic mail addresses and all Internet identifiers, and
1684 each Internet identifier's corresponding website homepage or
1685 application software name, or who knowingly provides false
1686 registration information by act or omission commits a felony of
1687 the third degree, punishable as provided in s. 775.082, s.
1688 775.083, or s. 775.084.

1689 (d) The sheriff's office shall electronically submit to and
1690 update with the department, in a manner prescribed by the
1691 department, all such information provided by the sexual offender
1692 within 2 business days after it is provided to the office.

1693 (10) VERIFICATION.—County and local law enforcement
1694 agencies, in conjunction with the department, shall verify the
1695 addresses of sexual offenders who are not under the care,
1696 custody, control, or supervision of the Department of
1697 Corrections, and may verify the addresses of sexual offenders
1698 who are under the care, custody, control, or supervision of the
1699 Department of Corrections, in a manner that is consistent with
1700 the provisions of the federal Adam Walsh Child Protection and
1701 Safety Act of 2006 and any other federal standards applicable to
1702 such verification or required to be met as a condition for the
1703 receipt of federal funds by the state. Local law enforcement
1704 agencies shall report to the department any failure by a sexual
1705 offender to comply with registration requirements.

1706 (11) RELIEF FROM REGISTRATION.—Except as provided in s.
1707 943.04354, a sexual offender shall maintain registration with
1708 the department for the duration of his or her life unless the
1709 sexual offender has received a full pardon or has had a
1710 conviction set aside in a postconviction proceeding for any
1711 offense that meets the criteria for classifying the person as a

16-00635B-22

20221932__

1712 sexual offender for purposes of registration. However, a sexual
1713 offender shall be considered for removal of the requirement to
1714 register as a sexual offender only if the person:

1715 (a)1. Has been lawfully released from confinement,
1716 supervision, or sanction, whichever is later, for at least 25
1717 years and has not been arrested for any felony or misdemeanor
1718 offense since release, provided that the sexual offender's
1719 requirement to register was not based upon an adult conviction:

1720 a. For a violation of s. 787.01 or s. 787.02;

1721 b. For a violation of s. 794.011, excluding s. 794.011(10);

1722 c. For a violation of s. 800.04(4)(a)2. where the court
1723 finds the offense involved a victim under 12 years of age or
1724 sexual activity by the use of force or coercion;

1725 d. For a violation of s. 800.04(5)(b);

1726 e. For a violation of s. 800.04(5)(c)2. where the court
1727 finds the offense involved the use of force or coercion and
1728 unclothed genitals or genital area;

1729 f. For a violation of s. 825.1025(2)(a);

1730 g. For any attempt or conspiracy to commit any such
1731 offense;

1732 h. For a violation of similar law of another jurisdiction;
1733 or

1734 i. For a violation of a similar offense committed in this
1735 state which has been redesignated from a former statute number
1736 to one of those listed in this subparagraph.

1737 2. If the sexual offender meets the criteria in
1738 subparagraph 1., the sexual offender may, for the purpose of
1739 removing the requirement for registration as a sexual offender,
1740 petition the criminal division of the circuit court of the

16-00635B-22

20221932__

1741 circuit:

1742 a. Where the conviction or adjudication occurred, for a
1743 conviction in this state;

1744 b. Where the sexual offender resides, for a conviction of a
1745 violation of similar law of another jurisdiction; or

1746 c. Where the sexual offender last resided, for a sexual
1747 offender with a conviction of a violation of similar law of
1748 another jurisdiction who no longer resides in this state.

1749 3. The court may grant or deny relief if the offender
1750 demonstrates to the court that he or she has not been arrested
1751 for any crime since release; the requested relief complies with
1752 the federal Adam Walsh Child Protection and Safety Act of 2006
1753 and any other federal standards applicable to the removal of
1754 registration requirements for a sexual offender or required to
1755 be met as a condition for the receipt of federal funds by the
1756 state; and the court is otherwise satisfied that the offender is
1757 not a current or potential threat to public safety. The
1758 department and the state attorney in the circuit in which the
1759 petition is filed must be given notice of the petition at least
1760 3 weeks before the hearing on the matter. The department and the
1761 state attorney may present evidence in opposition to the
1762 requested relief or may otherwise demonstrate the reasons why
1763 the petition should be denied. If the court denies the petition,
1764 the court may set a future date at which the sexual offender may
1765 again petition the court for relief, subject to the standards
1766 for relief provided in this subsection.

1767 4. The department shall remove an offender from
1768 classification as a sexual offender for purposes of registration
1769 if the offender provides to the department a certified copy of

16-00635B-22

20221932__

1770 the court's written findings or order that indicates that the
1771 offender is no longer required to comply with the requirements
1772 for registration as a sexual offender.

1773 5. To qualify for removal under this paragraph, the sexual
1774 offender must not only establish the requisite criteria to be
1775 considered for removal, but also that they do not meet the
1776 criteria for registration under any other sub-subparagraph under
1777 subparagraph (1) (h) 1.

1778 (b) Maintains registration with the department as described
1779 in sub-subparagraph (1) (h) 1.b. for the duration of his or her
1780 life until the person provides the department with an order
1781 issued by the court that designated the person as a sexual
1782 predator, as a sexually violent predator, or any other sexual
1783 offender designation in the state or jurisdiction in which the
1784 order was issued which states that such designation has been
1785 removed or demonstrates to the department that such designation,
1786 if not imposed by a court, has been removed by operation of law
1787 or court order in the state or jurisdiction in which the
1788 designation was made, provided that such person no longer meets
1789 the criteria for registration as a sexual offender under the
1790 laws of this state. To qualify for removal, all sexual offenders
1791 as described in sub-subparagraph (1) (h) 1.b. must not only
1792 establish that their designation has been removed but also that
1793 they do not meet the criteria for registration under any other
1794 sub-subparagraph under subparagraph (1) (h) 1.

