

By Senator Evers

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

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change and confirm that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; providing additional requirements for sexual offenders intending to reside outside of the United States; revising criteria applicable to provisions that allow removal of the requirement to register as a sexual offender; tolling the registration period during the offender's term of incarceration, commitment to a residential program, civil commitment, or detention pursuant to ch. 985, F.S.; providing criminal penalties for knowingly providing false registration information by act or omission; conforming provisions to changes made by the act; amending s. 943.04354, F.S.; revising the criteria applicable to provisions that allow removal of the requirement to register as a sexual offender or sexual predator; amending s. 943.0437, F.S.; conforming terminology; amending ss. 944.606 and 944.607, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; revising definitions; requiring disclosure of additional registration information; providing criminal penalties for knowingly providing false registration information by act or omission; conforming provisions to changes made by the act; amending ss. 985.481 and 985.4815, F.S.; requiring disclosure of additional registration information by certain sexual offenders adjudicated delinquent and certain juvenile sexual offenders; providing criminal penalties for knowingly providing

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false registration information by act or omission;
amending s. 921.0022, F.S.; updating provisions of the
offense severity ranking chart of the Criminal
Punishment Code to reflect prior changes in the law;
conforming provisions of the offense severity ranking
chart to changes made by the act; providing an
effective date.

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

Section 1. Paragraph (i) of subsection (2), paragraph (a)
of subsection (4), subsections (6) and (8), and paragraph (a) of
subsection (10) of section 775.21, Florida Statutes, are amended
to read:

775.21 The Florida Sexual Predators Act.—

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

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

(4) SEXUAL PREDATOR CRITERIA.—

(a) For a current offense committed on or after October 1,
1993, upon conviction, an offender shall be designated as a

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88 "sexual predator" under subsection (5), and subject to
89 registration under subsection (6) and community and public
90 notification under subsection (7) if:

91 1. The felony is:

92 a. A capital, life, or first-degree felony violation, or
93 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
94 is a minor and the defendant is not the victim's parent or
95 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a
96 violation of a similar law of another jurisdiction; or

97 b. Any felony violation, or any attempt thereof, of s.
98 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
99 787.025(2)(c), where the victim is a minor and the defendant is
100 not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
101 (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
102 796.03; s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025 ~~s.~~
103 ~~825.1025(2)(b);~~ s. 827.071; s. 847.0135(5); s. 847.0145; s.
104 916.1075(2); or s. 985.701(1); or a violation of a similar law
105 of another jurisdiction, and the offender has previously been
106 convicted of or found to have committed, or has pled nolo
107 contendere or guilty to, regardless of adjudication, any
108 violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s.
109 787.02, or s. 787.025(2)(c), where the victim is a minor and the
110 defendant is not the victim's parent or guardian; s.
111 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s.
112 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s.
113 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
114 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a
115 violation of a similar law of another jurisdiction;

116 2. The offender has not received a pardon for any felony or

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similar law of another jurisdiction that is necessary for the operation of this paragraph; and

3. A conviction of a felony or similar law of another jurisdiction necessary to the operation of this paragraph has not been set aside in any postconviction proceeding.

(6) REGISTRATION.—

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

1. Name; social security number; age; race; sex; date of birth; height; weight; tattoos or other identifying marks; hair and eye color; photograph; address of legal residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; all ~~any~~ electronic mail addresses ~~address~~ and all Internet identifiers ~~any instant message name~~ required to be provided pursuant to subparagraph (g)4.; all home telephone numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date and place of any employment; the make, model, color, registration number, and license tag number of all vehicles that are owned by the sexual predator and all vehicles that are owned by a person who resides at the sexual predator's residence and that may be operated by the sexual predator; date and place of each conviction; fingerprints; palm prints; and a brief description of the crime or crimes committed by the offender. A post office box may ~~shall~~ not be provided in

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146 lieu of a physical residential address. The sexual predator
147 shall produce his or her passport, if he or she has a passport,
148 and, if he or she is an alien, shall produce or provide
149 information about documents establishing his or her immigration
150 status. The sexual predator shall also provide information about
151 any professional licenses he or she has.

152 a. If the sexual predator's place of residence is a motor
153 vehicle, trailer, mobile home, or manufactured home, as defined
154 in chapter 320, the sexual predator shall also provide to the
155 department written notice of the vehicle identification number;
156 the license tag number; the registration number; and a
157 description, including color scheme, of the motor vehicle,
158 trailer, mobile home, or manufactured home. If a sexual
159 predator's place of residence is a vessel, live-aboard vessel,
160 or houseboat, as defined in chapter 327, the sexual predator
161 shall also provide to the department written notice of the hull
162 identification number; the manufacturer's serial number; the
163 name of the vessel, live-aboard vessel, or houseboat; the
164 registration number; and a description, including color scheme,
165 of the vessel, live-aboard vessel, or houseboat.

166 b. If the sexual predator is enrolled, employed,
167 volunteering, or carrying on a vocation at an institution of
168 higher education in this state, the sexual predator shall also
169 provide to the department the name, address, and county of each
170 institution, including each campus attended, and the sexual
171 predator's enrollment, volunteer, or employment status. Each
172 change in enrollment, volunteer, or employment status must ~~shall~~
173 be reported in person at the sheriff's office, or the Department
174 of Corrections if the sexual predator is in the custody or

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175 control of or under the supervision of the Department of
176 Corrections, within 48 hours after any change in status. The
177 sheriff or the Department of Corrections shall promptly notify
178 each institution of the sexual predator's presence and any
179 change in the sexual predator's enrollment, volunteer, or
180 employment status.

181 2. Any other information determined necessary by the
182 department, including criminal and corrections records;
183 nonprivileged personnel and treatment records; and evidentiary
184 genetic markers when available.

185 (b) If the sexual predator is in the custody or control of,
186 or under the supervision of, the Department of Corrections, or
187 is in the custody of a private correctional facility, the sexual
188 predator shall ~~must~~ register with the Department of Corrections.
189 A sexual predator who is under the supervision of the Department
190 of Corrections but who is not incarcerated shall ~~must~~ register
191 with the Department of Corrections within 3 business days after
192 the court finds the offender to be a sexual predator. The
193 Department of Corrections shall provide to the department
194 registration information and the location of, and local
195 telephone number for, any Department of Corrections office that
196 is responsible for supervising the sexual predator. In addition,
197 the Department of Corrections shall notify the department if the
198 sexual predator escapes or absconds from custody or supervision
199 or if the sexual predator dies.

200 (c) If the sexual predator is in the custody of a local
201 jail, the custodian of the local jail shall register the sexual
202 predator within 3 business days after intake of the sexual
203 predator for any reason and upon release, and shall forward the

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204 registration information to the department. The custodian of the
205 local jail shall also take a digitized photograph of the sexual
206 predator while the sexual predator remains in custody and shall
207 provide the digitized photograph to the department. The
208 custodian shall notify the department if the sexual predator
209 escapes from custody or dies.

210 (d) If the sexual predator is under federal supervision,
211 the federal agency responsible for supervising the sexual
212 predator may forward to the department any information regarding
213 the sexual predator which is consistent with the information
214 provided by the Department of Corrections under this section,
215 and may indicate whether use of the information is restricted to
216 law enforcement purposes only or may be used by the department
217 for purposes of public notification.

