

1 A bill to be entitled
2 An act relating to sexual offenders; amending s.
3 775.21, F.S.; replacing the definition of the term
4 "instant message name" with the definition of the term
5 "Internet identifier"; providing that voluntary
6 disclosure of specified information waives a
7 disclosure exemption for such information; conforming
8 provisions; adding additional offenses to the list of
9 sexual predator qualifying offenses; requiring
10 disclosure of additional information during the sexual
11 predator registration process; requiring that a sexual
12 predator who is unable to secure or update a driver
13 license or identification card within a specified
14 period must report specified information to the local
15 sheriff's office within a specified period after such
16 change with confirmation that he or she also reported
17 such information to the Department of Highway Safety
18 and Motor Vehicles; revising reporting requirements if
19 a sexual predator plans to leave the United States for
20 more than a specified period; providing criminal
21 penalties for knowingly providing false registration
22 information by act or omission; amending s. 943.0435,
23 F.S.; adding additional offenses to the list of sexual
24 offender qualifying offenses; replacing the definition
25 of the term "instant message name" with the definition
26 of the term "Internet identifier"; conforming

27 provisions; requiring disclosure of additional sexual
28 offender registration information; requiring that a
29 sexual offender who is unable to secure or update a
30 driver license or identification card within a
31 specified period must report specified information to
32 the local sheriff's office within a specified period
33 of such change with confirmation that he or she also
34 reported such information to the Department of Highway
35 Safety and Motor Vehicles; providing additional
36 requirements for sexual offenders intending to reside
37 outside of the United States; tolling the registration
38 period during an offender's term of incarceration,
39 commitment to a residential program, civil commitment,
40 or detention pursuant to ch. 985, F.S.; providing
41 criminal penalties for knowingly providing false
42 registration information by act or omission; amending
43 s. 943.04354, F.S.; revising the criteria applicable
44 to provisions allowing removal of the requirement to
45 register as a sexual offender or sexual predator;
46 amending s. 943.0437, F.S.; replacing the term
47 "instant message name" with the term "Internet
48 identifier"; amending ss. 944.606 and 944.607, F.S.;
49 adding additional offenses to the list of sexual
50 offender qualifying offenses; replacing the definition
51 of the term "instant message name" with the definition
52 of the term "Internet identifier"; conforming

53 provisions; requiring disclosure of additional
54 registration information; providing criminal penalties
55 for knowingly providing false registration information
56 by act or omission; amending s. 948.31, F.S.;
57 authorizing the court to require sexual offenders and
58 sexual predators who are on probation or community
59 control to undergo an evaluation to determine whether
60 the offender or predator needs sexual offender
61 treatment; requiring the probationer or community
62 controllee to pay for the treatment; removing a
63 provision prohibiting contact with minors if sexual
64 offender treatment is recommended; amending ss.
65 985.481 and 985.4815, F.S.; requiring disclosure of
66 additional registration information by certain sexual
67 offenders adjudicated delinquent and certain juvenile
68 sexual offenders; providing criminal penalties for
69 knowingly providing false registration information by
70 act or omission; amending s. 921.0022, F.S.; updating
71 provisions of the offense severity ranking chart to
72 reflect prior changes in the law' conforming
73 provisions of the offense severity ranking chart to
74 changes made by the act; providing an effective date.

75
76 Be It Enacted by the Legislature of the State of Florida:
77

78 Section 1. Paragraph (i) of subsection (2), paragraph (a)

79 of subsection (4), paragraph (b) of subsection (5), subsections
 80 (6) and (8), and paragraph (a) of subsection (10) of section
 81 775.21, Florida Statutes, are amended to read:

82 775.21 The Florida Sexual Predators Act.—

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

84 (i) "Internet identifier ~~Instant message name~~" means all
 85 electronic mail, chat, instant messenger, social networking, or
 86 similar name used for Internet communication, but does not
 87 include a date of birth, social security number, or personal
 88 identification number (PIN). Voluntary disclosure by the sexual
 89 predator of his or her date of birth, social security number, or
 90 personal identification number (PIN) as an Internet identifier
 91 waives the disclosure exemption in this paragraph for such
 92 personal information ~~an identifier that allows a person to~~
 93 ~~communicate in real time with another person using the Internet.~~

94 (4) SEXUAL PREDATOR CRITERIA.—

95 (a) For a current offense committed on or after October 1,
 96 1993, upon conviction, an offender shall be designated as a
 97 "sexual predator" under subsection (5), and subject to
 98 registration under subsection (6) and community and public
 99 notification under subsection (7) if:

100 1. The felony is:

101 a. A capital, life, or first-degree felony violation, or
 102 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
 103 is a minor and the defendant is not the victim's parent or
 104 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a

105 violation of a similar law of another jurisdiction; or
 106 b. Any felony violation, or any attempt thereof, of s.
 107 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
 108 787.025(2)(c), where the victim is a minor and the defendant is
 109 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
 110 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
 111 796.03; s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025; ~~s.~~
 112 ~~825.1025(2)(b);~~ s. 827.071; s. 847.0135~~(5)~~, excluding s.
 113 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a
 114 violation of a similar law of another jurisdiction, and the
 115 offender has previously been convicted of or found to have
 116 committed, or has pled nolo contendere or guilty to, regardless
 117 of adjudication, any violation of s. 393.135(2); s. 394.4593(2);
 118 s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a
 119 minor and the defendant is not the victim's parent or guardian;
 120 s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
 121 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 122 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
 123 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a
 124 violation of a similar law of another jurisdiction;
 125 2. The offender has not received a pardon for any felony
 126 or similar law of another jurisdiction that is necessary for the
 127 operation of this paragraph; and
 128 3. A conviction of a felony or similar law of another
 129 jurisdiction necessary to the operation of this paragraph has
 130 not been set aside in any postconviction proceeding.

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

133 (b) If a sexual predator is not sentenced to a term of
 134 imprisonment, the clerk of the court shall ensure that the
 135 sexual predator's fingerprints are taken and forwarded to the
 136 department within 48 hours after the court renders its written
 137 sexual predator finding. The fingerprints shall be clearly
 138 marked, "Sexual Predator Registration." The clerk of the court
 139 that convicts and sentences the sexual predator for the offense
 140 or offenses described in subsection (4) shall forward to the
 141 department and to the Department of Corrections a certified copy
 142 of any order entered by the court imposing any special condition
 143 or restriction on the sexual predator that restricts or
 144 prohibits access to the victim, if the victim is a minor, or to
 145 other minors.

146 (6) REGISTRATION.—

147 (a) A sexual predator must register with the department
 148 through the sheriff's office by providing the following
 149 information to the department:

- 150 1. Name; social security number; age; race; sex; date of
 151 birth; height; weight; tattoos or other identifying marks; hair
 152 and eye color; photograph; address of legal residence and
 153 address of any current temporary residence, within the state or
 154 out of state, including a rural route address and a post office
 155 box; if no permanent or temporary address, any transient
 156 residence within the state; address, location or description,

157 and dates of any current or known future temporary residence
 158 within the state or out of state; all ~~any~~ electronic mail
 159 addresses ~~address~~ and all Internet identifiers ~~any instant~~
 160 ~~message name~~ required to be provided pursuant to subparagraph
 161 (g)4.; all home telephone numbers ~~number~~ and ~~any~~ cellular
 162 telephone numbers ~~number~~; date and place of any employment; the
 163 make, model, color, registration number, and license tag number
 164 of all vehicles owned; date and place of each conviction;
 165 fingerprints; palm prints; and a brief description of the crime
 166 or crimes committed by the offender. A post office box shall not
 167 be provided in lieu of a physical residential address. The
 168 sexual predator must also produce his or her passport, if he or
 169 she has a passport, and, if he or she is an alien, must produce
 170 or provide information about documents establishing his or her
 171 immigration status. The sexual predator must also provide
 172 information about any professional licenses that he or she may
 173 have.

174 a. If the sexual predator's place of residence is a motor
 175 vehicle, trailer, mobile home, or manufactured home, as defined
 176 in chapter 320, the sexual predator shall also provide to the
 177 department written notice of the vehicle identification number;
 178 the license tag number; the registration number; and a
 179 description, including color scheme, of the motor vehicle,
 180 trailer, mobile home, or manufactured home. If a sexual
 181 predator's place of residence is a vessel, live-aboard vessel,
 182 or houseboat, as defined in chapter 327, the sexual predator

183 shall also provide to the department written notice of the hull
184 identification number; the manufacturer's serial number; the
185 name of the vessel, live-aboard vessel, or houseboat; the
186 registration number; and a description, including color scheme,
187 of the vessel, live-aboard vessel, or houseboat.

188 b. If the sexual predator is enrolled, employed,
189 volunteering, or carrying on a vocation at an institution of
190 higher education in this state, the sexual predator shall also
191 provide to the department the name, address, and county of each
192 institution, including each campus attended, and the sexual
193 predator's enrollment, volunteer, or employment status. Each
194 change in enrollment, volunteer, or employment status shall be
195 reported in person at the sheriff's office, or the Department of
196 Corrections if the sexual predator is in the custody or control
197 of or under the supervision of the Department of Corrections,
198 within 48 hours after any change in status. The sheriff or the
199 Department of Corrections shall promptly notify each institution
200 of the sexual predator's presence and any change in the sexual
201 predator's enrollment, volunteer, or employment status.

202 2. Any other information determined necessary by the
203 department, including criminal and corrections records;
204 nonprivileged personnel and treatment records; and evidentiary
205 genetic markers when available.

206 (b) If the sexual predator is in the custody or control
207 of, or under the supervision of, the Department of Corrections,
208 or is in the custody of a private correctional facility, the

209 sexual predator must register with the Department of
210 Corrections. A sexual predator who is under the supervision of
211 the Department of Corrections but who is not incarcerated must
212 register with the Department of Corrections within 3 business
213 days after the court finds the offender to be a sexual predator.
214 The Department of Corrections shall provide to the department
215 registration information and the location of, and local
216 telephone number for, any Department of Corrections office that
217 is responsible for supervising the sexual predator. In addition,
218 the Department of Corrections shall notify the department if the
219 sexual predator escapes or absconds from custody or supervision
220 or if the sexual predator dies.