1795 (c) Maintains registration with the department as described
1796 in sub-subparagraph (1) (h) 1.b. until the person provides the
1797 department with an order issued by the court that designated the
1798 person as a sexual predator, as a sexually violent predator, or

16-00635B-22

20221932__

1799 any other sexual offender designation in the state or
1800 jurisdiction in which the order was issued which states that
1801 such designation and registration records are confidential and
1802 exempt from public disclosure or, if not imposed by a court,
1803 until the person provides the department with documentation that
1804 shows that his or her designation has been made confidential and
1805 exempt from public disclosure through operation of law in the
1806 state or jurisdiction in which the designation was made,
1807 provided that such person no longer meets the criteria for
1808 registration as a sexual offender under the laws of this state.
1809 To qualify for removal, all sexual offenders as described in
1810 sub-subparagraph (1) (h) 1.b. must not only establish that their
1811 designation and registration records are confidential and exempt
1812 from public disclosure, but also that they do not meet the
1813 criteria for registration under any other sub-subparagraph under
1814 subparagraph (1) (h) 1.

1815 (12) IMMUNITY.—The department, the Department of Highway
1816 Safety and Motor Vehicles, the Department of Corrections, the
1817 Department of Juvenile Justice, any law enforcement agency in
1818 this state, and the personnel of those departments; an elected
1819 or appointed official, public employee, or school administrator;
1820 or an employee, agency, or any individual or entity acting at
1821 the request or upon the direction of any law enforcement agency
1822 is immune from civil liability for damages for good faith
1823 compliance with the requirements of this section or for the
1824 release of information under this section, and shall be presumed
1825 to have acted in good faith in compiling, recording, reporting,
1826 or releasing the information. The presumption of good faith is
1827 not overcome if a technical or clerical error is made by the

16-00635B-22

20221932__

1828 department, the Department of Highway Safety and Motor Vehicles,
1829 the Department of Corrections, the Department of Juvenile
1830 Justice, the personnel of those departments, or any individual
1831 or entity acting at the request or upon the direction of any of
1832 those departments in compiling or providing information, or if
1833 information is incomplete or incorrect because a sexual offender
1834 fails to report or falsely reports his or her current place of
1835 permanent, temporary, or transient residence.

1836 (13) PENALTIES.—

1837 (a) A sexual offender who does not comply with the
1838 requirements of this section commits a felony of the third
1839 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1840 775.084.

1841 (b) For a felony violation of this section, excluding
1842 subsection (14), committed on or after July 1, 2018, if the
1843 court does not impose a prison sentence, the court shall impose
1844 a mandatory minimum term of community control, as defined in s.
1845 948.001, as follows:

1846 1. For a first offense, a mandatory minimum term of 6
1847 months with electronic monitoring.

1848 2. For a second offense, a mandatory minimum term of 1 year
1849 with electronic monitoring.

1850 3. For a third or subsequent offense, a mandatory minimum
1851 term of 2 years with electronic monitoring.

1852 (c) A sexual offender who commits any act or omission in
1853 violation of this section may be prosecuted for the act or
1854 omission in the county in which the act or omission was
1855 committed, in the county of the last registered address of the
1856 sexual offender, in the county in which the conviction occurred

16-00635B-22

20221932__

1857 for the offense or offenses that meet the criteria for
1858 designating a person as a sexual offender, in the county where
1859 the sexual offender was released from incarceration, or in the
1860 county of the intended address of the sexual offender as
1861 reported by the offender prior to his or her release from
1862 incarceration.

1863 (d) An arrest on charges of failure to register when the
1864 offender has been provided and advised of his or her statutory
1865 obligations to register under subsection (4), the service of an
1866 information or a complaint for a violation of this section, or
1867 an arraignment on charges for a violation of this section
1868 constitutes actual notice of the duty to register. A sexual
1869 offender's failure to immediately register as required by this
1870 section following such arrest, service, or arraignment
1871 constitutes grounds for a subsequent charge of failure to
1872 register. A sexual offender charged with the crime of failure to
1873 register who asserts, or intends to assert, a lack of notice of
1874 the duty to register as a defense to a charge of failure to
1875 register shall immediately register as required by this section.
1876 A sexual offender who is charged with a subsequent failure to
1877 register may not assert the defense of a lack of notice of the
1878 duty to register. Registration following such arrest, service,
1879 or arraignment is not a defense and does not relieve the sexual
1880 offender of criminal liability for the failure to register.

1881 (14) PENALTIES FOR ASSISTING SEXUAL OFFENDER
1882 NONCOMPLIANCE.—Any person who has reason to believe that a
1883 sexual offender is not complying, or has not complied, with the
1884 requirements of this section and who, with the intent to assist
1885 the sexual offender in eluding a law enforcement agency that is

16-00635B-22

20221932__

1886 seeking to find the sexual offender to question the sexual
1887 offender about, or to arrest the sexual offender for, his or her
1888 noncompliance with the requirements of this section:

1889 (a) Withholds information from, or does not notify, the law
1890 enforcement agency about the sexual offender's noncompliance
1891 with the requirements of this section, and, if known, the
1892 whereabouts of the sexual offender;

1893 (b) Harbors, or attempts to harbor, or assists another
1894 person in harboring or attempting to harbor, the sexual
1895 offender;

1896 (c) Conceals or attempts to conceal, or assists another
1897 person in concealing or attempting to conceal, the sexual
1898 offender; or

1899 (d) Provides information to the law enforcement agency
1900 regarding the sexual offender that the person knows to be false
1901 information,

1902
1903 commits a felony of the third degree, punishable as provided in
1904 s. 775.082, s. 775.083, or s. 775.084.