218 (e)1. If the sexual predator is not in the custody or
219 control of, or under the supervision of, the Department of
220 Corrections or is not in the custody of a private correctional
221 facility, the sexual predator shall register in person:

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

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

228 2. Any change in the sexual predator's permanent or
229 temporary residence, name, ~~or any~~ electronic mail addresses, or
230 Internet identifiers ~~address and any instant message name~~
231 required to be provided pursuant to subparagraph (g)4., after
232 the sexual predator registers in person at the sheriff's office

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233 as provided in subparagraph 1., must ~~shall~~ be accomplished in
234 the manner provided in paragraphs (g), (i), and (j). When a
235 sexual predator registers with the sheriff's office, the sheriff
236 shall take a photograph, and a set of fingerprints, and palm
237 prints of the predator and forward the photographs, palm prints,
238 and fingerprints to the department, along with the information
239 that the predator is required to provide pursuant to this
240 section.

241 (f) Within 48 hours after the registration required under
242 paragraph (a) or paragraph (e), a sexual predator who is not
243 incarcerated and who resides in the community, including a
244 sexual predator under the supervision of the Department of
245 Corrections, shall register in person at a driver ~~driver's~~
246 license office of the Department of Highway Safety and Motor
247 Vehicles and shall present proof of registration. At the driver
248 ~~driver's~~ license office the sexual predator shall:

249 1. If otherwise qualified, secure a Florida driver ~~driver's~~
250 license, renew a Florida driver ~~driver's~~ license, or secure an
251 identification card. The sexual predator shall identify himself
252 or herself as a sexual predator who is required to comply with
253 this section, provide his or her place of permanent, temporary,
254 or transient residence, including a rural route address and a
255 post office box, and submit to the taking of a photograph for
256 use in issuing a driver ~~driver's~~ license, renewed license, or
257 identification card, and for use by the department in
258 maintaining current records of sexual predators. A post office
259 box may ~~shall~~ not be provided in lieu of a physical residential
260 address. If the sexual predator's place of residence is a motor
261 vehicle, trailer, mobile home, or manufactured home, as defined

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in chapter 320, the sexual predator shall also provide to the Department of Highway Safety and Motor Vehicles the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If a sexual predator's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual predator shall also provide to the Department of Highway Safety and Motor Vehicles the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

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

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

(g)1. Each time a sexual predator's driver ~~driver's~~ license or identification card is subject to renewal, and, without regard to the status of the predator's driver ~~driver's~~ license or identification card, within 48 hours after any change of the predator's residence or change in the predator's name by reason of marriage or other legal process, the predator shall report in person to a driver ~~driver's~~ license office and is ~~shall be~~ subject to the requirements specified in paragraph (f). The

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291 Department of Highway Safety and Motor Vehicles shall forward to
292 the department and to the Department of Corrections all
293 photographs and information provided by sexual predators.
294 Notwithstanding the restrictions set forth in s. 322.142, the
295 Department of Highway Safety and Motor Vehicles may ~~is~~
296 ~~authorized to~~ release a reproduction of a color-photograph or
297 digital-image license to the Department of Law Enforcement for
298 purposes of public notification of sexual predators as provided
299 in this section. A sexual predator who is unable to secure or
300 update a driver license or identification card with the
301 Department of Highway Safety and Motor Vehicles as provided in
302 paragraph (f) and this paragraph shall also report any change of
303 the predator's residence or change in the predator's name by
304 reason of marriage or other legal process within 48 hours after
305 the change to the sheriff's office in the county where the
306 predator resides or is located and provide confirmation that he
307 or she reported such information to the Department of Highway
308 Safety and Motor Vehicles.

309 2. A sexual predator who vacates a permanent, temporary, or
310 transient residence and fails to establish or maintain another
311 permanent, temporary, or transient residence shall, within 48
312 hours after vacating the permanent, temporary, or transient
313 residence, report in person to the sheriff's office of the
314 county in which he or she is located. The sexual predator shall
315 specify the date upon which he or she intends to or did vacate
316 such residence. The sexual predator shall ~~must~~ provide or update
317 all of the registration information required under paragraph
318 (a). The sexual predator shall ~~must~~ provide an address for the
319 residence or other place that he or she is or will be located

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320 during the time in which he or she fails to establish or
321 maintain a permanent or temporary residence.

322 3. A sexual predator who remains at a permanent, temporary,
323 or transient residence after reporting his or her intent to
324 vacate such residence shall, within 48 hours after the date upon
325 which the predator indicated he or she would or did vacate such
326 residence, report in person to the sheriff's office to which he
327 or she reported pursuant to subparagraph 2. for the purpose of
328 reporting his or her address at such residence. When the sheriff
329 receives the report, the sheriff shall promptly convey the
330 information to the department. An offender who makes a report as
331 required under subparagraph 2. but fails to make a report as
332 required under this subparagraph commits a felony of the second
333 degree, punishable as provided in s. 775.082, s. 775.083, or s.
334 775.084.

335 4. A sexual predator shall ~~must~~ register all ~~any~~ electronic
336 mail addresses and Internet identifiers ~~address or instant~~
337 ~~message name~~ with the department before ~~prior to~~ using such
338 electronic mail addresses and Internet identifiers ~~address or~~
339 ~~instant message name on or after October 1, 2007~~. The department
340 shall establish an online system through which sexual predators
341 may securely access and update all electronic mail address and
342 Internet identifier ~~instant message name~~ information.

343 (h) The department shall ~~must~~ notify the sheriff and the
344 state attorney of the county and, if applicable, the police
345 chief of the municipality, where the sexual predator maintains a
346 residence.

347 (i) A sexual predator who intends to establish a permanent,
348 temporary, or transient residence in another state or

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jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave this state to establish residence in another state or jurisdiction or within 21 days before his or her planned departure date if the intended residence of 5 days or more is outside of the United States. The sexual predator shall ~~must~~ provide to the sheriff the address, municipality, county, ~~and state,~~ and country of intended residence. The sheriff shall promptly provide to the department the information received from the sexual predator. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state, ~~or jurisdiction,~~ or country of residence of the sexual predator's intended residence. The failure of a sexual predator to provide his or her intended place of residence is punishable as provided in subsection (10).

(j) A sexual predator who indicates his or her intent to establish a permanent, temporary, or transient residence in another state, a ~~or~~ jurisdiction other than the State of Florida, or another country and later decides to remain in this state shall, within 48 hours after the date upon which the sexual predator indicated he or she would leave this state, report in person to the sheriff to which the sexual predator reported the intended change of residence, and report his or her intent to remain in this state. If the sheriff is notified by the sexual predator that he or she intends to remain in this state, the sheriff shall promptly report this information to the department. A sexual predator who reports his or her intent to establish a permanent, temporary, or transient residence in

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378 another state, a ~~or~~ jurisdiction other than the State of
379 Florida, or another country, but who remains in this state
380 without reporting to the sheriff in the manner required by this
381 paragraph, commits a felony of the second degree, punishable as
382 provided in s. 775.082, s. 775.083, or s. 775.084.