221 (c) If the sexual predator is in the custody of a local
222 jail, the custodian of the local jail shall register the sexual
223 predator within 3 business days after intake of the sexual
224 predator for any reason and upon release, and shall forward the
225 registration information to the department. The custodian of the
226 local jail shall also take a digitized photograph of the sexual
227 predator while the sexual predator remains in custody and shall
228 provide the digitized photograph to the department. The
229 custodian shall notify the department if the sexual predator
230 escapes from custody or dies.

231 (d) If the sexual predator is under federal supervision,
232 the federal agency responsible for supervising the sexual
233 predator may forward to the department any information regarding
234 the sexual predator which is consistent with the information

235 provided by the Department of Corrections under this section,
 236 and may indicate whether use of the information is restricted to
 237 law enforcement purposes only or may be used by the department
 238 for purposes of public notification.

239 (e)1. If the sexual predator is not in the custody or
 240 control of, or under the supervision of, the Department of
 241 Corrections or is not in the custody of a private correctional
 242 facility, the sexual predator shall register in person:

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

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

249 2. Any change in the sexual predator's permanent or
 250 temporary residence, name, ~~or any electronic mail addresses, or~~
 251 Internet identifiers ~~address and any instant message name~~
 252 required to be provided pursuant to subparagraph (g)4., after
 253 the sexual predator registers in person at the sheriff's office
 254 as provided in subparagraph 1., shall be accomplished in the
 255 manner provided in paragraphs (g), (i), and (j). When a sexual
 256 predator registers with the sheriff's office, the sheriff shall
 257 take a photograph, ~~and~~ a set of fingerprints, and palm prints of
 258 the predator and forward the photographs, palm prints, and
 259 fingerprints to the department, along with the information that
 260 the predator is required to provide pursuant to this section.

261 (f) Within 48 hours after the registration required under
262 paragraph (a) or paragraph (e), a sexual predator who is not
263 incarcerated and who resides in the community, including a
264 sexual predator under the supervision of the Department of
265 Corrections, shall register in person at a driver ~~driver's~~
266 license office of the Department of Highway Safety and Motor
267 Vehicles and shall present proof of registration. At the driver
268 ~~driver's~~ license office the sexual predator shall:

269 1. If otherwise qualified, secure a Florida driver
270 ~~driver's~~ license, renew a Florida driver ~~driver's~~ license, or
271 secure an identification card. The sexual predator shall
272 identify himself or herself as a sexual predator who is required
273 to comply with this section, provide his or her place of
274 permanent, temporary, or transient residence, including a rural
275 route address and a post office box, and submit to the taking of
276 a photograph for use in issuing a driver ~~driver's~~ license,
277 renewed license, or identification card, and for use by the
278 department in maintaining current records of sexual predators. A
279 post office box shall not be provided in lieu of a physical
280 residential address. If the sexual predator's place of residence
281 is a motor vehicle, trailer, mobile home, or manufactured home,
282 as defined in chapter 320, the sexual predator shall also
283 provide to the Department of Highway Safety and Motor Vehicles
284 the vehicle identification number; the license tag number; the
285 registration number; and a description, including color scheme,
286 of the motor vehicle, trailer, mobile home, or manufactured

287 home. If a sexual predator's place of residence is a vessel,
 288 live-aboard vessel, or houseboat, as defined in chapter 327, the
 289 sexual predator shall also provide to the Department of Highway
 290 Safety and Motor Vehicles the hull identification number; the
 291 manufacturer's serial number; the name of the vessel, live-
 292 aboard vessel, or houseboat; the registration number; and a
 293 description, including color scheme, of the vessel, live-aboard
 294 vessel, or houseboat.

295 2. Pay the costs assessed by the Department of Highway
 296 Safety and Motor Vehicles for issuing or renewing a driver
 297 ~~driver's~~ license or identification card as required by this
 298 section. The driver ~~driver's~~ license or identification card
 299 issued to the sexual predator must be in compliance with s.
 300 322.141(3).

301 3. Provide, upon request, any additional information
 302 necessary to confirm the identity of the sexual predator,
 303 including a set of fingerprints.

304 (g)1. Each time a sexual predator's driver ~~driver's~~
 305 license or identification card is subject to renewal, and,
 306 without regard to the status of the predator's driver ~~driver's~~
 307 license or identification card, within 48 hours after any change
 308 of the predator's residence or change in the predator's name by
 309 reason of marriage or other legal process, the predator shall
 310 report in person to a driver ~~driver's~~ license office and shall
 311 be subject to the requirements specified in paragraph (f). The
 312 Department of Highway Safety and Motor Vehicles shall forward to

313 the department and to the Department of Corrections all
 314 photographs and information provided by sexual predators.
 315 Notwithstanding the restrictions set forth in s. 322.142, the
 316 Department of Highway Safety and Motor Vehicles is authorized to
 317 release a reproduction of a color-photograph or digital-image
 318 license to the Department of Law Enforcement for purposes of
 319 public notification of sexual predators as provided in this
 320 section. A sexual predator who is unable to secure or update a
 321 driver license or identification card with the Department of
 322 Highway Safety and Motor Vehicles as provided in paragraph (f)
 323 and this paragraph must also report any change of the predator's
 324 residence or change in the predator's name by reason of marriage
 325 or other legal process within 48 hours after the change to the
 326 sheriff's office in the county where the predator resides or is
 327 located and provide confirmation that he or she reported such
 328 information to the Department of Highway Safety and Motor
 329 Vehicles.

330 2. A sexual predator who vacates a permanent, temporary,
 331 or transient residence and fails to establish or maintain
 332 another permanent, temporary, or transient residence shall,
 333 within 48 hours after vacating the permanent, temporary, or
 334 transient residence, report in person to the sheriff's office of
 335 the county in which he or she is located. The sexual predator
 336 shall specify the date upon which he or she intends to or did
 337 vacate such residence. The sexual predator must provide or
 338 update all of the registration information required under

339 paragraph (a). The sexual predator must provide an address for
 340 the residence or other place that he or she is or will be
 341 located during the time in which he or she fails to establish or
 342 maintain a permanent or temporary residence.

343 3. A sexual predator who remains at a permanent,
 344 temporary, or transient residence after reporting his or her
 345 intent to vacate such residence shall, within 48 hours after the
 346 date upon which the predator indicated he or she would or did
 347 vacate such residence, report in person to the sheriff's office
 348 to which he or she reported pursuant to subparagraph 2. for the
 349 purpose of reporting his or her address at such residence. When
 350 the sheriff receives the report, the sheriff shall promptly
 351 convey the information to the department. An offender who makes
 352 a report as required under subparagraph 2. but fails to make a
 353 report as required under this subparagraph commits a felony of
 354 the second degree, punishable as provided in s. 775.082, s.
 355 775.083, or s. 775.084.

356 4. A sexual predator must register all ~~any~~ electronic mail
 357 addresses and Internet identifiers ~~address or instant message~~
 358 ~~name~~ with the department before ~~prior to~~ using such electronic
 359 mail addresses and Internet identifiers ~~address or instant~~
 360 ~~message name on or after October 1, 2007~~. The department shall
 361 establish an online system through which sexual predators may
 362 securely access and update all electronic mail address and
 363 Internet identifier ~~instant message name~~ information.

364 (h) The department must notify the sheriff and the state

365 attorney of the county and, if applicable, the police chief of
 366 the municipality, where the sexual predator maintains a
 367 residence.

368 (i) A sexual predator who intends to establish a
 369 permanent, temporary, or transient residence in another state or
 370 jurisdiction other than the State of Florida shall report in
 371 person to the sheriff of the county of current residence within
 372 48 hours before the date he or she intends to leave this state
 373 to establish residence in another state or jurisdiction or
 374 within 21 days before his or her planned departure date if the
 375 intended residence of 5 days or more is outside of the United
 376 States. The sexual predator must provide to the sheriff the
 377 address, municipality, county, ~~and~~ state, and country of
 378 intended residence. The sheriff shall promptly provide to the
 379 department the information received from the sexual predator.
 380 The department shall notify the statewide law enforcement
 381 agency, or a comparable agency, in the intended state, ~~or~~
 382 jurisdiction, or country of residence of the sexual predator's
 383 intended residence. The failure of a sexual predator to provide
 384 his or her intended place of residence is punishable as provided
 385 in subsection (10).

386 (j) A sexual predator who indicates his or her intent to
 387 establish a permanent, temporary, or transient residence in
 388 another state, a ~~or~~ jurisdiction other than the State of
 389 Florida, or another country and later decides to remain in this
 390 state shall, within 48 hours after the date upon which the

391 sexual predator indicated he or she would leave this state,
 392 report in person to the sheriff to which the sexual predator
 393 reported the intended change of residence, and report his or her
 394 intent to remain in this state. If the sheriff is notified by
 395 the sexual predator that he or she intends to remain in this
 396 state, the sheriff shall promptly report this information to the
 397 department. A sexual predator who reports his or her intent to
 398 establish a permanent, temporary, or transient residence in
 399 another state, a ~~or~~ jurisdiction other than the State of
 400 Florida, or another country, but who remains in this state
 401 without reporting to the sheriff in the manner required by this
 402 paragraph, commits a felony of the second degree, punishable as
 403 provided in s. 775.082, s. 775.083, or s. 775.084.

404 (k)1. The department is responsible for the online
 405 maintenance of current information regarding each registered
 406 sexual predator. The department must maintain hotline access for
 407 state, local, and federal law enforcement agencies to obtain
 408 instantaneous locator file and offender characteristics
 409 information on all released registered sexual predators for
 410 purposes of monitoring, tracking, and prosecution. The
 411 photograph and fingerprints do not have to be stored in a
 412 computerized format.