1905 Section 3. Paragraph (a) of subsection (4) of section
1906 944.607, Florida Statutes, is reenacted and amended to read:

1907 944.607 Notification to Department of Law Enforcement of
1908 information on sexual offenders.-

1909 (4) A sexual offender, as described in this section, who is
1910 under the supervision of the Department of Corrections but is
1911 not incarcerated shall register with the Department of
1912 Corrections within 3 business days after sentencing for a
1913 registrable offense and otherwise provide information as
1914 required by this subsection.

16-00635B-22

20221932__

1915 (a) The sexual offender shall provide his or her name; date
1916 of birth; social security number; race; sex; height; weight;
1917 hair and eye color; tattoos or other identifying marks; all
1918 electronic mail addresses and Internet identifiers required to
1919 be provided pursuant to s. 943.0435(5)(d) ~~s. 943.0435(4)(e)~~;
1920 employment information required to be provided pursuant to s.
1921 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; all home telephone numbers and
1922 cellular telephone numbers required to be provided pursuant to
1923 s. 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; the make, model, color,
1924 vehicle identification number (VIN), and license tag number of
1925 all vehicles owned; permanent or legal residence and address of
1926 temporary residence within this ~~the~~ state or out of state while
1927 the sexual offender is under supervision in this state,
1928 including any rural route address or post office box; if he or
1929 she has no permanent or temporary address, any transient
1930 residence within this ~~the~~ state; and address, location or
1931 description, and dates of any current or known future temporary
1932 residence within this ~~the~~ state or out of state. The sexual
1933 offender must ~~shall~~ also produce his or her passport, if he or
1934 she has a passport, and, if he or she is an alien, must ~~shall~~
1935 produce or provide information about documents establishing his
1936 or her immigration status. The sexual offender shall also
1937 provide information about any professional licenses he or she
1938 has. The Department of Corrections shall verify the address of
1939 each sexual offender in the manner described in ss. 775.21 and
1940 943.0435. The department shall report to the Department of Law
1941 Enforcement any failure by a sexual predator or sexual offender
1942 to comply with registration requirements.

1943 Section 4. Subsection (4) of section 322.141, Florida

16-00635B-22

20221932__

1944 Statutes, is amended to read:

1945 322.141 Color or markings of certain licenses or
1946 identification cards.—

1947 (4) Unless previously secured or updated, each sexual
1948 offender and sexual predator shall report to the department
1949 during the month of his or her reregistration as required under
1950 s. 775.21(10) ~~s. 775.21(8)~~, s. 943.0435(9) ~~s. 943.0435(14)~~, or
1951 s. 944.607(13) in order to obtain an updated or renewed driver
1952 license or identification card as required by subsection (3).

1953 Section 5. Subsection (1) of section 794.056, Florida
1954 Statutes, is amended to read:

1955 794.056 Rape Crisis Program Trust Fund.—

1956 (1) The Rape Crisis Program Trust Fund is created within
1957 the Department of Health for the purpose of providing funds for
1958 rape crisis centers in this state. Trust fund moneys must ~~shall~~
1959 be used exclusively for the purpose of providing services for
1960 victims of sexual assault. Funds credited to the trust fund
1961 consist of those funds collected as an additional court
1962 assessment in each case in which a defendant pleads guilty or
1963 nolo contendere to, or is found guilty of, regardless of
1964 adjudication, an offense provided in s. 775.21(6)-(9), (14)(a)
1965 and (b), and (15)(g) ~~s. 775.21(6) and (10)(a), (b), and (g); s.~~
1966 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045; s.
1967 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
1968 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s. 787.025; s.
1969 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
1970 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
1971 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
1972 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.

16-00635B-22

20221932__

1973 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
 1974 847.0145; s. 943.0435(6) (e), (7), (9) (c), (13) (a), and (14) s.
 1975 ~~943.0435(4) (c), (7), (8), (9) (a), (13), and (14) (c);~~ or s.
 1976 985.701(1). Funds credited to the trust fund also must ~~shall~~
 1977 include revenues provided by law, moneys appropriated by the
 1978 Legislature, and grants from public or private entities.

1979 Section 6. Paragraph (g) of subsection (3) of section
 1980 921.0022, Florida Statutes, is amended to read:

1981 921.0022 Criminal Punishment Code; offense severity ranking
 1982 chart.-

1983 (3) OFFENSE SEVERITY RANKING CHART

1984 (g) LEVEL 7

1985

Florida Statute	Felony Degree	Description
316.027(2) (c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3) (c) 2.	3rd	DUI resulting in serious bodily injury.
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

1986

1987

1988

16-00635B-22

20221932__

			attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1989	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1990	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1991	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1992	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1993	456.065 (2)	3rd	Practicing a health care profession without a license.
1994	456.065 (2)	2nd	Practicing a health care

16-00635B-22

20221932__

1995			profession without a license which results in serious bodily injury.
	458.327 (1)	3rd	Practicing medicine without a license.
1996			
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1997			
	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1998			
	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1999			
	462.17	3rd	Practicing naturopathy without a license.
2000			
	463.015 (1)	3rd	Practicing optometry without a license.
2001			
	464.016 (1)	3rd	Practicing nursing without a license.
2002			
	465.015 (2)	3rd	Practicing pharmacy

	16-00635B-22		20221932__
2003			without a license.
	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
2004			
	467.201	3rd	Practicing midwifery without a license.
2005			
	468.366	3rd	Delivering respiratory care services without a license.
2006			
	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
2007			
	483.901 (7)	3rd	Practicing medical physics without a license.
2008			
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
2009			
	484.053	3rd	Dispensing hearing aids without a license.
2010			
	494.0018 (2)	1st	Conviction of any

16-00635B-22

20221932__

2011	560.123 (8) (b) 1.	3rd	violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
2012	560.125 (5) (a)	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
2013	655.50 (10) (b) 1.	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
2014	<u>775.21 (14) (a)</u>	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
	775.21 (10) (a)		Sexual predator; failure to register; failure to

	16-00635B-22		20221932__	renew driver license or identification card; other registration violations.
2015	<u>775.21(14)(b)</u> 775.21(10)(b)	3rd		Sexual predator working where children regularly congregate.
2016	<u>775.21(15)(a)</u> 775.21(10)(g)	3rd		Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
2017	782.051(3)	2nd		Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
2018	782.07(1)	2nd		Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
2019				

	16-00635B-22		20221932__
2020	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
2021	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
2022	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2023	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
2024	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
2025	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.