383 (k)1. The department is responsible for the online
384 maintenance of current information regarding each registered
385 sexual predator. The department shall ~~must~~ maintain hotline
386 access for state, local, and federal law enforcement agencies to
387 obtain instantaneous locator file and offender characteristics
388 information on all released registered sexual predators for
389 purposes of monitoring, tracking, and prosecution. The
390 photograph and fingerprints do not have to be stored in a
391 computerized format.

392 2. The department's sexual predator registration list,
393 containing the information described in subparagraph (a)1., is a
394 public record. The department may ~~is authorized to~~ disseminate
395 this public information by any means deemed appropriate,
396 including operating a toll-free telephone number for this
397 purpose. When the department provides information regarding a
398 registered sexual predator to the public, department personnel
399 shall ~~must~~ advise the person making the inquiry that positive
400 identification of a person believed to be a sexual predator
401 cannot be established unless a fingerprint comparison is made,
402 and that it is illegal to use public information regarding a
403 registered sexual predator to facilitate the commission of a
404 crime.

405 3. The department shall adopt guidelines as necessary
406 regarding the registration of sexual predators and the

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407 dissemination of information regarding sexual predators as
408 required by this section.

409 (1) A sexual predator shall ~~must~~ maintain registration with
410 the department for the duration of his or her life, unless the
411 sexual predator has received a full pardon or has had a
412 conviction set aside in a postconviction proceeding for any
413 offense that met the criteria for the sexual predator
414 designation.

415 (8) VERIFICATION.—The department and the Department of
416 Corrections shall implement a system for verifying the addresses
417 of sexual predators. The system must be consistent with the
418 provisions of the federal Adam Walsh Child Protection and Safety
419 Act of 2006 and any other federal standards applicable to such
420 verification or required to be met as a condition for the
421 receipt of federal funds by the state. The Department of
422 Corrections shall verify the addresses of sexual predators who
423 are not incarcerated but who reside in the community under the
424 supervision of the Department of Corrections and shall report to
425 the department any failure by a sexual predator to comply with
426 registration requirements. County and local law enforcement
427 agencies, in conjunction with the department, shall verify the
428 addresses of sexual predators who are not under the care,
429 custody, control, or supervision of the Department of
430 Corrections. Local law enforcement agencies shall report to the
431 department any failure by a sexual predator to comply with
432 registration requirements.

433 (a) A sexual predator shall ~~must~~ report in person each year
434 during the month of the sexual predator's birthday and during
435 every third month thereafter to the sheriff's office in the

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436 county in which he or she resides or is otherwise located to
437 reregister. The sheriff's office may determine the appropriate
438 times and days for reporting by the sexual predator, which must
439 ~~shall~~ be consistent with the reporting requirements of this
440 paragraph. Reregistration must ~~shall~~ include any changes to the
441 following information:

442 1. Name; social security number; age; race; sex; date of
443 birth; height; weight; tattoos or other identifying marks; hair
444 and eye color; address of any permanent residence and address of
445 any current temporary residence, within the state or out of
446 state, including a rural route address and a post office box; if
447 no permanent or temporary address, any transient residence
448 within the state; address, location or description, and dates of
449 any current or known future temporary residence within the state
450 or out of state; all any electronic mail addresses or Internet
451 identifiers ~~address and any instant message name~~ required to be
452 provided pursuant to subparagraph (6)(g)4.; all home telephone
453 numbers or number ~~and any cellular telephone numbers number~~;
454 date and place of any employment; the vehicle make, model,
455 color, registration number, and license tag number of all
456 vehicles that are owned by the sexual predator and all vehicles
457 that are owned by a person who resides at the sexual predator's
458 residence and that may be operated by the sexual predator;
459 fingerprints; palm prints; and photograph. A post office box may
460 ~~shall~~ not be provided in lieu of a physical residential address.
461 The sexual predator shall also produce his or her passport, if
462 he or she has a passport, and, if he or she is an alien, shall
463 produce or provide information about documents establishing his
464 or her immigration status. The sexual predator shall also

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465 provide information about any professional licenses he or she
466 has.

467 2. If the sexual predator is enrolled, employed,
468 volunteering, or carrying on a vocation at an institution of
469 higher education in this state, the sexual predator shall also
470 provide to the department the name, address, and county of each
471 institution, including each campus attended, and the sexual
472 predator's enrollment, volunteer, or employment status.

473 3. If the sexual predator's place of residence is a motor
474 vehicle, trailer, mobile home, or manufactured home, as defined
475 in chapter 320, the sexual predator shall also provide the
476 vehicle identification number; the license tag number; the
477 registration number; and a description, including color scheme,
478 of the motor vehicle, trailer, mobile home, or manufactured
479 home. If the sexual predator's place of residence is a vessel,
480 live-aboard vessel, or houseboat, as defined in chapter 327, the
481 sexual predator shall also provide the hull identification
482 number; the manufacturer's serial number; the name of the
483 vessel, live-aboard vessel, or houseboat; the registration
484 number; and a description, including color scheme, of the
485 vessel, live-aboard vessel, or houseboat.

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

490 (10) PENALTIES.—

491 (a) Except as otherwise specifically provided, a sexual
492 predator who fails to register; who fails, after registration,
493 to maintain, acquire, or renew a driver ~~driver's~~ license or

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494 identification card; who fails to provide required location
495 information, electronic mail address information before use,
496 Internet identifier ~~instant message name~~ information before use,
497 all home telephone numbers ~~number~~ and ~~any~~ cellular telephone
498 numbers ~~number~~, or change-of-name information; who fails to make
499 a required report in connection with vacating a permanent
500 residence; who fails to reregister as required; who fails to
501 respond to any address verification correspondence from the
502 department within 3 weeks of the date of the correspondence; who
503 knowingly provides false registration information by act or
504 omission; or who otherwise fails, by act or omission, to comply
505 with the requirements of this section, commits a felony of the
506 third degree, punishable as provided in s. 775.082, s. 775.083,
507 or s. 775.084.

508 Section 2. Paragraphs (a) and (g) of subsection (1),
509 subsection (2), paragraphs (a) and (d) of subsection (4),
510 subsections (7), (8), and (11), and paragraph (c) of subsection
511 (14) of section 943.0435, Florida Statutes, are amended to read:

512 943.0435 Sexual offenders required to register with the
513 department; penalty.—

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

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

518 a.(I) Has been convicted of committing, or attempting,
519 soliciting, or conspiring to commit, any of the criminal
520 offenses proscribed in the following statutes in this state or
521 similar offenses in another jurisdiction: s. 393.135(2); s.
522 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where

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the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-subparagraph; and

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

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

c. Establishes or maintains a residence in this state who

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is in the custody or control of, or under the supervision of,
any other state or jurisdiction as a result of a conviction for
committing, or attempting, soliciting, or conspiring to commit,
any of the criminal offenses proscribed in the following
statutes or similar offense in another jurisdiction: s.
393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
787.025(2)(c), where the victim is a minor and the defendant is
not the victim's parent or guardian; s. 787.06(3)(b), (d), (f),
(g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s.
796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s.
827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s.
847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s.
985.701(1); or any similar offense committed in this state which
has been redesignated from a former statute number to one of
those listed in this sub-subparagraph; or

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

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

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

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

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

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

584
585 For each violation of a qualifying offense listed in this
586 subsection, except for a violation of s. 794.011, the court
587 shall make a written finding of the age of the victim at the
588 time of the offense. For a violation of s. 800.04(4), the court
589 shall also additionally make a written finding indicating
590 whether that the offense involved ~~did or did not involve~~ sexual
591 activity and indicating whether that the offense involved ~~did or~~
592 ~~did not involve~~ force or coercion. For a violation of s.
593 800.04(5), the court shall also additionally make a written
594 finding that the offense did or did not involve unclothed
595 genitals or genital area and that the offense did or did not
596 involve the use of force or coercion.