413 2. The department's sexual predator registration list,
 414 containing the information described in subparagraph (a)1., is a
 415 public record. The department is authorized to disseminate this
 416 public information by any means deemed appropriate, including

417 | operating a toll-free telephone number for this purpose. When
 418 | the department provides information regarding a registered
 419 | sexual predator to the public, department personnel must advise
 420 | the person making the inquiry that positive identification of a
 421 | person believed to be a sexual predator cannot be established
 422 | unless a fingerprint comparison is made, and that it is illegal
 423 | to use public information regarding a registered sexual predator
 424 | to facilitate the commission of a crime.

425 | 3. The department shall adopt guidelines as necessary
 426 | regarding the registration of sexual predators and the
 427 | dissemination of information regarding sexual predators as
 428 | required by this section.

429 | (1) A sexual predator must maintain registration with the
 430 | department for the duration of his or her life, unless the
 431 | sexual predator has received a full pardon or has had a
 432 | conviction set aside in a postconviction proceeding for any
 433 | offense that met the criteria for the sexual predator
 434 | designation.

435 | (8) VERIFICATION.—The department and the Department of
 436 | Corrections shall implement a system for verifying the addresses
 437 | of sexual predators. The system must be consistent with the
 438 | provisions of the federal Adam Walsh Child Protection and Safety
 439 | Act of 2006 and any other federal standards applicable to such
 440 | verification or required to be met as a condition for the
 441 | receipt of federal funds by the state. The Department of
 442 | Corrections shall verify the addresses of sexual predators who

443 are not incarcerated but who reside in the community under the
 444 supervision of the Department of Corrections and shall report to
 445 the department any failure by a sexual predator to comply with
 446 registration requirements. County and local law enforcement
 447 agencies, in conjunction with the department, shall verify the
 448 addresses of sexual predators who are not under the care,
 449 custody, control, or supervision of the Department of
 450 Corrections. Local law enforcement agencies shall report to the
 451 department any failure by a sexual predator to comply with
 452 registration requirements.

453 (a) A sexual predator must report in person each year
 454 during the month of the sexual predator's birthday and during
 455 every third month thereafter to the sheriff's office in the
 456 county in which he or she resides or is otherwise located to
 457 reregister. The sheriff's office may determine the appropriate
 458 times and days for reporting by the sexual predator, which shall
 459 be consistent with the reporting requirements of this paragraph.
 460 Reregistration shall include any changes to the following
 461 information:

462 1. Name; social security number; age; race; sex; date of
 463 birth; height; weight; tattoos or other identifying marks; hair
 464 and eye color; address of any permanent residence and address of
 465 any current temporary residence, within the state or out of
 466 state, including a rural route address and a post office box; if
 467 no permanent or temporary address, any transient residence
 468 within the state; address, location or description, and dates of

469 any current or known future temporary residence within the state
470 or out of state; ~~any~~ electronic mail addresses or Internet
471 identifiers ~~address and any instant message name~~ required to be
472 provided pursuant to subparagraph (6)(g)4.; home telephone
473 numbers or number ~~and any~~ cellular telephone numbers ~~number~~;
474 date and place of any employment; the ~~vehicle~~ make, model,
475 color, registration number, and license tag number of any
476 vehicles owned; fingerprints; palm prints; and photograph. A
477 post office box shall not be provided in lieu of a physical
478 residential address. The sexual predator must also produce his
479 or her passport, if he or she has a passport, and, if he or she
480 is an alien, must produce or provide information about documents
481 establishing his or her immigration status. The sexual predator
482 must also provide information about any professional licenses
483 that he or she may have.

484 2. If the sexual predator is enrolled, employed,
485 volunteering, or carrying on a vocation at an institution of
486 higher education in this state, the sexual predator shall also
487 provide to the department the name, address, and county of each
488 institution, including each campus attended, and the sexual
489 predator's enrollment, volunteer, or employment status.

490 3. If the sexual predator's place of residence is a motor
491 vehicle, trailer, mobile home, or manufactured home, as defined
492 in chapter 320, the sexual predator shall also provide the
493 vehicle identification number; the license tag number; the
494 registration number; and a description, including color scheme,

495 of the motor vehicle, trailer, mobile home, or manufactured
 496 home. If the sexual predator's place of residence is a vessel,
 497 live-aboard vessel, or houseboat, as defined in chapter 327, the
 498 sexual predator shall also provide the hull identification
 499 number; the manufacturer's serial number; the name of the
 500 vessel, live-aboard vessel, or houseboat; the registration
 501 number; and a description, including color scheme, of the
 502 vessel, live-aboard vessel, or houseboat.

503 (b) The sheriff's office shall, within 2 working days,
 504 electronically submit and update all information provided by the
 505 sexual predator to the department in a manner prescribed by the
 506 department.

507 (10) PENALTIES.—

508 (a) Except as otherwise specifically provided, a sexual
 509 predator who fails to register; who fails, after registration,
 510 to maintain, acquire, or renew a driver ~~driver's~~ license or
 511 identification card; who fails to provide required location
 512 information, electronic mail address information before use,
 513 Internet identifier ~~instant message name~~ information before use,
 514 all home telephone numbers ~~number~~ and ~~any~~ cellular telephone
 515 numbers ~~number~~, or change-of-name information; who fails to make
 516 a required report in connection with vacating a permanent
 517 residence; who fails to reregister as required; who fails to
 518 respond to any address verification correspondence from the
 519 department within 3 weeks of the date of the correspondence; who
 520 knowingly provides false registration information by act or

521 omission; or who otherwise fails, by act or omission, to comply
 522 with the requirements of this section, commits a felony of the
 523 third degree, punishable as provided in s. 775.082, s. 775.083,
 524 or s. 775.084.

525 Section 2. Paragraphs (a) and (g) of subsection (1),
 526 subsection (2), paragraphs (a) and (d) of subsection (4),
 527 subsections (7), (8) and (11), and paragraphs (b) and (c) of
 528 subsection (14) of section 943.0435, Florida Statutes, are
 529 amended to read:

530 943.0435 Sexual offenders required to register with the
 531 department; penalty.—

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

533 (a)1. "Sexual offender" means a person who meets the
 534 criteria in sub-subparagraph a., sub-subparagraph b., sub-
 535 subparagraph c., or sub-subparagraph d., as follows:

536 a.(I) Has been convicted of committing, or attempting,
 537 soliciting, or conspiring to commit, any of the criminal
 538 offenses proscribed in the following statutes in this state or
 539 similar offenses in another jurisdiction: s. 393.135(2); s.
 540 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
 541 the victim is a minor and the defendant is not the victim's
 542 parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s.
 543 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
 544 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s.
 545 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
 546 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any

547 similar offense committed in this state which has been
 548 redesignated from a former statute number to one of those listed
 549 in this sub-sub-subparagraph; and

550 (II) Has been released on or after October 1, 1997, from
 551 the sanction imposed for any conviction of an offense described
 552 in sub-sub-subparagraph (I). For purposes of sub-sub-
 553 subparagraph (I), a sanction imposed in this state or in any
 554 other jurisdiction includes, but is not limited to, a fine,
 555 probation, community control, parole, conditional release,
 556 control release, or incarceration in a state prison, federal
 557 prison, private correctional facility, or local detention
 558 facility;

559 b. Establishes or maintains a residence in this state and
 560 who has not been designated as a sexual predator by a court of
 561 this state but who has been designated as a sexual predator, as
 562 a sexually violent predator, or by another sexual offender
 563 designation in another state or jurisdiction and was, as a
 564 result of such designation, subjected to registration or
 565 community or public notification, or both, or would be if the
 566 person were a resident of that state or jurisdiction, without
 567 regard to whether the person otherwise meets the criteria for
 568 registration as a sexual offender;

569 c. Establishes or maintains a residence in this state who
 570 is in the custody or control of, or under the supervision of,
 571 any other state or jurisdiction as a result of a conviction for
 572 committing, or attempting, soliciting, or conspiring to commit,

573 any of the criminal offenses proscribed in the following
 574 statutes or similar offense in another jurisdiction: s.
 575 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
 576 787.025(2)(c), where the victim is a minor and the defendant is
 577 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
 578 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
 579 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.
 580 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
 581 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.
 582 985.701(1); or any similar offense committed in this state which
 583 has been redesignated from a former statute number to one of
 584 those listed in this sub-subparagraph; or

585 d. On or after July 1, 2007, has been adjudicated
 586 delinquent for committing, or attempting, soliciting, or
 587 conspiring to commit, any of the criminal offenses proscribed in
 588 the following statutes in this state or similar offenses in
 589 another jurisdiction when the juvenile was 14 years of age or
 590 older at the time of the offense:

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

592 (II) Section 800.04(4)(b) where the victim is under 12
 593 years of age or where the court finds sexual activity by the use
 594 of force or coercion;

595 (III) Section 800.04(5)(c)1. where the court finds
 596 molestation involving unclothed genitals; or

597 (IV) Section 800.04(5)(d) where the court finds the use of
 598 force or coercion and unclothed genitals.

599 2. For all qualifying offenses listed in sub-subparagraph
 600 (1)(a)1.d., the court shall make a written finding of the age of
 601 the offender at the time of the offense.

602
 603 For each violation of a qualifying offense listed in this
 604 subsection, except for a violation of s. 794.011, the court
 605 shall make a written finding of the age of the victim at the
 606 time of the offense. For a violation of s. 800.04(4), the court
 607 shall also ~~additionally~~ make a written finding indicating
 608 whether ~~that~~ the offense involved ~~did or did not involve~~ sexual
 609 activity and indicating whether ~~that~~ the offense involved ~~did or~~
 610 ~~did not involve~~ force or coercion. For a violation of s.
 611 800.04(5), the court shall also ~~additionally~~ make a written
 612 finding that the offense did or did not involve unclothed
 613 genitals or genital area and that the offense did or did not
 614 involve the use of force or coercion.