	16-00635B-22		20221932__
2026	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2027	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
2028	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
2029	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2030	784.081 (1)	1st	Aggravated battery on specified official or employee.
2031	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2032	784.083 (1)	1st	Aggravated battery on code inspector.
	787.06 (3) (a) 2.	1st	Human trafficking using

16-00635B-22

20221932__

2033

coercion for labor and services of an adult.

787.06(3)(e)2.

1st

Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.

2034

790.07(4)

1st

Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

2035

790.16(1)

1st

Discharge of a machine gun under specified circumstances.

2036

790.165(2)

2nd

Manufacture, sell, possess, or deliver hoax bomb.

2037

790.165(3)

2nd

Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

2038

	16-00635B-22		20221932__
2039	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
2040	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
2041	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
2042	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.
	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.

16-00635B-22

20221932__

2043

796.05 (1)

1st

Live on earnings of a prostitute; 3rd and subsequent offense.

2044

800.04 (5) (c) 1.

2nd

Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.

2045

800.04 (5) (c) 2.

2nd

Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.

2046

800.04 (5) (e)

1st

Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.

2047

806.01 (2)

2nd

Maliciously damage

16-00635B-22

20221932__

2048	810.02 (3) (a)	2nd	structure by fire or explosive.
2049	810.02 (3) (b)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
2050	810.02 (3) (d)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
2051	810.02 (3) (e)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
2052	812.014 (2) (a) 1.	1st	Burglary of authorized emergency vehicle. 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.
2053	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than

16-00635B-22

20221932__

2054

\$50,000, grand theft in
2nd degree.

812.014 (2) (b) 3.

2nd

Property stolen,
emergency medical
equipment; 2nd degree
grand theft.

2055

812.014 (2) (b) 4.

2nd

Property stolen, law
enforcement equipment
from authorized
emergency vehicle.

2056

812.0145 (2) (a)

1st

Theft from person 65
years of age or older;
\$50,000 or more.

2057

812.019 (2)

1st

Stolen property;
initiates, organizes,
plans, etc., the theft
of property and traffics
in stolen property.

2058

812.131 (2) (a)

2nd

Robbery by sudden
snatching.

2059

812.133 (2) (b)

1st

Carjacking; no firearm,
deadly weapon, or other
weapon.

16-00635B-22

20221932__

2060

817.034 (4) (a) 1. 1st Communications fraud,
value greater than
\$50,000.

2061

817.234 (8) (a) 2nd Solicitation of motor
vehicle accident victims
with intent to defraud.

2062

817.234 (9) 2nd Organizing, planning, or
participating in an
intentional motor
vehicle collision.

2063

817.234 (11) (c) 1st Insurance fraud;
property value \$100,000
or more.

2064

817.2341 1st Making false entries of
(2) (b) & (3) (b) material fact or false
statements regarding
property values relating
to the solvency of an
insuring entity which
are a significant cause
of the insolvency of
that entity.

2065

817.418 (2) (a) 3rd Offering for sale or

16-00635B-22

20221932__

2066	817.504 (1) (a)	3rd	advertising personal protective equipment with intent to defraud.
2067	817.535 (2) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
2068	817.611 (2) (b)	2nd	Filing false lien or other unauthorized document.
2069	825.102 (3) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
2070	825.103 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
2071			Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.

16-00635B-22 20221932__

2072	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
2073	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2074	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2075	838.015	2nd	Bribery.
2076	838.016	2nd	Unlawful compensation or reward for official behavior.
2077	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2078	838.22	2nd	Bid tampering.
	843.0855 (2)	3rd	Impersonation of a public officer or employee.

	16-00635B-22		20221932__
2079	843.0855 (3)	3rd	Unlawful simulation of legal process.
2080	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2081	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2082	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2083	872.06	2nd	Abuse of a dead human body.
2084	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
2085	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises

16-00635B-22

20221932__

2086

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)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

2087

893.13(1)(e)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)5., within 1,000 feet of property used for religious services or a specified business site.

2088

893.13(4)(a)

1st

Use or hire of minor;

16-00635B-22

20221932__

			deliver to minor other controlled substance.
2089	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
2090	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
2091	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2092	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2093	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
2094	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14

16-00635B-22

20221932__

2095			grams.
	893.135	1st	Trafficking in
	(1) (c) 3.b.		oxycodone, 14 grams or more, less than 25 grams.
2096			
	893.135	1st	Trafficking in fentanyl,
	(1) (c) 4.b. (I)		4 grams or more, less than 14 grams.
2097			
	893.135	1st	Trafficking in
	(1) (d) 1.a.		phencyclidine, 28 grams or more, less than 200 grams.
2098			
	893.135 (1) (e) 1.	1st	Trafficking in
			methaqualone, 200 grams or more, less than 5 kilograms.
2099			
	893.135 (1) (f) 1.	1st	Trafficking in
			amphetamine, 14 grams or more, less than 28 grams.
2100			
	893.135	1st	Trafficking in
	(1) (g) 1.a.		flunitrazepam, 4 grams or more, less than 14