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

601 (2) A sexual offender shall:

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

603 1. In the county in which the offender establishes or
604 maintains a permanent, temporary, or transient residence within
605 48 hours after:

606 a. Establishing permanent, temporary, or transient
607 residence in this state; or

608 b. Being released from the custody, control, or supervision
609 of the Department of Corrections or from the custody of a

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610 private correctional facility; or

611 2. In the county where he or she was convicted within 48
612 hours after being convicted for a qualifying offense for
613 registration under this section if the offender is not in the
614 custody or control of, or under the supervision of, the
615 Department of Corrections, or is not in the custody of a private
616 correctional facility.

617
618 Any change in the information required to be provided pursuant
619 to paragraph (b), including, but not limited to, any change in
620 the sexual offender's permanent, temporary, or transient
621 residence, name, ~~any~~ electronic mail addresses, or Internet
622 identifiers address and any instant message name required to be
623 provided pursuant to paragraph (4)(d), after the sexual offender
624 reports in person at the sheriff's office, must ~~shall~~ be
625 accomplished in the manner provided in subsections (4), (7), and
626 (8).

627 (b) Provide his or her name; date of birth; social security
628 number; race; sex; height; weight; hair and eye color; tattoos
629 or other identifying marks; fingerprints; palm prints;
630 photograph; occupation and place of employment; address of
631 permanent or legal residence or address of any current temporary
632 residence, within the state or out of state, including a rural
633 route address and a post office box; if no permanent or
634 temporary address, any transient residence within the state,
635 address, location or description, and dates of any current or
636 known future temporary residence within the state or out of
637 state; the make, model, color, registration number, and license
638 tag number of all vehicles that are owned by the sexual offender

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639 and all vehicles that are owned by a person who resides at the
640 sexual offender's residence and that may be operated by the
641 sexual offender; all home telephone numbers number and any
642 cellular telephone numbers number; all any electronic mail
643 addresses address and all Internet identifiers any instant
644 message name required to be provided pursuant to paragraph
645 (4)(d); date and place of each conviction; and a brief
646 description of the crime or crimes committed by the offender. A
647 post office box may shall not be provided in lieu of a physical
648 residential address. The sexual offender shall also produce his
649 or her passport, if he or she has a passport, and, if he or she
650 is an alien, shall produce or provide information about
651 documents establishing his or her immigration status. The sexual
652 offender shall also provide information about any professional
653 licenses he or she has.

654 1. If the sexual offender's place of residence is a motor
655 vehicle, trailer, mobile home, or manufactured home, as defined
656 in chapter 320, the sexual offender shall also provide to the
657 department through the sheriff's office written notice of the
658 vehicle identification number; the license tag number; the
659 registration number; and a description, including color scheme,
660 of the motor vehicle, trailer, mobile home, or manufactured
661 home. If the sexual offender's place of residence is a vessel,
662 live-aboard vessel, or houseboat, as defined in chapter 327, the
663 sexual offender shall also provide to the department written
664 notice of the hull identification number; the manufacturer's
665 serial number; the name of the vessel, live-aboard vessel, or
666 houseboat; the registration number; and a description, including
667 color scheme, of the vessel, live-aboard vessel, or houseboat.

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

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

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

(4)(a) Each time a sexual offender's driver ~~driver's~~ license or identification card is subject to renewal, and, without regard to the status of the offender's driver ~~driver's~~ license or identification card, within 48 hours after any change in the offender's permanent, temporary, or transient residence

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697 or change in the offender's name by reason of marriage or other
698 legal process, the offender shall report in person to a driver
699 ~~driver's~~ license office, and is ~~shall be~~ subject to the
700 requirements specified in subsection (3). The Department of
701 Highway Safety and Motor Vehicles shall forward to the
702 department all photographs and information provided by sexual
703 offenders. Notwithstanding the restrictions set forth in s.
704 322.142, the Department of Highway Safety and Motor Vehicles may
705 ~~is authorized to~~ release a reproduction of a color-photograph or
706 digital-image license to the Department of Law Enforcement for
707 purposes of public notification of sexual offenders as provided
708 in this section and ss. 943.043 and 944.606. A sexual offender
709 who is unable to secure or update a driver license or
710 identification card with the Department of Highway Safety and
711 Motor Vehicles as provided in subsection (3) and this subsection
712 shall also report any change in the sexual offender's permanent,
713 temporary, or transient residence or change in the offender's
714 name by reason of marriage or other legal process within 48
715 hours after the change to the sheriff's office in the county
716 where the offender resides or is located and provide
717 confirmation that he or she reported such information to the
718 Department of Highway Safety and Motor Vehicles.

719 (d) A sexual offender shall ~~must~~ register all ~~any~~
720 electronic mail addresses and Internet identifiers ~~address or~~
721 ~~instant message name~~ with the department before using such
722 electronic mail addresses and Internet identifiers ~~address or~~
723 ~~instant message name~~. The department shall establish an online
724 system through which sexual offenders may securely access and
725 update all electronic mail address and Internet identifier

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726 ~~instant message name~~ information.

727 (7) A sexual offender who intends to establish a permanent,
728 temporary, or transient residence in another state or
729 jurisdiction other than the State of Florida shall report in
730 person to the sheriff of the county of current residence within
731 48 hours before the date he or she intends to leave this state
732 to establish residence in another state or jurisdiction or
733 within 21 days before his or her planned departure date if the
734 intended residence of 5 days or more is outside of the United
735 States. The notification must include the address, municipality,
736 county, ~~and state,~~ and country of intended residence. The
737 sheriff shall promptly provide to the department the information
738 received from the sexual offender. The department shall notify
739 the statewide law enforcement agency, or a comparable agency, in
740 the intended state, ~~or jurisdiction,~~ or country of residence of
741 the sexual offender's intended residence. The failure of a
742 sexual offender to provide his or her intended place of
743 residence is punishable as provided in subsection (9).