615 (g) "Internet identifier ~~Instant message name~~" has the
 616 same meaning as provided in s. 775.21 ~~means an identifier that~~
 617 ~~allows a person to communicate in real time with another person~~
 618 ~~using the Internet.~~

619 (2) A sexual offender shall:

620 (a) Report in person at the sheriff's office:

621 1. In the county in which the offender establishes or
 622 maintains a permanent, temporary, or transient residence within
 623 48 hours after:

624 a. Establishing permanent, temporary, or transient

625 residence in this state; or

626 b. Being released from the custody, control, or
627 supervision of the Department of Corrections or from the custody
628 of a private correctional facility; or

629 2. In the county where he or she was convicted within 48
630 hours after being convicted for a qualifying offense for
631 registration under this section if the offender is not in the
632 custody or control of, or under the supervision of, the
633 Department of Corrections, or is not in the custody of a private
634 correctional facility.

635
636 Any change in the information required to be provided pursuant
637 to paragraph (b), including, but not limited to, any change in
638 the sexual offender's permanent, temporary, or transient
639 residence, name, ~~any~~ electronic mail addresses, or Internet
640 identifiers ~~address and any instant message name~~ required to be
641 provided pursuant to paragraph (4)(d), after the sexual offender
642 reports in person at the sheriff's office, shall be accomplished
643 in the manner provided in subsections (4), (7), and (8).

644 (b) Provide his or her name; date of birth; social
645 security number; race; sex; height; weight; hair and eye color;
646 tattoos or other identifying marks; fingerprints; palm prints;
647 photograph; occupation and place of employment; address of
648 permanent or legal residence or address of any current temporary
649 residence, within the state or out of state, including a rural
650 route address and a post office box; if no permanent or

651 temporary address, any transient residence within the state,
 652 address, location or description, and dates of any current or
 653 known future temporary residence within the state or out of
 654 state; the make, model, color, registration number, and license
 655 tag number of all vehicles owned; all home telephone numbers
 656 number and any cellular telephone numbers number; all any
 657 electronic mail addresses address and all Internet identifiers
 658 any instant message name required to be provided pursuant to
 659 paragraph (4) (d); date and place of each conviction; and a brief
 660 description of the crime or crimes committed by the offender. A
 661 post office box shall not be provided in lieu of a physical
 662 residential address. The sexual offender must also produce his
 663 or her passport, if he or she has a passport, and, if he or she
 664 is an alien, must produce or provide information about documents
 665 establishing his or her immigration status. The sexual offender
 666 must also provide information about any professional licenses
 667 that he or she may have.

668 1. If the sexual offender's place of residence is a motor
 669 vehicle, trailer, mobile home, or manufactured home, as defined
 670 in chapter 320, the sexual offender shall also provide to the
 671 department through the sheriff's office written notice of the
 672 vehicle identification number; the license tag number; the
 673 registration number; and a description, including color scheme,
 674 of the motor vehicle, trailer, mobile home, or manufactured
 675 home. If the sexual offender's place of residence is a vessel,
 676 live-aboard vessel, or houseboat, as defined in chapter 327, the

677 sexual offender shall also provide to the department written
678 notice of the hull identification number; the manufacturer's
679 serial number; the name of the vessel, live-aboard vessel, or
680 houseboat; the registration number; and a description, including
681 color scheme, of the vessel, live-aboard vessel, or houseboat.

682 2. If the sexual offender is enrolled, employed,
683 volunteering, or carrying on a vocation at an institution of
684 higher education in this state, the sexual offender shall also
685 provide to the department through the sheriff's office the name,
686 address, and county of each institution, including each campus
687 attended, and the sexual offender's enrollment, volunteer, or
688 employment status. Each change in enrollment, volunteer, or
689 employment status shall be reported in person at the sheriff's
690 office, within 48 hours after any change in status. The sheriff
691 shall promptly notify each institution of the sexual offender's
692 presence and any change in the sexual offender's enrollment,
693 volunteer, or employment status.

694 (c) Provide any other information determined necessary by
695 the department, including criminal and corrections records;
696 nonprivileged personnel and treatment records; and evidentiary
697 genetic markers, when available.

698 When a sexual offender reports at the sheriff's office, the
699 sheriff shall take a photograph, ~~and~~ a set of fingerprints, and
700 palm prints of the offender and forward the photographs, palm
701 prints, and fingerprints to the department, along with the
702 information provided by the sexual offender. The sheriff shall

703 promptly provide to the department the information received from
 704 the sexual offender.

705 (4) (a) Each time a sexual offender's driver ~~driver's~~
 706 license or identification card is subject to renewal, and,
 707 without regard to the status of the offender's driver ~~driver's~~
 708 license or identification card, within 48 hours after any change
 709 in the offender's permanent, temporary, or transient residence
 710 or change in the offender's name by reason of marriage or other
 711 legal process, the offender shall report in person to a driver
 712 ~~driver's~~ license office, and shall be subject to the
 713 requirements specified in subsection (3). The Department of
 714 Highway Safety and Motor Vehicles shall forward to the
 715 department all photographs and information provided by sexual
 716 offenders. Notwithstanding the restrictions set forth in s.
 717 322.142, the Department of Highway Safety and Motor Vehicles is
 718 authorized to release a reproduction of a color-photograph or
 719 digital-image license to the Department of Law Enforcement for
 720 purposes of public notification of sexual offenders as provided
 721 in this section and ss. 943.043 and 944.606. A sexual offender
 722 who is unable to secure or update a driver license or
 723 identification card with the Department of Highway Safety and
 724 Motor Vehicles as provided in subsection (3) and this subsection
 725 must also report any change in the sexual offender's permanent,
 726 temporary, or transient residence or change in the offender's
 727 name by reason of marriage or other legal process within 48
 728 hours after the change to the sheriff's office in the county

729 where the offender resides or is located and provide
 730 confirmation that he or she reported such information to the
 731 Department of Highway Safety and Motor Vehicles.

732 (d) A sexual offender must register all ~~any~~ electronic
 733 mail addresses and Internet identifiers ~~address or instant~~
 734 ~~message name~~ with the department before using such electronic
 735 mail addresses and Internet identifiers ~~address or instant~~
 736 ~~message name~~. The department shall establish an online system
 737 through which sexual offenders may securely access and update
 738 all electronic mail address and Internet identifier ~~instant~~
 739 ~~message name~~ information.

740 (7) A sexual offender who intends to establish a
 741 permanent, temporary, or transient residence in another state or
 742 jurisdiction other than the State of Florida shall report in
 743 person to the sheriff of the county of current residence within
 744 48 hours before the date he or she intends to leave this state
 745 to establish residence in another state or jurisdiction or
 746 within 21 days before his or her planned departure date if the
 747 intended residence of 5 days or more is outside of the United
 748 States. The notification must include the address, municipality,
 749 county, ~~and state,~~ and country of intended residence. The
 750 sheriff shall promptly provide to the department the information
 751 received from the sexual offender. The department shall notify
 752 the statewide law enforcement agency, or a comparable agency, in
 753 the intended state, ~~or jurisdiction,~~ or country of residence of
 754 the sexual offender's intended residence. The failure of a

755 sexual offender to provide his or her intended place of
 756 residence is punishable as provided in subsection (9).

757 (8) A sexual offender who indicates his or her intent to
 758 establish a permanent, temporary, or transient residence in
 759 another state, a ~~or~~ jurisdiction other than the State of
 760 Florida, or another country and later decides to remain in this
 761 state shall, within 48 hours after the date upon which the
 762 sexual offender indicated he or she would leave this state,
 763 report in person to the sheriff to which the sexual offender
 764 reported the intended change of permanent, temporary, or
 765 transient residence, and report his or her intent to remain in
 766 this state. The sheriff shall promptly report this information
 767 to the department. A sexual offender who reports his or her
 768 intent to establish a permanent, temporary, or transient
 769 residence in another state, a ~~or~~ jurisdiction other than the
 770 State of Florida, or another country but who remains in this
 771 state without reporting to the sheriff in the manner required by
 772 this subsection commits a felony of the second degree,
 773 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

774 (11) Except as provided in s. 943.04354, a sexual offender
 775 must maintain registration with the department for the duration
 776 of his or her life, unless the sexual offender has received a
 777 full pardon or has had a conviction set aside in a
 778 postconviction proceeding for any offense that meets the
 779 criteria for classifying the person as a sexual offender for
 780 purposes of registration. However, a sexual offender:

781 (a)1. Who has been lawfully released from confinement,
 782 supervision, or sanction, whichever is later, for at least 25
 783 years and has not been arrested for any felony or misdemeanor
 784 offense since release, provided that the sexual offender's
 785 requirement to register was not based upon an adult conviction:
 786 a. For a violation of s. 787.01 or s. 787.02;
 787 b. For a violation of s. 794.011, excluding s.
 788 794.011(10);
 789 c. For a violation of s. 800.04(4)(b) where the court
 790 finds the offense involved a victim under 12 years of age or
 791 sexual activity by the use of force or coercion;
 792 d. For a violation of s. 800.04(5)(b);
 793 e. For a violation of s. 800.04(5)c.2. where the court
 794 finds the offense involved unclothed genitals or genital area;
 795 f. For any attempt or conspiracy to commit any such
 796 offense; or
 797 g. For a violation of similar law of another jurisdiction,
 798
 799 may petition the criminal division of the circuit court of the
 800 circuit in which the sexual offender resides for the purpose of
 801 removing the requirement for registration as a sexual offender.
 802 2. The court may grant or deny relief if the offender
 803 demonstrates to the court that he or she has not been arrested
 804 for any crime since release; the requested relief complies with
 805 the provisions of the federal Adam Walsh Child Protection and
 806 Safety Act of 2006 and any other federal standards applicable to

807 the removal of registration requirements for a sexual offender
 808 or required to be met as a condition for the receipt of federal
 809 funds by the state; and the court is otherwise satisfied that
 810 the offender is not a current or potential threat to public
 811 safety. The state attorney in the circuit in which the petition
 812 is filed must be given notice of the petition at least 3 weeks
 813 before the hearing on the matter. The state attorney may present
 814 evidence in opposition to the requested relief or may otherwise
 815 demonstrate the reasons why the petition should be denied. If
 816 the court denies the petition, the court may set a future date
 817 at which the sexual offender may again petition the court for
 818 relief, subject to the standards for relief provided in this
 819 subsection.