16-00635B-22

20221932__

			grams.
2101	893.135	1st	Trafficking in gamma-
	(1) (h) 1.a.		hydroxybutyric acid
			(GHB), 1 kilogram or
			more, less than 5
			kilograms.
2102	893.135	1st	Trafficking in 1,4-
	(1) (j) 1.a.		Butanediol, 1 kilogram
			or more, less than 5
			kilograms.
2103	893.135	1st	Trafficking in
	(1) (k) 2.a.		Phenethylamines, 10
			grams or more, less than
			200 grams.
2104	893.135	1st	Trafficking in synthetic
	(1) (m) 2.a.		cannabinoids, 280 grams
			or more, less than 500
			grams.
2105	893.135	1st	Trafficking in synthetic
	(1) (m) 2.b.		cannabinoids, 500 grams
			or more, less than 1,000
			grams.
2106	893.135	1st	Trafficking in n-benzyl

	16-00635B-22		20221932__
	(1) (n) 2.a.		phenethylamines, 14 grams or more, less than 100 grams.
2107	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
2108	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
2109	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2110	<u>943.0435 (6) (e)</u> 943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2111	<u>943.0435 (7) (b)</u> 943.0435 (8)	2nd	Sexual offender; remains in state after

16-00635B-22

20221932__

2112	<u>943.0435 (9)</u>	<u>3rd</u>	indicating intent to leave; failure to comply with reporting requirements.
2113	<u>943.0435 (13) (a)</u> 943.0435 (9) (a)	3rd	<u>Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.</u>
2114	<u>943.0435 (14)</u> 943.0435 (13)	3rd	Sexual offender; failure to comply with reporting requirements. Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2115	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing

16-00635B-22

20221932__

2116

944.607(9)

3rd

~~false registration
information.~~

Sexual offender; failure to comply with reporting requirements.

2117

944.607(10) (a)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

2118

944.607(12)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

2119

944.607(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

2120

985.4815(10)

3rd

Sexual offender; failure to submit to the taking

16-00635B-22

20221932__

2121

985.4815(12)

3rd

of a digitized
photograph.

2122

985.4815(13)

3rd

Failure to report or
providing false
information about a
sexual offender; harbor
or conceal a sexual
offender.

2123

2124 Section 7. Section 938.085, Florida Statutes, is amended to
2125 read:

2126 938.085 Additional cost to fund rape crisis centers.—In
2127 addition to any sanction imposed when a person pleads guilty or
2128 nolo contendere to, or is found guilty of, regardless of
2129 adjudication, a violation of s. 775.21(6)-(9), (14)(a) and (b),
2130 and (15)(g) ~~s. 775.21(6) and (10)(a), (b), and (g)~~; s. 784.011;
2131 s. 784.021; s. 784.03; s. 784.041; s. 784.045; s. 784.048; s.
2132 784.07; s. 784.08; s. 784.081; s. 784.082; s. 784.083; s.
2133 784.085; s. 787.01(3); s. 787.02(3); 787.025; s. 787.06; s.
2134 787.07; s. 794.011; s. 794.05; s. 794.08; former s. 796.03;

16-00635B-22

20221932__

2135 former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
 2136 796.07(2)(a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
 2137 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
 2138 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
 2139 847.0145; s. 943.0435(6)(e), (7), (9)(c), (13)(a), and (14) ~~s.~~
 2140 ~~943.0435(4)(e), (7), (8), (9)(a), (13), and (14)(e)~~; or s.
 2141 985.701(1), the court shall impose a surcharge of \$151. Payment
 2142 of the surcharge must ~~shall~~ be a condition of probation,
 2143 community control, or any other court-ordered supervision. The
 2144 sum of \$150 of the surcharge must ~~shall~~ be deposited into the
 2145 Rape Crisis Program Trust Fund established within the Department
 2146 of Health by chapter 2003-140, Laws of Florida. The clerk of the
 2147 court shall retain \$1 of each surcharge that the clerk of the
 2148 court collects as a service charge of the clerk's office.

2149 Section 8. Paragraph (a) of subsection (3) of section
 2150 944.606, Florida Statutes, is amended to read:

2151 944.606 Sexual offenders; notification upon release.-

2152 (3)(a) The department shall provide information regarding
 2153 any sexual offender who is being released after serving a period
 2154 of incarceration for any offense, as follows:

2155 1. The department shall provide: the sexual offender's
 2156 name, any change in the offender's name by reason of marriage or
 2157 other legal process, and any alias, if known; the correctional
 2158 facility from which the sexual offender is released; the sexual
 2159 offender's social security number, race, sex, date of birth,
 2160 height, weight, and hair and eye color; tattoos or other
 2161 identifying marks; address of any planned permanent residence or
 2162 temporary residence, within this ~~the~~ state or out of state,
 2163 including a rural route address and a post office box; if no

16-00635B-22

20221932__

2164 permanent or temporary address, any transient residence within
2165 this ~~the~~ state; address, location or description, and dates of
2166 any known future temporary residence within this ~~the~~ state or
2167 out of state; date and county of sentence and each crime for
2168 which the offender was sentenced; a copy of the offender's
2169 fingerprints, palm prints, and a digitized photograph taken
2170 within 60 days before release; the date of release of the sexual
2171 offender; all electronic mail addresses and all Internet
2172 identifiers required to be provided pursuant to s.
2173 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; employment information, if
2174 known, provided pursuant to s. 943.0435(5)(d) ~~s. 943.0435(4)(e)~~;
2175 all home telephone numbers and cellular telephone numbers
2176 required to be provided pursuant to s. 943.0435(5)(d) ~~s.~~
2177 ~~943.0435(4)(e)~~; information about any professional licenses the
2178 offender has, if known; and passport information, if he or she
2179 has a passport, and, if he or she is an alien, information about
2180 documents establishing his or her immigration status. The
2181 department shall notify the Department of Law Enforcement if the
2182 sexual offender escapes, absconds, or dies. If the sexual
2183 offender is in the custody of a private correctional facility,
2184 the facility shall take the digitized photograph of the sexual
2185 offender within 60 days before the sexual offender's release and
2186 provide this photograph to the Department of Corrections and
2187 also place it in the sexual offender's file. If the sexual
2188 offender is in the custody of a local jail, the custodian of the
2189 local jail shall register the offender within 3 business days
2190 after intake of the offender for any reason and upon release,
2191 and shall notify the Department of Law Enforcement of the sexual
2192 offender's release and provide to the Department of Law

16-00635B-22

20221932__

2193 Enforcement the information specified in this paragraph and any
2194 information specified in subparagraph 2. that the Department of
2195 Law Enforcement requests.