744 (8) A sexual offender who indicates his or her intent to
745 establish a permanent, temporary, or transient residence in
746 another state, a ~~or~~ jurisdiction other than the State of
747 Florida, or another country and later decides to remain in this
748 state shall, within 48 hours after the date upon which the
749 sexual offender indicated he or she would leave this state,
750 report in person to the sheriff to which the sexual offender
751 reported the intended change of permanent, temporary, or
752 transient residence, and report his or her intent to remain in
753 this state. The sheriff shall promptly report this information
754 to the department. A sexual offender who reports his or her

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755 intent to establish a permanent, temporary, or transient
756 residence in another state, a ~~ex~~ jurisdiction other than the
757 State of Florida, or another country but who remains in this
758 state without reporting to the sheriff in the manner required by
759 this subsection commits a felony of the second degree,
760 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

761 (11) Except as provided in this subsection and s.
762 943.04354, a sexual offender shall ~~must~~ maintain registration
763 with the department for the duration of his or her life, unless
764 the sexual offender has received a full pardon or has had a
765 conviction set aside in a postconviction proceeding for any
766 offense that meets the criteria for classifying the person as a
767 sexual offender for purposes of registration. ~~However, a sexual~~
768 ~~offender:~~

769 (a)1. A sexual offender may petition the criminal division
770 of the circuit court of the circuit in which the sexual offender
771 resides for the purpose of removing the requirement for
772 registration as a sexual offender if ~~Who has been lawfully~~
773 ~~released from confinement, supervision, or sanction, whichever~~
774 ~~is later, for at least 25 years and has not been arrested for~~
775 ~~any felony or misdemeanor offense since release, provided that~~
776 ~~the sexual offender's requirement to register was not based upon~~
777 ~~an adult conviction:~~

778 a. Twenty-five years have elapsed since the beginning of
779 the registration period for the sexual offender's most recent
780 conviction that required the offender to register;

781 b. The sexual offender has not been convicted or
782 adjudicated delinquent of a felony offense or of an offense
783 punishable by more than 1 year of imprisonment during the 25

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784 years preceding the petition to the court;

785 c. The sexual offender has successfully completed all
786 sanctions imposed for all offenses that required the offender to
787 register;

788 d. The sexual offender's requirement to register was not
789 based upon an adult conviction for:

790 (I) A violation of s. 787.01; s. 794.011, excluding s.
791 794.011(10); s. 800.04(4)(b) if the court finds the offense
792 involved a victim younger than 12 years of age or a sexual
793 activity by the use of force or coercion; s. 800.04(5)(b); or s.
794 800.04(5)(c)2. if the court finds the offense involved unclothed
795 genitals or genital area;

796 (II) An attempt or conspiracy to commit any offense listed
797 in this sub-subparagraph; or

798 (III) A violation of similar law of another jurisdiction;
799 and

800 e. For sexual offenders whose requirement to register is
801 based upon a conviction in another state, the sexual offender is
802 not required to register as a sexual offender pursuant to the
803 laws of the state in which the conviction occurred. Such an
804 offender must provide the court written confirmation that he or
805 she is not required to register in the state in which the
806 conviction occurred.

807 ~~a. For a violation of s. 787.01 or s. 787.02;~~

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

809 ~~c. For a violation of s. 800.04(4)(b) where the court finds~~
810 ~~the offense involved a victim under 12 years of age or sexual~~
811 ~~activity by the use of force or coercion;~~

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

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813 ~~e. For a violation of s. 800.04(5)c.2. where the court~~
814 ~~finds the offense involved unclothed genitals or genital area;~~
815 ~~f. For any attempt or conspiracy to commit any such~~
816 ~~offense; or~~
817 ~~g. For a violation of similar law of another jurisdiction,~~

818
819 ~~may petition the criminal division of the circuit court of the~~
820 ~~circuit in which the sexual offender resides for the purpose of~~
821 ~~removing the requirement for registration as a sexual offender.~~

822 2. A sexual offender whose requirement to register was
823 based upon an adult conviction for a violation of s. 787.02 or
824 s. 827.071(5), for an attempt or conspiracy to commit any
825 offense listed in this subparagraph, or for a violation of
826 similar law of another jurisdiction may petition the criminal
827 division of the circuit court of the circuit in which the sexual
828 offender resides for the purpose of removing the requirement for
829 registration as a sexual offender if:

830 a. Fifteen years have elapsed since the beginning of the
831 registration period for the sexual offender's most recent
832 conviction that required the offender to register;

833 b. The sexual offender has not been convicted or
834 adjudicated delinquent of a felony offense or of an offense
835 punishable by more than 1 year of imprisonment during the 10
836 years preceding the petition to the court;

837 c. The sexual offender has successfully completed all
838 sanctions imposed for all offenses that required the offender to
839 register; and

840 d. For sexual offenders whose requirement to register is
841 based upon a conviction in another state, the sexual offender is

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842 not required to register as a sexual offender pursuant to the
843 laws of the state in which the conviction occurred. Such an
844 offender must provide the court written confirmation that he or
845 she is not required to register in the state in which the
846 conviction occurred.

847 3. A sexual offender required to register under sub-
848 subparagraph (1)(a)1.d. may petition the criminal division of
849 the circuit court of the circuit in which the sexual offender
850 resides for the purpose of removing the requirement for
851 registration as a sexual offender if:

852 a. Twenty-five years have elapsed since the beginning of
853 the registration period for the sexual offender's most recent
854 conviction that required the offender to register;

855 b. The sexual offender has not been convicted or
856 adjudicated delinquent of any felony offense or of an offense
857 punishable by more than 1 year of imprisonment during the 25
858 years preceding the petition to the court; and

859 c. The sexual offender has successfully completed all
860 sanctions imposed for all offenses that required the offender to
861 register.

862 4.2. The court may grant or deny relief if the offender
863 demonstrates to the court that ~~he or she has not been arrested~~
864 ~~for any crime since release,~~ the requested relief complies with
865 this paragraph, ~~the provisions of~~ the federal Adam Walsh Child
866 Protection and Safety Act of 2006, and any other federal
867 standards applicable to the removal of registration requirements
868 for a sexual offender or required to be met as a condition for
869 the receipt of federal funds by the state; and the court is
870 otherwise satisfied that the offender is not a current or

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871 potential threat to public safety. The state attorney in the
872 circuit in which the petition is filed and the department must
873 be given notice of the petition at least 3 weeks before the
874 hearing on the matter. The state attorney may present evidence
875 in opposition to the requested relief or may otherwise
876 demonstrate the reasons why the petition should be denied. If
877 the court grants the petition, the court shall instruct the
878 petitioner to provide the department with a certified copy of
879 the order granting relief. If the court denies the petition, the
880 court may set a future date at which the sexual offender may
881 again petition the court for relief, subject to the standards
882 for relief provided in this subsection.

883 5.3- The department shall remove an offender from
884 classification as a sexual offender for purposes of registration
885 if the offender provides to the department a certified copy of
886 the court's written findings or order that indicates that the
887 offender is no longer required to comply with the requirements
888 for registration as a sexual offender.

889 6. For purposes of this paragraph:

890 a. The registration period of a sexual offender sentenced
891 to a term of incarceration or committed to a residential program
892 begins upon the offender's release from incarceration or
893 commitment for the most recent conviction that required the
894 offender to register.

895 b. A sexual offender's registration period is tolled during
896 any period in which the offender is incarcerated, civilly
897 committed, detained pursuant to chapter 985, or committed to a
898 residential program.

899 (b) A sexual offender as defined in sub-subparagraph

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(1)(a)1.b. must maintain registration with the department for the duration of his or her life until the person provides the department with an order issued by the court that designated the person as a sexual predator, as a sexually violent predator, or by another sexual offender designation in the state or jurisdiction in which the order was issued which states that such designation has been removed or demonstrates to the department that such designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, and provided such person no longer meets the criteria for registration as a sexual offender under the laws of this state.