820 3. The department shall remove an offender from
 821 classification as a sexual offender for purposes of registration
 822 if the offender provides to the department a certified copy of
 823 the court's written findings or order that indicates that the
 824 offender is no longer required to comply with the requirements
 825 for registration as a sexual offender.

826 4. For purposes of this paragraph:

827 a. The registration period of a sexual offender sentenced
 828 to a term of incarceration or committed to a residential program
 829 begins upon the offender's release from incarceration or
 830 commitment for the most recent conviction that required the
 831 offender to register.

832 b. A sexual offender's registration period is tolled during

833 any period in which the offender is incarcerated, civilly
 834 committed, detained pursuant to chapter 985, or commitment to a
 835 residential program.

836 (14)

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

839 1. Section 787.01 or s. 787.02 where the victim is a minor
 840 and the offender is not the victim's parent or guardian;

841 2. Section 794.011, excluding s. 794.011(10);

842 3. Section 800.04(4)(b) where the court finds the offense
 843 involved a victim under 12 years of age or sexual activity by
 844 the use of force or coercion;

845 4. Section 800.04(5)(b);

846 5. Section 800.04(5)(c)1. where the court finds
 847 molestation involving unclothed genitals or genital area;

848 6. Section 800.04(5)c.2. where the court finds molestation
 849 involving the use of force or coercion and unclothed genitals or
 850 genital area;

851 7. Section 800.04(5)(d) where the court finds the use of
 852 force or coercion and unclothed genitals or genital area;

853 8. Any attempt or conspiracy to commit such offense; ~~or~~

854 9. A violation of a similar law of another jurisdiction;
 855 or

856 10. A violation of a similar offense committed in this
 857 state which has been redesignated from a former statute number
 858 to one of those listed in this paragraph,

859
 860 must reregister each year during the month of the sexual
 861 offender's birthday and every third month thereafter.
 862 (c) The sheriff's office may determine the appropriate
 863 times and days for reporting by the sexual offender, which shall
 864 be consistent with the reporting requirements of this
 865 subsection. Reregistration shall include any changes to the
 866 following information:
 867 1. Name; social security number; age; race; sex; date of
 868 birth; height; weight; hair and eye color; address of any
 869 permanent residence and address of any current temporary
 870 residence, within the state or out of state, including a rural
 871 route address and a post office box; if no permanent or
 872 temporary address, any transient residence within the state;
 873 address, location or description, and dates of any current or
 874 known future temporary residence within the state or out of
 875 state; all any electronic mail addresses or Internet identifiers
 876 ~~address and any instant message name~~ required to be provided
 877 pursuant to paragraph (4) (d); home telephone numbers and ~~number~~
 878 ~~and any~~ cellular telephone numbers ~~number~~; date and place of any
 879 employment; ~~the vehicle~~ make, model, color, registration number,
 880 and license tag number of any vehicles owned; fingerprints; palm
 881 prints; and photograph. A post office box may ~~shall~~ not be
 882 provided in lieu of a physical residential address. The sexual
 883 offender must produce his or her passport, if he or she has a
 884 passport, and, if he or she is an alien, and must also produce

885 or provide information about documents establishing his or her
886 immigration status. The sexual offender must also provide
887 information about any professional licenses that he or she may
888 have.

889 2. If the sexual offender is enrolled, volunteering,
890 employed, or carrying on a vocation at an institution of higher
891 education in this state, the sexual offender shall also provide
892 to the department the name, address, and county of each
893 institution, including each campus attended, and the sexual
894 offender's enrollment, volunteer, or employment status.

895 3. If the sexual offender's place of residence is a motor
896 vehicle, trailer, mobile home, or manufactured home, as defined
897 in chapter 320, the sexual offender shall also provide the
898 vehicle identification number; the license tag number; the
899 registration number; and a description, including color scheme,
900 of the motor vehicle, trailer, mobile home, or manufactured
901 home. If the sexual offender's place of residence is a vessel,
902 live-aboard vessel, or houseboat, as defined in chapter 327, the
903 sexual offender shall also provide the hull identification
904 number; the manufacturer's serial number; the name of the
905 vessel, live-aboard vessel, or houseboat; the registration
906 number; and a description, including color scheme, of the
907 vessel, live-aboard vessel or houseboat.

908 4. Any sexual offender who fails to report in person as
909 required at the sheriff's office, ~~or~~ who fails to respond to any
910 address verification correspondence from the department within 3

911 weeks of the date of the correspondence, ~~or~~ who fails to report
 912 all electronic mail addresses and all Internet identifiers
 913 before use ~~or instant message names,~~ or who knowingly provides
 914 false registration information by act or omission commits a
 915 felony of the third degree, punishable as provided in s.
 916 775.082, s. 775.083, or s. 775.084.

917 Section 3. Section 943.04354, Florida Statutes, is amended
 918 to read:

919 943.04354 Removal of the requirement to register as a
 920 sexual offender or sexual predator in special circumstances.—

921 (1) For purposes of this section, a person shall be
 922 considered for removal of the requirement to register as a
 923 sexual offender or sexual predator only if the person:

924 (a) Was ~~or will be~~ convicted, regardless of adjudication,
 925 or adjudicated delinquent of a violation of s. 794.011, s.
 926 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in
 927 another jurisdiction, ~~or the person committed a violation of s.~~
 928 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~
 929 ~~adjudication of guilt was or will be withheld,~~ and the person
 930 does not have any other conviction, regardless of adjudication,
 931 or adjudication of delinquency, ~~or withhold of adjudication of~~
 932 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or
 933 s. 847.0135(5), or a similar offense in another jurisdiction;

934 (b) 1. Was convicted, regardless of adjudication, or
 935 adjudicated delinquent of an offense listed in paragraph (a) and
 936 is required to register as a sexual offender or sexual predator

937 solely on the basis of this conviction or adjudication
 938 violation; or and

939 2. Was convicted, regardless of adjudication, or
 940 adjudicated delinquent of an offense in another jurisdiction
 941 that is similar to an offense listed in paragraph (a) and no
 942 longer meets the criteria for registration as a sexual offender
 943 or sexual predator under the laws of the jurisdiction where the
 944 similar offense occurred; and

945 (c) Is not more than 4 years older than the victim of this
 946 violation who was 13 ~~14~~ years of age or older but less ~~not more~~
 947 than 18 ~~17~~ years of age at the time the person committed this
 948 violation.

949 (2) If a person meets the criteria in subsection (1) ~~and~~
 950 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
 951 ~~847.0135(5) was committed on or after July 1, 2007,~~ the person
 952 may move the criminal court of the circuit in which the offense
 953 occurred or the sentencing court or, for persons convicted or
 954 adjudicated delinquent of a qualifying offense in another
 955 jurisdiction, the criminal circuit court of the circuit in which
 956 the person resides ~~court that will sentence or dispose of this~~
 957 ~~violation~~ to remove the requirement that the person register as
 958 a sexual offender or sexual predator. The person must allege in
 959 the motion that he or she meets the criteria in subsection (1)
 960 and that removal of the registration requirement will not
 961 conflict with federal law. Persons convicted or adjudicated
 962 delinquent of an offense in another jurisdiction that is similar

963 to an offense listed in paragraph (1)(a) must provide the court
 964 written confirmation that he or she is not required to register
 965 in the state where the conviction or adjudication occurred. The
 966 state attorney and the department must be given notice of the
 967 motion at least 21 days before the date of sentencing, ~~or~~
 968 disposition of the this violation, or hearing on the motion and
 969 may present evidence in opposition to the requested relief or
 970 may otherwise demonstrate why the motion should be denied. At
 971 sentencing, ~~or~~ disposition of the this violation, or hearing on
 972 the motion, the court shall rule on this motion and, if the
 973 court determines the person meets the criteria in subsection (1)
 974 and the removal of the registration requirement will not
 975 conflict with federal law, it may grant the motion and order the
 976 removal of the registration requirement. The court shall
 977 instruct the person to provide the department a certified copy
 978 of the order granting relief. If the court denies the motion,
 979 the person is not authorized under this section to file another
 980 motion ~~petition~~ for removal of the registration requirement.

- 981 ~~(3)(a) This subsection applies to a person who:~~
- 982 ~~1. Is not a person described in subsection (2) because the~~
 983 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
 984 ~~committed on or after July 1, 2007;~~
 - 985 ~~2. Is subject to registration as a sexual offender or~~
 986 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
 987 ~~827.071; and~~
 - 988 ~~3. Meets the criteria in subsection (1).~~

989 ~~(b) A person may petition the court in which the sentence~~
 990 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~
 991 ~~827.071 occurred for removal of the requirement to register as a~~
 992 ~~sexual offender or sexual predator. The person must allege in~~
 993 ~~the petition that he or she meets the criteria in subsection (1)~~
 994 ~~and removal of the registration requirement will not conflict~~
 995 ~~with federal law. The state attorney must be given notice of the~~
 996 ~~petition at least 21 days before the hearing on the petition and~~
 997 ~~may present evidence in opposition to the requested relief or~~
 998 ~~may otherwise demonstrate why the petition should be denied. The~~
 999 ~~court shall rule on the petition and, if the court determines~~
 1000 ~~the person meets the criteria in subsection (1) and removal of~~
 1001 ~~the registration requirement will not conflict with federal law,~~
 1002 ~~it may grant the petition and order the removal of the~~
 1003 ~~registration requirement. If the court denies the petition, the~~
 1004 ~~person is not authorized under this section to file any further~~
 1005 ~~petition for removal of the registration requirement.~~

1006 (3)-(4) If a person provides to the Department of Law
 1007 Enforcement a certified copy of the court's order removing the
 1008 requirement that the person register as a sexual offender or
 1009 sexual predator for the violation of s. 794.011, s. 800.04, s.
 1010 827.071, or s. 847.0135(5), or a similar offense in another
 1011 jurisdiction, the registration requirement will not apply to the
 1012 person and the department shall remove all information about the
 1013 person from the public registry of sexual offenders and sexual
 1014 predators maintained by the department. However, the removal of

1015 | this information from the public registry does not mean that the
 1016 | public is denied access to information about the person's
 1017 | criminal history or record that is otherwise available as a
 1018 | public record.