2196 2. The department may provide any other information deemed
2197 necessary, including criminal and corrections records,
2198 nonprivileged personnel and treatment records, when available.

2199 Section 9. Paragraph (b) of subsection (4), subsection (9),
2200 paragraph (c) of subsection (10), and paragraph (c) of
2201 subsection (13) of section 944.607, Florida Statutes, are
2202 amended to read:

2203 944.607 Notification to Department of Law Enforcement of
2204 information on sexual offenders.—

2205 (4) A sexual offender, as described in this section, who is
2206 under the supervision of the Department of Corrections but is
2207 not incarcerated shall register with the Department of
2208 Corrections within 3 business days after sentencing for a
2209 registrable offense and otherwise provide information as
2210 required by this subsection.

2211 (b) If the sexual offender is enrolled or employed, whether
2212 for compensation or as a volunteer, at an institution of higher
2213 education in this state, the sexual offender must ~~shall~~ provide
2214 the name, address, and county of each institution, including
2215 each campus attended, and the sexual offender's enrollment,
2216 volunteer, or employment status required to be provided pursuant
2217 to s. 943.0435(5) (d) ~~s. 943.0435(4) (e)~~. Each change in status at
2218 an institution of higher education must be reported to the
2219 department within 48 hours after the change in status at an
2220 institution of higher education as provided pursuant to s.
2221 943.0435(5) (d) ~~s. 943.0435(4) (e)~~. The Department of Corrections

16-00635B-22

20221932__

2222 shall promptly notify each institution of the sexual offender's
2223 presence and any change in the sexual offender's enrollment,
2224 volunteer, or employment status.

2225 (9) A sexual offender, as described in this section, who is
2226 under the supervision of the Department of Corrections but who
2227 is not incarcerated shall, in addition to the registration
2228 requirements provided in subsection (4), register and obtain a
2229 distinctive driver license or identification card in the manner
2230 provided in s. 943.0435(2), (4), (5), (6), and (8) ~~s.~~
2231 ~~943.0435(3), (4), and (5)~~, unless the sexual offender is a
2232 sexual predator, in which case he or she shall register and
2233 obtain a distinctive driver license or identification card as
2234 required under s. 775.21. A sexual offender who fails to comply
2235 with the requirements of s. 943.0435 is subject to the penalties
2236 provided in s. 943.0435(13) ~~s. 943.0435(9)~~.

2237 (10)

2238 (c) An arrest on charges of failure to register when the
2239 offender has been provided and advised of his or her statutory
2240 obligations to register under s. 943.0435(4) ~~s. 943.0435(2)~~, the
2241 service of an information or a complaint for a violation of this
2242 section, or an arraignment on charges for a violation of this
2243 section constitutes actual notice of the duty to register. A
2244 sexual offender's failure to immediately register as required by
2245 this section following such arrest, service, or arraignment
2246 constitutes grounds for a subsequent charge of failure to
2247 register. A sexual offender charged with the crime of failure to
2248 register who asserts, or intends to assert, a lack of notice of
2249 the duty to register as a defense to a charge of failure to
2250 register shall immediately register as required by this section.

16-00635B-22

20221932__

2251 A sexual offender who is charged with a subsequent failure to
2252 register may not assert the defense of a lack of notice of the
2253 duty to register.

2254 (13)

2255 (c) The sheriff's office may determine the appropriate
2256 times and days for reporting by the sexual offender, which must
2257 be consistent with the reporting requirements of this
2258 subsection. Reregistration must include any changes to the
2259 following information:

2260 1. Name; social security number; age; race; sex; date of
2261 birth; height; weight; tattoos or other identifying marks; hair
2262 and eye color; address of any permanent residence and address of
2263 any current temporary residence, within this ~~the~~ state or out of
2264 state, including a rural route address and a post office box; if
2265 no permanent or temporary address, any transient residence;
2266 address, location or description, and dates of any current or
2267 known future temporary residence within this ~~the~~ state or out of
2268 state; all electronic mail addresses and Internet identifiers
2269 required to be provided pursuant to s. 943.0435(5)(d) ~~s.~~
2270 ~~943.0435(4)(e)~~; all home telephone numbers and cellular
2271 telephone numbers required to be provided pursuant to s.
2272 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; employment information
2273 required to be provided pursuant to s. 943.0435(5)(d) ~~s.~~
2274 ~~943.0435(4)(e)~~; the make, model, color, vehicle identification
2275 number (VIN), and license tag number of all vehicles owned;
2276 fingerprints; palm prints; and photograph. A post office box may
2277 not be provided in lieu of a physical residential address. The
2278 sexual offender must ~~shall~~ also produce his or her passport, if
2279 he or she has a passport, and, if he or she is an alien, must

16-00635B-22

20221932__

2280 ~~shall~~ produce or provide information about documents
2281 establishing his or her immigration status. The sexual offender
2282 shall also provide information about any professional licenses
2283 he or she has.

2284 2. If the sexual offender is enrolled or employed, whether
2285 for compensation or as a volunteer, at an institution of higher
2286 education in this state, the sexual offender must ~~shall~~ also
2287 provide to the department the name, address, and county of each
2288 institution, including each campus attended, and the sexual
2289 offender's enrollment, volunteer, or employment status.