(14)

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

1. Name; social security number; age; race; sex; date of birth; height; weight; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; all any electronic mail addresses or Internet identifiers ~~address and any instant message name~~ required to be provided pursuant to paragraph (4)(d); all home telephone numbers and

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929 ~~number and any~~ cellular telephone numbers ~~number~~; date and place
930 of any employment; the vehicle make, model, color, registration
931 number, and license tag number of all vehicles that are owned by
932 the sexual offender and all vehicles that are owned by a person
933 who resides at the sexual offender's residence and that may be
934 operated by the sexual offender; fingerprints; palm prints; and
935 photograph. A post office box may ~~shall~~ not be provided in lieu
936 of a physical residential address. The sexual offender shall
937 also produce his or her passport, if he or she has a passport,
938 and, if he or she is an alien, shall produce or provide
939 information about documents establishing his or her immigration
940 status. The sexual offender shall also provide information about
941 any professional licenses he or she has.

942 2. If the sexual offender is enrolled, volunteering,
943 employed, or carrying on a vocation at an institution of higher
944 education in this state, the sexual offender shall also provide
945 to the department the name, address, and county of each
946 institution, including each campus attended, and the sexual
947 offender's enrollment, volunteer, or employment status.

948 3. If the sexual offender's place of residence is a motor
949 vehicle, trailer, mobile home, or manufactured home, as defined
950 in chapter 320, the sexual offender shall also provide the
951 vehicle identification number; the license tag number; the
952 registration number; and a description, including color scheme,
953 of the motor vehicle, trailer, mobile home, or manufactured
954 home. If the sexual offender's place of residence is a vessel,
955 live-aboard vessel, or houseboat, as defined in chapter 327, the
956 sexual offender shall also provide the hull identification
957 number; the manufacturer's serial number; the name of the

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

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

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

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

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

(a) Was ~~or will be~~ convicted, regardless of adjudication, or adjudicated delinquent of a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) or of a similar offense in another jurisdiction ~~or the person committed a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which adjudication of guilt was or will be withheld, and if the person does not have any other conviction, regardless of adjudication, or adjudication of delinquency, or withheld of adjudication of guilt for a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) or for a similar offense in another jurisdiction;~~

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987 (b) 1. Was convicted, regardless of adjudication, or
988 adjudicated delinquent of an offense listed in paragraph (a) and
989 is required to register as a sexual offender or sexual predator
990 solely on the basis of this conviction or adjudication; or
991 ~~violation; and~~

992 2. Was convicted, regardless of adjudication, or
993 adjudicated delinquent of an offense in another jurisdiction
994 which is similar to an offense listed in paragraph (a) and no
995 longer meets the criteria for registration as a sexual offender
996 or sexual predator under the laws of the jurisdiction in which
997 the similar offense occurred; and

998 (c) Is not more than 4 years older than the victim of this
999 violation who was 13 ~~14~~ years of age or older but younger not
1000 ~~more~~ than 18 ~~17~~ years of age at the time the person committed
1001 this violation.

1002 (2) If a person meets the criteria in subsection (1) and
1003 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
1004 ~~847.0135(5) was committed on or after July 1, 2007, the person~~
1005 may move the criminal court of the circuit in which the offense
1006 occurred or the sentencing court or, for persons convicted or
1007 adjudicated delinquent of a qualifying offense in another
1008 jurisdiction, the criminal court of the circuit in which the
1009 person resides ~~that will sentence or dispose of this violation~~
1010 to remove the requirement that the person register as a sexual
1011 offender or sexual predator. The person must allege in the
1012 motion that he or she meets the criteria in subsection (1) and
1013 that removal of the registration requirement will not conflict
1014 with federal law. A person convicted or adjudicated delinquent
1015 of an offense in another jurisdiction which is similar to an

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1016 offense listed in paragraph (1)(a) must provide the court
1017 written confirmation that he or she is not required to register
1018 in the jurisdiction in which the conviction or adjudication
1019 occurred. The state attorney and the department must be given
1020 notice of the motion at least 21 days before the date of
1021 sentencing, ~~or~~ disposition of the ~~this~~ violation, or hearing on
1022 the motion and may present evidence in opposition to the
1023 requested relief or may otherwise demonstrate why the motion
1024 should be denied. At sentencing, ~~or~~ disposition of the ~~this~~
1025 violation, or hearing on the motion, the court shall rule on the
1026 ~~this~~ motion, and, if the court determines the person meets the
1027 criteria in subsection (1) and the removal of the registration
1028 requirement will not conflict with federal law, it may grant the
1029 motion and order the removal of the registration requirement.
1030 The court shall instruct the person to provide the department a
1031 certified copy of the order granting relief. If the court denies
1032 the motion, the person is not authorized under this section to
1033 file another motion ~~petition~~ for removal of the registration
1034 requirement.

1035 ~~(3)(a) This subsection applies to a person who:~~
1036 ~~1. Is not a person described in subsection (2) because the~~
1037 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
1038 ~~committed on or after July 1, 2007;~~
1039 ~~2. Is subject to registration as a sexual offender or~~
1040 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
1041 ~~827.071; and~~
1042 ~~3. Meets the criteria in subsection (1).~~
1043 ~~(b) A person may petition the court in which the sentence~~
1044 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~

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~~827.071 occurred for removal of the requirement to register as a sexual offender or sexual predator. The person must allege in the petition that he or she meets the criteria in subsection (1) and removal of the registration requirement will not conflict with federal law. The state attorney must be given notice of the petition at least 21 days before the hearing on the petition and may present evidence in opposition to the requested relief or may otherwise demonstrate why the petition should be denied. The court shall rule on the petition and, if the court determines the person meets the criteria in subsection (1) and removal of the registration requirement will not conflict with federal law, it may grant the petition and order the removal of the registration requirement. If the court denies the petition, the person is not authorized under this section to file any further petition for removal of the registration requirement.~~

~~(3)(4)~~ If a person provides to the Department of Law Enforcement a certified copy of the court's order removing the requirement that the person register as a sexual offender or sexual predator for the violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in another jurisdiction, the registration requirement will not apply to the person and the department shall remove all information about the person from the public registry of sexual offenders and sexual predators maintained by the department. However, the removal of this information from the public registry does not mean that the public is denied access to information about the person's criminal history or record that is otherwise available as a public record.

Section 4. Subsections (2) and (3) of section 943.0437,

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Florida Statutes, are amended to read:

943.0437 Commercial social networking websites.—

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

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

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

(b) Any action taken to restrict access by such registered user to the commercial social networking website.

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

944.606 Sexual offenders; notification upon release.—

(1) As used in this section:

(b) "Sexual offender" means a person who has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following

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statutes in this state or similar offenses in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this subsection, when the department has received verified information regarding such conviction; an offender's computerized criminal history record is not, in and of itself, verified information.