1019 | Section 4. Subsection (2) and paragraph (a) of subsection
 1020 | (3) of section 943.0437, Florida Statutes, are amended to read:

1021 | 943.0437 Commercial social networking websites.—

1022 | (2) The department may provide information relating to
 1023 | electronic mail addresses and Internet identifiers ~~instant~~
 1024 | ~~message names~~ maintained as part of the sexual offender registry
 1025 | to commercial social networking websites or third parties
 1026 | designated by commercial social networking websites. The
 1027 | commercial social networking website may use this information
 1028 | for the purpose of comparing registered users and screening
 1029 | potential users of the commercial social networking website
 1030 | against the list of electronic mail addresses and Internet
 1031 | identifiers ~~instant message names~~ provided by the department.

1032 | (3) This section shall not be construed to impose any
 1033 | civil liability on a commercial social networking website for:

1034 | (a) Any action voluntarily taken in good faith to remove
 1035 | or disable any profile of a registered user associated with an
 1036 | electronic mail address or Internet identifier ~~instant message~~
 1037 | ~~name~~ contained in the sexual offender registry.

1038 | Section 5. Paragraphs (b) and (d) of subsection (1) and
 1039 | paragraph (a) of subsection (3) of section 944.606, Florida
 1040 | Statutes, are amended to read:

1041 944.606 Sexual offenders; notification upon release.—
 1042 (1) As used in this section:
 1043 (b) "Sexual offender" means a person who has been
 1044 convicted of committing, or attempting, soliciting, or
 1045 conspiring to commit, any of the criminal offenses proscribed in
 1046 the following statutes in this state or similar offenses in
 1047 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1048 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 1049 the defendant is not the victim's parent or guardian; s.
 1050 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
 1051 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 1052 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
 1053 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
 1054 916.1075(2); or s. 985.701(1); or any similar offense committed
 1055 in this state which has been redesignated from a former statute
 1056 number to one of those listed in this subsection, when the
 1057 department has received verified information regarding such
 1058 conviction; an offender's computerized criminal history record
 1059 is not, in and of itself, verified information.
 1060 (d) "Internet identifier ~~Instant message name~~" has the
 1061 same meaning as provided in s. 775.21 ~~means an identifier that~~
 1062 ~~allows a person to communicate in real time with another person~~
 1063 ~~using the Internet.~~
 1064 (3)(a) The department must provide information regarding
 1065 any sexual offender who is being released after serving a period
 1066 of incarceration for any offense, as follows:

1067 1. The department must provide: the sexual offender's
 1068 name, any change in the offender's name by reason of marriage or
 1069 other legal process, and any alias, if known; the correctional
 1070 facility from which the sexual offender is released; the sexual
 1071 offender's social security number, race, sex, date of birth,
 1072 height, weight, and hair and eye color; address of any planned
 1073 permanent residence or temporary residence, within the state or
 1074 out of state, including a rural route address and a post office
 1075 box; if no permanent or temporary address, any transient
 1076 residence within the state; address, location or description,
 1077 and dates of any known future temporary residence within the
 1078 state or out of state; date and county of sentence and each
 1079 crime for which the offender was sentenced; a copy of the
 1080 offender's fingerprints, palm prints, and a digitized photograph
 1081 taken within 60 days before release; the date of release of the
 1082 sexual offender; all any electronic mail addresses ~~address~~ and
 1083 all Internet identifiers ~~any instant message name~~ required to be
 1084 provided pursuant to s. 943.0435(4)(d); all and home telephone
 1085 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
 1086 about any professional licenses the offender may have, if known;
 1087 and passport information, if he or she has a passport, and, if
 1088 he or she is an alien, information about documents establishing
 1089 his or her immigration status ~~number~~. The department shall
 1090 notify the Department of Law Enforcement if the sexual offender
 1091 escapes, absconds, or dies. If the sexual offender is in the
 1092 custody of a private correctional facility, the facility shall

1093 take the digitized photograph of the sexual offender within 60
 1094 days before the sexual offender's release and provide this
 1095 photograph to the Department of Corrections and also place it in
 1096 the sexual offender's file. If the sexual offender is in the
 1097 custody of a local jail, the custodian of the local jail shall
 1098 register the offender within 3 business days after intake of the
 1099 offender for any reason and upon release, and shall notify the
 1100 Department of Law Enforcement of the sexual offender's release
 1101 and provide to the Department of Law Enforcement the information
 1102 specified in this paragraph and any information specified in
 1103 subparagraph 2. that the Department of Law Enforcement requests.

1104 2. The department may provide any other information deemed
 1105 necessary, including criminal and corrections records,
 1106 nonprivileged personnel and treatment records, when available.

1107 Section 6. Paragraphs (a) and (f) of subsection (1),
 1108 subsection (4), and paragraphs (b) and (c) of subsection (13) of
 1109 section 944.607, Florida Statutes, are amended to read:

1110 944.607 Notification to Department of Law Enforcement of
 1111 information on sexual offenders.—

1112 (1) As used in this section, the term:

1113 (a) "Sexual offender" means a person who is in the custody
 1114 or control of, or under the supervision of, the department or is
 1115 in the custody of a private correctional facility:

1116 1. On or after October 1, 1997, as a result of a
 1117 conviction for committing, or attempting, soliciting, or
 1118 conspiring to commit, any of the criminal offenses proscribed in

1119 the following statutes in this state or similar offenses in
 1120 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
 1121 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
 1122 the defendant is not the victim's parent or guardian; s.
 1123 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
 1124 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
 1125 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,
 1126 excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
 1127 s. 916.1075(2); or s. 985.701(1); or any similar offense
 1128 committed in this state which has been redesignated from a
 1129 former statute number to one of those listed in this paragraph;
 1130 or

1131 2. Who establishes or maintains a residence in this state
 1132 and who has not been designated as a sexual predator by a court
 1133 of this state but who has been designated as a sexual predator,
 1134 as a sexually violent predator, or by another sexual offender
 1135 designation in another state or jurisdiction and was, as a
 1136 result of such designation, subjected to registration or
 1137 community or public notification, or both, or would be if the
 1138 person were a resident of that state or jurisdiction, without
 1139 regard as to whether the person otherwise meets the criteria for
 1140 registration as a sexual offender.

1141 (f) "Internet identifier ~~Instant message name~~" has the
 1142 same meaning as provided in s. 775.21 ~~means an identifier that~~
 1143 ~~allows a person to communicate in real time with another person~~
 1144 ~~using the Internet.~~

1145 (4) A sexual offender, as described in this section, who
 1146 is under the supervision of the Department of Corrections but is
 1147 not incarcerated must register with the Department of
 1148 Corrections within 3 business days after sentencing for a
 1149 registrable offense and otherwise provide information as
 1150 required by this subsection.

1151 (a) The sexual offender shall provide his or her name;
 1152 date of birth; social security number; race; sex; height;
 1153 weight; hair and eye color; tattoos or other identifying marks;
 1154 all any electronic mail addresses address and all Internet
 1155 identifiers any instant message name required to be provided
 1156 pursuant to s. 943.0435(4)(d); all home telephone numbers and
 1157 cellular telephone numbers; the make, model, color, registration
 1158 number, and license tag number of all vehicles owned; permanent
 1159 or legal residence and address of temporary residence within the
 1160 state or out of state while the sexual offender is under
 1161 supervision in this state, including any rural route address or
 1162 post office box; if no permanent or temporary address, any
 1163 transient residence within the state; and address, location or
 1164 description, and dates of any current or known future temporary
 1165 residence within the state or out of state. The sexual offender
 1166 must also produce his or her passport, if he or she has a
 1167 passport, and, if he or she is an alien, must produce or provide
 1168 information about documents establishing his or her immigration
 1169 status. The sexual offender must also provide information about
 1170 any professional licenses that he or she may have. The

1171 Department of Corrections shall verify the address of each
 1172 sexual offender in the manner described in ss. 775.21 and
 1173 943.0435. The department shall report to the Department of Law
 1174 Enforcement any failure by a sexual predator or sexual offender
 1175 to comply with registration requirements.

1176 (b) If the sexual offender is enrolled, employed,
 1177 volunteering, or carrying on a vocation at an institution of
 1178 higher education in this state, the sexual offender shall
 1179 provide the name, address, and county of each institution,
 1180 including each campus attended, and the sexual offender's
 1181 enrollment, volunteer, or employment status. Each change in
 1182 enrollment, volunteer, or employment status shall be reported to
 1183 the department within 48 hours after the change in status. The
 1184 Department of Corrections shall promptly notify each institution
 1185 of the sexual offender's presence and any change in the sexual
 1186 offender's enrollment, volunteer, or employment status.