2290 3. If the sexual offender's place of residence is a motor
2291 vehicle, trailer, mobile home, or manufactured home, as defined
2292 in chapter 320, the sexual offender must ~~shall~~ also provide the
2293 vehicle identification number; the license tag number; the
2294 registration number; and a description, including color scheme,
2295 of the motor vehicle, trailer, mobile home, or manufactured
2296 home. If the sexual offender's place of residence is a vessel,
2297 live-aboard vessel, or houseboat, as defined in chapter 327, the
2298 sexual offender must ~~shall~~ also provide the hull identification
2299 number; the manufacturer's serial number; the name of the
2300 vessel, live-aboard vessel, or houseboat; the registration
2301 number; and a description, including color scheme, of the
2302 vessel, live-aboard vessel or houseboat.

2303 4. Any sexual offender who fails to report in person as
2304 required at the sheriff's office, who fails to respond to any
2305 address verification correspondence from the department within 3
2306 weeks of the date of the correspondence, who fails to report all
2307 electronic mail addresses or Internet identifiers before use, or
2308 who knowingly provides false registration information by act or

16-00635B-22

20221932__

2309 omission commits a felony of the third degree, punishable as
2310 provided in s. 775.082, s. 775.083, or s. 775.084.

2311 Section 10. Paragraph (a) of subsection (3) of section
2312 985.481, Florida Statutes, is amended to read:

2313 985.481 Sexual offenders adjudicated delinquent;
2314 notification upon release.—

2315 (3) (a) The department shall provide information regarding
2316 any sexual offender who is being released after serving a period
2317 of residential commitment under the department for any offense,
2318 as follows:

2319 1. The department shall provide the sexual offender's name,
2320 any change in the offender's name by reason of marriage or other
2321 legal process, and any alias, if known; the correctional
2322 facility from which the sexual offender is released; the sexual
2323 offender's social security number, race, sex, date of birth,
2324 height, weight, and hair and eye color; tattoos or other
2325 identifying marks; the make, model, color, vehicle
2326 identification number (VIN), and license tag number of all
2327 vehicles owned; address of any planned permanent residence or
2328 temporary residence, within this ~~the~~ state or out of state,
2329 including a rural route address and a post office box; if no
2330 permanent or temporary address, any transient residence within
2331 this ~~the~~ state; address, location or description, and dates of
2332 any known future temporary residence within this ~~the~~ state or
2333 out of state; date and county of disposition and each crime for
2334 which there was a disposition; a copy of the offender's
2335 fingerprints, palm prints, and a digitized photograph taken
2336 within 60 days before release; the date of release of the sexual
2337 offender; all home telephone numbers and cellular telephone

16-00635B-22

20221932__

2338 numbers required to be provided pursuant to s. 943.0435(5)(d) ~~s.~~
2339 ~~943.0435(4)(e)~~; all electronic mail addresses and Internet
2340 identifiers required to be provided pursuant to s.
2341 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; information about any
2342 professional licenses the offender has, if known; and passport
2343 information, if he or she has a passport, and, if he or she is
2344 an alien, information about documents establishing his or her
2345 immigration status. The department must ~~shall~~ notify the
2346 Department of Law Enforcement if the sexual offender escapes,
2347 absconds, or dies. If the sexual offender is in the custody of a
2348 private correctional facility, the facility must ~~shall~~ take the
2349 digitized photograph of the sexual offender within 60 days
2350 before the sexual offender's release and also place it in the
2351 sexual offender's file. If the sexual offender is in the custody
2352 of a local jail, the custodian of the local jail must ~~shall~~
2353 register the offender within 3 business days after intake of the
2354 offender for any reason and upon release, and must ~~shall~~ notify
2355 the Department of Law Enforcement of the sexual offender's
2356 release and provide to the Department of Law Enforcement the
2357 information specified in this subparagraph and any information
2358 specified in subparagraph 2. which the Department of Law
2359 Enforcement requests.

2360 2. The department may provide any other information
2361 considered necessary, including criminal and delinquency
2362 records, when available.

2363 Section 11. Paragraph (a) of subsection (4), subsection
2364 (9), paragraph (c) of subsection (10), and paragraph (b) of
2365 subsection (13) of section 985.4815, Florida Statutes, are
2366 amended to read:

16-00635B-22

20221932__

2367 985.4815 Notification to Department of Law Enforcement of
2368 information on juvenile sexual offenders.-

2369 (4) A sexual offender, as described in this section, who is
2370 under the supervision of the department but who is not committed
2371 shall register with the department within 3 business days after
2372 adjudication and disposition for a registrable offense and
2373 otherwise provide information as required by this subsection.

2374 (a) The sexual offender shall provide his or her name; date
2375 of birth; social security number; race; sex; height; weight;
2376 hair and eye color; tattoos or other identifying marks; the
2377 make, model, color, vehicle identification number (VIN), and
2378 license tag number of all vehicles owned; permanent or legal
2379 residence and address of temporary residence within this ~~the~~
2380 state or out of state while the sexual offender is in the care
2381 or custody or under the jurisdiction or supervision of the
2382 department in this state, including any rural route address or
2383 post office box; if no permanent or temporary address, any
2384 transient residence; address, location or description, and dates
2385 of any current or known future temporary residence within this
2386 ~~the~~ state or out of state; all home telephone numbers and
2387 cellular telephone numbers required to be provided pursuant to
2388 s. 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; all electronic mail
2389 addresses and Internet identifiers required to be provided
2390 pursuant to s. 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; and the name
2391 and address of each school attended. The sexual offender must
2392 ~~shall~~ also produce his or her passport, if he or she has a
2393 passport, and, if he or she is an alien, must ~~shall~~ produce or
2394 provide information about documents establishing his or her
2395 immigration status. The offender shall also provide information

16-00635B-22

20221932__

2396 about any professional licenses he or she has. The department
2397 shall verify the address of each sexual offender and shall
2398 report to the Department of Law Enforcement any failure by a
2399 sexual offender to comply with registration requirements.