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

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

1. The department shall ~~must~~ provide: the sexual offender's name, any change in the offender's name by reason of marriage or other legal process, and any alias, if known; the correctional facility from which the sexual offender is released; the sexual offender's social security number, race, sex, date of birth, height, weight, and hair and eye color; address of any planned permanent residence or temporary residence, within the state or out of state, including a rural route address and a post office

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1132 box; if no permanent or temporary address, any transient
1133 residence within the state; address, location or description,
1134 and dates of any known future temporary residence within the
1135 state or out of state; date and county of sentence and each
1136 crime for which the offender was sentenced; a copy of the
1137 offender's fingerprints, palm prints, and a digitized photograph
1138 taken within 60 days before release; the date of release of the
1139 sexual offender; all any electronic mail addresses ~~address~~ and
1140 all Internet identifiers ~~any instant message name~~ required to be
1141 provided pursuant to s. 943.0435(4)(d); all and home telephone
1142 numbers ~~number~~ and any cellular telephone numbers; information
1143 about any professional licenses the offender has, if known; and
1144 passport information, if he or she has a passport, and, if he or
1145 she is an alien, information about documents establishing his or
1146 her immigration status ~~number~~. The department shall notify the
1147 Department of Law Enforcement if the sexual offender escapes,
1148 absconds, or dies. If the sexual offender is in the custody of a
1149 private correctional facility, the facility shall take the
1150 digitized photograph of the sexual offender within 60 days
1151 before the sexual offender's release and provide this photograph
1152 to the Department of Corrections and also place it in the sexual
1153 offender's file. If the sexual offender is in the custody of a
1154 local jail, the custodian of the local jail shall register the
1155 offender within 3 business days after intake of the offender for
1156 any reason and upon release, and shall notify the Department of
1157 Law Enforcement of the sexual offender's release and provide to
1158 the Department of Law Enforcement the information specified in
1159 this paragraph and any information specified in subparagraph 2.
1160 that the Department of Law Enforcement requests.

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

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

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

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

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

1. On or after October 1, 1997, as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this paragraph; or

2. Who establishes or maintains a residence in this state and who has not been designated as a sexual predator by a court

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of this state but who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard as to whether the person otherwise meets the criteria for registration as a sexual offender.

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

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

(a) The sexual offender shall provide his or her name; date of birth; social security number; race; sex; height; weight; hair and eye color; tattoos or other identifying marks; all any electronic mail addresses ~~address~~ and Internet identifiers ~~any instant message name~~ required to be provided pursuant to s. 943.0435(4)(d); all home telephone numbers and cellular telephone numbers; the make, model, color, registration number, and license tag number of all vehicles that are owned by the sexual offender and all vehicles that are owned by a person who resides at the sexual offender's residence and that may be operated by the sexual offender; permanent or legal residence

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1219 and address of temporary residence within the state or out of
1220 state while the sexual offender is under supervision in this
1221 state, including any rural route address or post office box; if
1222 no permanent or temporary address, any transient residence
1223 within the state; and address, location or description, and
1224 dates of any current or known future temporary residence within
1225 the state or out of state. The sexual offender shall also
1226 produce his or her passport, if he or she has a passport, and,
1227 if he or she is an alien, shall produce or provide information
1228 about documents establishing his or her immigration status. The
1229 sexual offender shall also provide information about any
1230 professional licenses he or she has. The Department of
1231 Corrections shall verify the address of each sexual offender in
1232 the manner described in ss. 775.21 and 943.0435. The department
1233 shall report to the Department of Law Enforcement any failure by
1234 a sexual predator or sexual offender to comply with registration
1235 requirements.

1236 (b) If the sexual offender is enrolled, employed,
1237 volunteering, or carrying on a vocation at an institution of
1238 higher education in this state, the sexual offender shall
1239 provide the name, address, and county of each institution,
1240 including each campus attended, and the sexual offender's
1241 enrollment, volunteer, or employment status. Each change in
1242 enrollment, volunteer, or employment status must ~~shall~~ be
1243 reported to the department within 48 hours after the change in
1244 status. The Department of Corrections shall promptly notify each
1245 institution of the sexual offender's presence and any change in
1246 the sexual offender's enrollment, volunteer, or employment
1247 status.

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1248 (13)

1249 (c) The sheriff's office may determine the appropriate
1250 times and days for reporting by the sexual offender, which must
1251 ~~shall~~ be consistent with the reporting requirements of this
1252 subsection. Reregistration must ~~shall~~ include any changes to the
1253 following information:

1254 1. Name; social security number; age; race; sex; date of
1255 birth; height; weight; hair and eye color; address of any
1256 permanent residence and address of any current temporary
1257 residence, within the state or out of state, including a rural
1258 route address and a post office box; if no permanent or
1259 temporary address, any transient residence; address, location or
1260 description, and dates of any current or known future temporary
1261 residence within the state or out of state; all any electronic
1262 mail addresses and Internet identifiers ~~address and any instant~~
1263 ~~message name~~ required to be provided pursuant to s.
1264 943.0435(4)(d); all home telephone numbers and cellular
1265 telephone numbers; date and place of any employment; the vehicle
1266 make, model, color, registration number, and license tag number
1267 of all vehicles that are owned by the sexual offender and all
1268 vehicles that are owned by a person who resides at the sexual
1269 offender's residence and that may be operated by the sexual
1270 offender; fingerprints; palm prints; and photograph. A post
1271 office box may ~~shall~~ not be provided in lieu of a physical
1272 residential address. The sexual offender shall also produce his
1273 or her passport, if he or she has a passport, and, if he or she
1274 is an alien, shall produce or provide information about
1275 documents establishing his or her immigration status. The sexual
1276 offender shall also provide information about any professional

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licenses he or she has.

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

3. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel or houseboat.

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

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Section 7. Paragraph (a) of subsection (3) of section 985.481, Florida Statutes, is amended to read:

985.481 Sexual offenders adjudicated delinquent; notification upon release.—

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

1. The department shall ~~must~~ provide the sexual offender's name, any change in the offender's name by reason of marriage or other legal process, and any alias, if known; the correctional facility from which the sexual offender is released; the sexual offender's social security number, race, sex, date of birth, height, weight, and hair and eye color; the make, model, color, registration number, and license tag number of all vehicles owned by the sexual offender and all vehicles that are owned by a person who resides at the sexual offender's residence and that may be operated by the sexual offender, if known; address of any planned permanent residence or temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any known future temporary residence within the state or out of state; date and county of disposition and each crime for which there was a disposition; a copy of the offender's fingerprints and a digitized photograph taken within 60 days before release; the date of release of the sexual offender; all ~~and~~ home telephone numbers ~~number~~ and ~~any~~ cellular telephone numbers; information about any professional licenses

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1335 the offender has, if known; and passport information, if he or
1336 she has a passport, and, if he or she is an alien, information
1337 about documents establishing his or her immigration status
1338 ~~number~~. The department shall notify the Department of Law
1339 Enforcement if the sexual offender escapes, absconds, or dies.
1340 If the sexual offender is in the custody of a private
1341 correctional facility, the facility shall take the digitized
1342 photograph of the sexual offender within 60 days before the
1343 sexual offender's release and also place it in the sexual
1344 offender's file. If the sexual offender is in the custody of a
1345 local jail, the custodian of the local jail shall register the
1346 offender within 3 business days after intake of the offender for
1347 any reason and upon release, and shall notify the Department of
1348 Law Enforcement of the sexual offender's release and provide to
1349 the Department of Law Enforcement the information specified in
1350 this subparagraph and any information specified in subparagraph
1351 2. which the Department of Law Enforcement requests.