1187 (13)

1188 (b) However, a sexual offender who is required to register
 1189 as a result of a conviction for:

- 1190 1. Section 787.01 or s. 787.02 where the victim is a minor
- 1191 and the offender is not the victim's parent or guardian;
- 1192 2. Section 794.011, excluding s. 794.011(10);
- 1193 3. Section 800.04(4)(b) where the victim is under 12 years
- 1194 of age or where the court finds sexual activity by the use of
- 1195 force or coercion;
- 1196 4. Section 800.04(5)(b);

1197 5. Section 800.04(5)(c)1. where the court finds
 1198 molestation involving unclothed genitals or genital area;
 1199 6. Section 800.04(5)c.2. where the court finds molestation
 1200 involving the use of force or coercion and unclothed genitals or
 1201 genital area;
 1202 7. Section 800.04(5)(d) where the court finds the use of
 1203 force or coercion and unclothed genitals or genital area;
 1204 8. Any attempt or conspiracy to commit such offense; ~~or~~
 1205 9. A violation of a similar law of another jurisdiction;
 1206 or
 1207 10. A violation of a similar offense committed in this
 1208 state which has been redesignated from a former statute number
 1209 to one of those listed in this paragraph,
 1210
 1211 must reregister each year during the month of the sexual
 1212 offender's birthday and every third month thereafter.
 1213 (c) The sheriff's office may determine the appropriate
 1214 times and days for reporting by the sexual offender, which shall
 1215 be consistent with the reporting requirements of this
 1216 subsection. Reregistration shall include any changes to the
 1217 following information:
 1218 1. Name; social security number; age; race; sex; date of
 1219 birth; height; weight; hair and eye color; address of any
 1220 permanent residence and address of any current temporary
 1221 residence, within the state or out of state, including a rural
 1222 route address and a post office box; if no permanent or

1223 temporary address, any transient residence; address, location or
 1224 description, and dates of any current or known future temporary
 1225 residence within the state or out of state; all ~~any~~ electronic
 1226 mail addresses or Internet identifiers ~~address and any instant~~
 1227 ~~message name~~ required to be provided pursuant to s.
 1228 943.0435(4) (d); home telephone numbers and cellular telephone
 1229 numbers; date and place of any employment; the ~~vehicle~~ make,
 1230 model, color, registration number, and license tag number of any
 1231 vehicles owned; fingerprints; palm prints; and photograph. A
 1232 post office box shall not be provided in lieu of a physical
 1233 residential address. The sexual offender must also produce his
 1234 or her passport, if he or she has a passport, and, if he or she
 1235 is an alien, must produce or provide information about documents
 1236 establishing his or her immigration status. The sexual offender
 1237 must also provide information about any professional licenses
 1238 that he or she may have.

1239 2. If the sexual offender is enrolled, employed,
 1240 volunteering, or carrying on a vocation at an institution of
 1241 higher education in this state, the sexual offender shall also
 1242 provide to the department the name, address, and county of each
 1243 institution, including each campus attended, and the sexual
 1244 offender's enrollment, volunteer, or employment status.

1245 3. If the sexual offender's place of residence is a motor
 1246 vehicle, trailer, mobile home, or manufactured home, as defined
 1247 in chapter 320, the sexual offender shall also provide the
 1248 vehicle identification number; the license tag number; the

1249 registration number; and a description, including color scheme,
 1250 of the motor vehicle, trailer, mobile home, or manufactured
 1251 home. If the sexual offender's place of residence is a vessel,
 1252 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1253 sexual offender shall also provide the hull identification
 1254 number; the manufacturer's serial number; the name of the
 1255 vessel, live-aboard vessel, or houseboat; the registration
 1256 number; and a description, including color scheme, of the
 1257 vessel, live-aboard vessel or houseboat.

1258 4. Any sexual offender who fails to report in person as
 1259 required at the sheriff's office, ~~or~~ who fails to respond to any
 1260 address verification correspondence from the department within 3
 1261 weeks of the date of the correspondence, ~~or~~ who fails to report
 1262 all electronic mail addresses or Internet identifiers before use
 1263 ~~or instant message names, or who knowingly provides false~~
 1264 registration information by act or omission commits a felony of
 1265 the third degree, punishable as provided in s. 775.082, s.
 1266 775.083, or s. 775.084.

1267 Section 7. Section 948.31, Florida Statutes, is amended to
 1268 read:

1269 948.31 Evaluation and treatment of sexual predators and
 1270 offenders on probation or community control.—The court may ~~shall~~
 1271 ~~require an evaluation by a qualified practitioner to determine~~
 1272 ~~the need of a probationer or community controllee for treatment.~~
 1273 ~~If the court determines that a need therefor is established by~~
 1274 ~~the evaluation process, the court shall require sexual offender~~

1275 ~~treatment as a term or condition of probation or community~~
 1276 ~~control for any~~ probationer or community controllee ~~person~~ who
 1277 is required to register as a sexual predator under s. 775.21 or
 1278 sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to
 1279 undergo an evaluation, at the probationer or community
 1280 controllee's expense, by a qualified practitioner to determine
 1281 whether such person needs sexual offender treatment. If the
 1282 qualified practitioner determines that sexual offender treatment
 1283 is needed and recommends treatment, the probationer or community
 1284 controllee must successfully complete and pay for the treatment.
 1285 Such treatment must ~~shall be required to~~ be obtained from a
 1286 qualified practitioner as defined in s. 948.001. Treatment may
 1287 not be administered by a qualified practitioner who has been
 1288 convicted or adjudicated delinquent of committing, or
 1289 attempting, soliciting, or conspiring to commit, any offense
 1290 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~
 1291 ~~impose a restriction against contact with minors if sexual~~
 1292 ~~offender treatment is recommended. The evaluation and~~
 1293 ~~recommendations for treatment of the probationer or community~~
 1294 ~~controllee shall be provided to the court for review.~~

1295 Section 8. Paragraph (a) of subsection (3) of section
 1296 985.481, Florida Statutes, is amended to read:

1297 985.481 Sexual offenders adjudicated delinquent;
 1298 notification upon release.—

1299 (3) (a) The department must provide information regarding
 1300 any sexual offender who is being released after serving a period

1301 of residential commitment under the department for any offense,
 1302 as follows:

1303 1. The department must provide the sexual offender's name,
 1304 any change in the offender's name by reason of marriage or other
 1305 legal process, and any alias, if known; the correctional
 1306 facility from which the sexual offender is released; the sexual
 1307 offender's social security number, race, sex, date of birth,
 1308 height, weight, and hair and eye color; the make, model, color,
 1309 registration number, and license tag number of all vehicles
 1310 owned, if known; address of any planned permanent residence or
 1311 temporary residence, within the state or out of state, including
 1312 a rural route address and a post office box; if no permanent or
 1313 temporary address, any transient residence within the state;
 1314 address, location or description, and dates of any known future
 1315 temporary residence within the state or out of state; date and
 1316 county of disposition and each crime for which there was a
 1317 disposition; a copy of the offender's fingerprints and a
 1318 digitized photograph taken within 60 days before release; the
 1319 date of release of the sexual offender; all ~~and~~ home telephone
 1320 numbers ~~number~~ and ~~any~~ cellular telephone numbers; information
 1321 about any professional licenses the offender may have, if known;
 1322 and passport information, if he or she has a passport, and, if
 1323 he or she is an alien, information about documents establishing
 1324 his or her immigration status ~~number~~. The department shall
 1325 notify the Department of Law Enforcement if the sexual offender
 1326 escapes, absconds, or dies. If the sexual offender is in the

1327 custody of a private correctional facility, the facility shall
 1328 take the digitized photograph of the sexual offender within 60
 1329 days before the sexual offender's release and also place it in
 1330 the sexual offender's file. If the sexual offender is in the
 1331 custody of a local jail, the custodian of the local jail shall
 1332 register the offender within 3 business days after intake of the
 1333 offender for any reason and upon release, and shall notify the
 1334 Department of Law Enforcement of the sexual offender's release
 1335 and provide to the Department of Law Enforcement the information
 1336 specified in this subparagraph and any information specified in
 1337 subparagraph 2. which the Department of Law Enforcement
 1338 requests.

1339 2. The department may provide any other information
 1340 considered necessary, including criminal and delinquency
 1341 records, when available.

1342 Section 9. Subsection (4) and paragraph (b) of subsection
 1343 (13) of section 985.4815, Florida Statutes, are amended to read:
 1344 985.4815 Notification to Department of Law Enforcement of
 1345 information on juvenile sexual offenders.—

1346 (4) A sexual offender, as described in this section, who
 1347 is under the supervision of the department but who is not
 1348 committed must register with the department within 3 business
 1349 days after adjudication and disposition for a registrable
 1350 offense and otherwise provide information as required by this
 1351 subsection.

1352 (a) The sexual offender shall provide his or her name;
 1353 date of birth; social security number; race; sex; height;
 1354 weight; hair and eye color; tattoos or other identifying marks;
 1355 the make, model, color, registration number, and license tag
 1356 number of all vehicles owned; permanent or legal residence and
 1357 address of temporary residence within the state or out of state
 1358 while the sexual offender is in the care or custody or under the
 1359 jurisdiction or supervision of the department in this state,
 1360 including any rural route address or post office box; if no
 1361 permanent or temporary address, any transient residence;
 1362 address, location or description, and dates of any current or
 1363 known future temporary residence within the state or out of
 1364 state; and the name and address of each school attended. The
 1365 sexual offender must also produce his or her passport, if he or
 1366 she has a passport, and, if he or she is an alien, must produce
 1367 or provide information about documents establishing his or her
 1368 immigration status. The offender must also provide information
 1369 about any professional licenses that he or she may have. The
 1370 department shall verify the address of each sexual offender and
 1371 shall report to the Department of Law Enforcement any failure by
 1372 a sexual offender to comply with registration requirements.

1373 (b) If the sexual offender is enrolled, employed,
 1374 volunteering, or carrying on a vocation at an institution of
 1375 higher education in this state, the sexual offender shall
 1376 provide the name, address, and county of each institution,
 1377 including each campus attended, and the sexual offender's

1378 enrollment, volunteer, or employment status. Each change in
 1379 enrollment, volunteer, or employment status shall be reported to
 1380 the department within 48 hours after the change in status. The
 1381 department shall promptly notify each institution of the sexual
 1382 offender's presence and any change in the sexual offender's
 1383 enrollment, volunteer, or employment status.