2400 (9) A sexual offender, as described in this section, who is
2401 under the care, jurisdiction, or supervision of the department
2402 but who is not incarcerated shall, in addition to the
2403 registration requirements provided in subsection (4), register
2404 in the manner provided in s. 943.0435(2), (4), (5), (6), and (8)
2405 ~~s. 943.0435(3), (4), and (5)~~, unless the sexual offender is a
2406 sexual predator, in which case he or she shall register as
2407 required under s. 775.21. A sexual offender who fails to comply
2408 with the requirements of s. 943.0435 is subject to the penalties
2409 provided in s. 943.0435(13) ~~s. 943.0435(9)~~.

2410 (10)

2411 (c) An arrest on charges of failure to register when the
2412 offender has been provided and advised of his or her statutory
2413 obligations to register under s. 943.0435(4) ~~s. 943.0435(2)~~, the
2414 service of an information or a complaint for a violation of this
2415 section, or an arraignment on charges for a violation of this
2416 section constitutes actual notice of the duty to register. A
2417 sexual offender's failure to immediately register as required by
2418 this section following such arrest, service, or arraignment
2419 constitutes grounds for a subsequent charge of failure to
2420 register. A sexual offender charged with the crime of failure to
2421 register who asserts, or intends to assert, a lack of notice of
2422 the duty to register as a defense to a charge of failure to
2423 register shall immediately register as required by this section.
2424 A sexual offender who is charged with a subsequent failure to

16-00635B-22

20221932__

2425 register may not assert the defense of a lack of notice of the
2426 duty to register.

2427 (13)

2428 (b) The sheriff's office may determine the appropriate
2429 times and days for reporting by the sexual offender, which must
2430 be consistent with the reporting requirements of this
2431 subsection. Reregistration must include any changes to the
2432 following information:

2433 1. Name; social security number; age; race; sex; date of
2434 birth; height; weight; hair and eye color; tattoos or other
2435 identifying marks; fingerprints; palm prints; address of any
2436 permanent residence and address of any current temporary
2437 residence, within this ~~the~~ state or out of state, including a
2438 rural route address and a post office box; if no permanent or
2439 temporary address, any transient residence; address, location or
2440 description, and dates of any current or known future temporary
2441 residence within this ~~the~~ state or out of state; passport
2442 information, if he or she has a passport, and, if he or she is
2443 an alien, information about documents establishing his or her
2444 immigration status; all home telephone numbers and cellular
2445 telephone numbers required to be provided pursuant to s.
2446 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; all electronic mail addresses
2447 and Internet identifiers required to be provided pursuant to s.
2448 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; name and address of each
2449 school attended; employment information required to be provided
2450 pursuant to s. 943.0435(5)(d) ~~s. 943.0435(4)(e)~~; the make,
2451 model, color, vehicle identification number (VIN), and license
2452 tag number of all vehicles owned; and photograph. A post office
2453 box may not be provided in lieu of a physical residential

16-00635B-22

20221932__

2454 address. The offender shall also provide information about any
2455 professional licenses he or she has.

2456 2. If the sexual offender is enrolled or employed, whether
2457 for compensation or as a volunteer, at an institution of higher
2458 education in this state, the sexual offender shall also provide
2459 to the department the name, address, and county of each
2460 institution, including each campus attended, and the sexual
2461 offender's enrollment, volunteer, or employment status.

2462 3. If the sexual offender's place of residence is a motor
2463 vehicle, trailer, mobile home, or manufactured home, as defined
2464 in chapter 320, the sexual offender shall also provide the
2465 vehicle identification number; the license tag number; the
2466 registration number; and a description, including color scheme,
2467 of the motor vehicle, trailer, mobile home, or manufactured
2468 home. If the sexual offender's place of residence is a vessel,
2469 live-aboard vessel, or houseboat, as defined in chapter 327, the
2470 sexual offender shall also provide the hull identification
2471 number; the manufacturer's serial number; the name of the
2472 vessel, live-aboard vessel, or houseboat; the registration
2473 number; and a description, including color scheme, of the
2474 vessel, live-aboard vessel, or houseboat.

2475 4. Any sexual offender who fails to report in person as
2476 required at the sheriff's office, who fails to respond to any
2477 address verification correspondence from the department within 3
2478 weeks after the date of the correspondence, or who knowingly
2479 provides false registration information by act or omission
2480 commits a felony of the third degree, punishable as provided in
2481 ss. 775.082, 775.083, and 775.084.

2482 Section 12. For the purpose of incorporating the amendment

16-00635B-22

20221932__

2483 made by this act to section 775.21, Florida Statutes, in a
2484 reference thereto, paragraph (d) of subsection (1) of section
2485 944.606, Florida Statutes, is reenacted to read:

2486 944.606 Sexual offenders; notification upon release.—

2487 (1) As used in this section, the term:

2488 (d) "Permanent residence," "temporary residence," and
2489 "transient residence" have the same meaning as provided in s.
2490 775.21.

2491 Section 13. For the purpose of incorporating the amendment
2492 made by this act to section 775.21, Florida Statutes, in a
2493 reference thereto, paragraph (d) of subsection (1) of section
2494 985.481, Florida Statutes, is reenacted to read:

2495 985.481 Sexual offenders adjudicated delinquent;
2496 notification upon release.—

2497 (1) As used in this section:

2498 (d) "Permanent residence," "temporary residence," and
2499 "transient residence" have the same meaning as provided in s.
2500 775.21.

2501 Section 14. For the purpose of incorporating the amendment
2502 made by this act to section 775.21, Florida Statutes, in a
2503 reference thereto, paragraph (f) of subsection (1) of section
2504 985.4815, Florida Statutes, is reenacted to read:

2505 985.4815 Notification to Department of Law Enforcement of
2506 information on juvenile sexual offenders.—

2507 (1) As used in this section, the term:

2508 (f) "Permanent residence," "temporary residence," and
2509 "transient residence" have the same meaning as provided in s.
2510 775.21.

2511 Section 15. This act shall take effect October 1, 2022.