1384 (13)

1385 (b) The sheriff's office may determine the appropriate
 1386 times and days for reporting by the sexual offender, which shall
 1387 be consistent with the reporting requirements of this
 1388 subsection. Reregistration shall include any changes to the
 1389 following information:

1390 1. Name; social security number; age; race; sex; date of
 1391 birth; height; weight; hair and eye color; fingerprints; palm
 1392 prints; address of any permanent residence and address of any
 1393 current temporary residence, within the state or out of state,
 1394 including a rural route address and a post office box; if no
 1395 permanent or temporary address, any transient residence;
 1396 address, location or description, and dates of any current or
 1397 known future temporary residence within the state or out of
 1398 state; passport information, if he or she has a passport, and,
 1399 if he or she is an alien, information about documents
 1400 establishing his or her immigration status; name and address of
 1401 each school attended; date and place of any employment; the
 1402 ~~vehicle~~ make, model, color, registration number, and license tag
 1403 number of all vehicles owned; ~~fingerprints,~~ and photograph. A

1404 post office box shall not be provided in lieu of a physical
 1405 residential address. The offender must also provide information
 1406 about any professional licenses that he or she may have.

1407 2. If the sexual offender is enrolled, employed,
 1408 volunteering, or carrying on a vocation at an institution of
 1409 higher education in this state, the sexual offender shall also
 1410 provide to the department the name, address, and county of each
 1411 institution, including each campus attended, and the sexual
 1412 offender's enrollment, volunteer, or employment status.

1413 3. If the sexual offender's place of residence is a motor
 1414 vehicle, trailer, mobile home, or manufactured home, as defined
 1415 in chapter 320, the sexual offender shall also provide the
 1416 vehicle identification number; the license tag number; the
 1417 registration number; and a description, including color scheme,
 1418 of the motor vehicle, trailer, mobile home, or manufactured
 1419 home. If the sexual offender's place of residence is a vessel,
 1420 live-aboard vessel, or houseboat, as defined in chapter 327, the
 1421 sexual offender shall also provide the hull identification
 1422 number; the manufacturer's serial number; the name of the
 1423 vessel, live-aboard vessel, or houseboat; the registration
 1424 number; and a description, including color scheme, of the
 1425 vessel, live-aboard vessel, or houseboat.

1426 4. Any sexual offender who fails to report in person as
 1427 required at the sheriff's office, ~~or~~ who fails to respond to any
 1428 address verification correspondence from the department within 3
 1429 weeks after the date of the correspondence, or who knowingly

1430 provides false registration information by act or omission
 1431 commits a felony of the third degree, punishable as provided in
 1432 ss. 775.082, 775.083, and 775.084.

1433 Section 10. Paragraphs (g) and (i) of subsection (3) of
 1434 section 921.0022, Florida Statutes, are amended to read:

1435 921.0022 Criminal Punishment Code; offense severity
 1436 ranking chart.—

1437 (3) OFFENSE SEVERITY RANKING CHART

1438 (g) LEVEL 7

1439

Florida Statute	Felony Degree	Description
316.027(1)(b)	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 attempting to elude law enforcement officer

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1443			who is in a patrol vehicle with siren and lights activated.
	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1444			
	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1445			
	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1446			
	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1447			
	456.065 (2)	3rd	Practicing a health care profession without a license.
1448			
	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily

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1449			injury.
	458.327 (1)	3rd	Practicing medicine without a license.
1450			
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1451			
	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1452			
	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1453			
	462.17	3rd	Practicing naturopathy without a license.
1454			
	463.015 (1)	3rd	Practicing optometry without a license.
1455			
	464.016 (1)	3rd	Practicing nursing without a license.
1456			
	465.015 (2)	3rd	Practicing pharmacy without a license.
1457			

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1458	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1459	467.201	3rd	Practicing midwifery without a license.
1460	468.366	3rd	Delivering respiratory care services without a license.
1461	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1462	483.901 (9)	3rd	Practicing medical physics without a license.
1463	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1464	484.053	3rd	Dispensing hearing aids without a license.
	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property

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1465	560.123 (8) (b) 1.	3rd	unlawfully obtained exceeded \$50,000 and there were five or more victims.
1466	560.125 (5) (a)	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1467	655.50 (10) (b) 1.	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1468	775.21 (10) (a)	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1469			Sexual predator; failure to register; failure to renew <u>driver</u> driver's license or identification card; other registration violations.

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1470	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1471	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1472	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1473	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1474	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

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1475	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1476	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1477	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1478	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1479	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1480	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1481	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
	784.074 (1) (a)	1st	Aggravated battery on sexually

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1482	784.08 (2) (a)	1st	violent predators facility staff.
1483	784.081 (1)	1st	Aggravated battery on a person 65 years of age or older.
1484	784.082 (1)	1st	Aggravated battery on specified official or employee.
1485	784.083 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1486	787.06 (3) (a)	1st	Aggravated battery on code inspector.
1487	787.06 (3) (e)	1st	Human trafficking using coercion for labor and services.
1488			Human trafficking using coercion for labor and services by the transfer or transport of any individual from outside Florida to within the state.

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1489	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1490	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1491	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1492	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1493	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1494	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

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1495	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1496	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.
1497	796.03	2nd	Procuring any person under <u>18</u> 16 years for prostitution.
1498	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
1499	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
	806.01 (2)	2nd	Maliciously damage structure by

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1500			fire or explosive.
1501	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1502	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1503	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1504	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1505	812.014 (2) (a) 1.	1st	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.
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued

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1506			at less than \$50,000, grand theft in 2nd degree.
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1507			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1508			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1509			
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1510			
	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1511			
	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1512			
	817.034 (4) (a) 1.	1st	Communications fraud, value

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1513			greater than \$50,000.
1513	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1514	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1515	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1516	817.2341 (2) (b) & (3) (b)	1st	Making false entries of 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.
1517	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1518	825.102 (3) (b)	2nd	Neglecting an elderly person or

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1519			disabled adult causing great bodily harm, disability, or disfigurement.
	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
1520			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1521			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1522			
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1523			
	838.015	2nd	Bribery.
1524			
	838.016	2nd	Unlawful compensation or reward for official behavior.
1525			

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1526	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1527	838.22	2nd	Bid tampering.
1528	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1529	843.0855 (3)	3rd	Unlawful simulation of legal process.
1530	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1531	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1532	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1533	872.06	2nd	Abuse of a dead human body.
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a

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1534 criminal gang; second or subsequent offense.

874.10 1st,PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

1535 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)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

1536 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)4.,

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1537			within 1,000 feet of property used for religious services or a specified business site.
1538	893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
1539	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1540	893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1541	893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1542	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.

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1543	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1544	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1545	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1546	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1547	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1548	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

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1549	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1550	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1551	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1552	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1553	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
	943.0435 (9) (a)	3rd	Sexual offender; failure to

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1554	943.0435(13)	3rd	comply with reporting requirements.
1555	943.0435(14)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1556	944.607(9)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; <u>providing false registration information.</u>
1557	944.607(10)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
1558	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or

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1559

944.607(13)

3rd

conceal a sexual offender.

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

1560

985.4815(10)

3rd

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

1561

985.4815(12)

3rd

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

1562

985.4815(13)

3rd

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

1563

1564

(i) LEVEL 9

1565

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	Florida Statute	Felony Degree	Description
1566	316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
1567	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
1568	409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
1569	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
1570	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1571	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
1572			

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1573	655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1574	775.0844	1st	Aggravated white collar crime.
1575	782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
1576	782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.
1577	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled

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1578	787.01(1)(a)1.	1st, PBL	adult. Kidnapping; hold for ransom or reward or as a shield or hostage.
1579	787.01(1)(a)2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
1580	787.01(1)(a)4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
1581	787.02(3)(a)	1 st , <u>PBL</u>	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
1582	787.06(3)(d)	1st	Human trafficking using coercion for commercial sexual

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1583			activity of an unauthorized alien.
1584	787.06(3)(g)	1st,PBL	Human trafficking for commercial sexual activity of a child under the age of 18.
1585	787.06(4)	1st	Selling or buying of minors into human trafficking.
1586	790.161	1st	Attempted capital destructive device offense.
1587	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1588	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
1589	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.

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1590	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1591	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1592	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
1593	796.035	1st	Selling or buying of minors into prostitution.
1594	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1595	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
1596	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.

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1597	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1598	817.535 (3) (b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.
1599	817.535 (4) (a) 2.	1st	Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.
1600	817.535 (5) (b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; owner of the property incurs financial loss as a result of the false instrument.
	817.568 (7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal

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1601			guardian, or person exercising custodial authority.
1602	827.03 (2) (a)	1st	Aggravated child abuse.
1603	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
1604	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
1605	859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
1606	893.135	1st	Attempted capital trafficking offense.
	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more

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1607			than 10,000 lbs.
	893.135	1st	Trafficking in cocaine, more
	(1) (b) 1.c.		than 400 grams, less than 150
			kilograms.
1608			
	893.135	1st	Trafficking in illegal drugs,
	(1) (c) 1.c.		more than 28 grams, less than
			30 kilograms.
1609			
	893.135	1st	Trafficking in phencyclidine,
	(1) (d) 1.c.		more than 400 grams.
1610			
	893.135	1st	Trafficking in methaqualone,
	(1) (e) 1.c.		more than 25 kilograms.
1611			
	893.135	1st	Trafficking in amphetamine,
	(1) (f) 1.c.		more than 200 grams.
1612			
	893.135	1st	Trafficking in gamma-
	(1) (h) 1.c.		hydroxybutyric acid (GHB), 10
			kilograms or more.
1613			
	893.135	1st	Trafficking in 1,4-Butanediol,
	(1) (j) 1.c.		10 kilograms or more.
1614			

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1615

893.135 (1) (k) 2.c. 1st Trafficking in Phenethylamines,
400 grams or more.

1616

896.101 (5) (c) 1st Money laundering, financial
instruments totaling or
exceeding \$100,000.

1617

896.104 (4) (a) 3. 1st Structuring transactions to
evade reporting or registration
requirements, financial
transactions totaling or
exceeding \$100,000.

1618

Section 11. This act shall take effect October 1, 2014.