1352 2. The department may provide any other information
1353 considered necessary, including criminal and delinquency
1354 records, when available.

1355 Section 8. Subsection (4) and paragraph (b) of subsection
1356 (13) of section 985.4815, Florida Statutes, are amended to read:
1357 985.4815 Notification to Department of Law Enforcement of
1358 information on juvenile sexual offenders.-

1359 (4) A sexual offender, as described in this section, who is
1360 under the supervision of the department but who is not committed
1361 shall ~~must~~ register with the department within 3 business days
1362 after adjudication and disposition for a registrable offense and
1363 otherwise provide information as required by this subsection.

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1364 (a) The sexual offender shall provide his or her name; date
1365 of birth; social security number; race; sex; height; weight;
1366 hair and eye color; tattoos or other identifying marks; the
1367 make, model, color, registration number, and license tag number
1368 of all vehicles that are owned by the sexual offender and all
1369 vehicles that are owned by a person who resides at the sexual
1370 offender's resides and that may be used by the sexual offender;
1371 permanent or legal residence and address of temporary residence
1372 within the state or out of state while the sexual offender is in
1373 the care or custody or under the jurisdiction or supervision of
1374 the department in this state, including any rural route address
1375 or post office box; if no permanent or temporary address, any
1376 transient residence; address, location or description, and dates
1377 of any current or known future temporary residence within the
1378 state or out of state; and the name and address of each school
1379 attended. The sexual offender shall also produce his or her
1380 passport, if he or she has a passport, and, if he or she is an
1381 alien, shall produce or provide information about documents
1382 establishing his or her immigration status. The offender shall
1383 also provide information about any professional licenses he or
1384 she has. The department shall verify the address of each sexual
1385 offender and shall report to the Department of Law Enforcement
1386 any failure by a sexual offender to comply with registration
1387 requirements.

1388 (b) If the sexual offender is enrolled, employed,
1389 volunteering, or carrying on a vocation at an institution of
1390 higher education in this state, the sexual offender shall
1391 provide the name, address, and county of each institution,
1392 including each campus attended, and the sexual offender's

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1393 enrollment, volunteer, or employment status. Each change in
1394 enrollment, volunteer, or employment status must ~~shall~~ be
1395 reported to the department within 48 hours after the change in
1396 status. The department shall promptly notify each institution of
1397 the sexual offender's presence and any change in the sexual
1398 offender's enrollment, volunteer, or employment status.

1399 (13)

1400 (b) The sheriff's office may determine the appropriate
1401 times and days for reporting by the sexual offender, which must
1402 ~~shall~~ be consistent with the reporting requirements of this
1403 subsection. Reregistration must ~~shall~~ include any changes to the
1404 following information:

1405 1. Name; social security number; age; race; sex; date of
1406 birth; height; weight; hair and eye color; fingerprints; palm
1407 prints; address of any permanent residence and address of any
1408 current temporary residence, within the state or out of state,
1409 including a rural route address and a post office box; if no
1410 permanent or temporary address, any transient residence;
1411 address, location or description, and dates of any current or
1412 known future temporary residence within the state or out of
1413 state; passport information, if he or she has a passport, and,
1414 if he or she is an alien, information about documents
1415 establishing his or her immigration status; name and address of
1416 each school attended; date and place of any employment; the
1417 ~~vehicle~~ make, model, color, registration number, and license tag
1418 number of all vehicles that are owned by the sexual offender and
1419 all vehicles that are owned by a person who resides at the
1420 sexual offender's residence and that may be used by the sexual
1421 offender; fingerprints, and photograph. A post office box may

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1422 ~~shall~~ not be provided in lieu of a physical residential address.
1423 The offender shall also provide information about any
1424 professional licenses he or she has.

1425 2. If the sexual offender is enrolled, employed,
1426 volunteering, or carrying on a vocation at an institution of
1427 higher education in this state, the sexual offender shall also
1428 provide to the department the name, address, and county of each
1429 institution, including each campus attended, and the sexual
1430 offender's enrollment, volunteer, or employment status.

1431 3. If the sexual offender's place of residence is a motor
1432 vehicle, trailer, mobile home, or manufactured home, as defined
1433 in chapter 320, the sexual offender shall also provide the
1434 vehicle identification number; the license tag number; the
1435 registration number; and a description, including color scheme,
1436 of the motor vehicle, trailer, mobile home, or manufactured
1437 home. If the sexual offender's place of residence is a vessel,
1438 live-aboard vessel, or houseboat, as defined in chapter 327, the
1439 sexual offender shall also provide the hull identification
1440 number; the manufacturer's serial number; the name of the
1441 vessel, live-aboard vessel, or houseboat; the registration
1442 number; and a description, including color scheme, of the
1443 vessel, live-aboard vessel, or houseboat.

1444 4. Any sexual offender who fails to report in person as
1445 required at the sheriff's office, ~~or~~ who fails to respond to any
1446 address verification correspondence from the department within 3
1447 weeks after the date of the correspondence, or who knowingly
1448 provides false registration information by act or omission
1449 commits a felony of the third degree, punishable as provided in
1450 ss. 775.082, 775.083, and 775.084.

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1451 Section 9. Paragraphs (g) and (i) of subsection (3) of
 1452 section 921.0022, Florida Statutes, are amended to read:
 1453 921.0022 Criminal Punishment Code; offense severity ranking
 1454 chart.—

1455 (3) OFFENSE SEVERITY RANKING CHART

1456 (g) LEVEL 7

1457

Florida Statute	Felony Degree	Description
1458 316.027(1) (b)	1st	Accident involving death, failure to stop; leaving scene.
1459 316.193(3) (c)2.	3rd	DUI resulting in serious bodily injury.
1460 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 who is in a patrol vehicle with siren and lights activated.
1461 327.35(3) (c)2.	3rd	Vessel BUI resulting in

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			serious bodily injury.
1462	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1463	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1464	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1465	456.065(2)	3rd	Practicing a health care profession without a license.
1466	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1467	458.327(1)	3rd	Practicing medicine without a license.
1468	459.013(1)	3rd	Practicing osteopathic

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medicine without a
license.

1469

460.411(1)

3rd

Practicing chiropractic
medicine without a
license.

1470

461.012(1)

3rd

Practicing podiatric
medicine without a
license.

1471

462.17

3rd

Practicing naturopathy
without a license.

1472

463.015(1)

3rd

Practicing optometry
without a license.

1473

464.016(1)

3rd

Practicing nursing without
a license.

1474

465.015(2)

3rd

Practicing pharmacy
without a license.

1475

466.026(1)

3rd

Practicing dentistry or
dental hygiene without a
license.

1476

467.201

3rd

Practicing midwifery
without a license.

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1477	468.366	3rd	Delivering respiratory care services without a license.
1478	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
1479	483.901(9)	3rd	Practicing medical physics without a license.
1480	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
1481	484.053	3rd	Dispensing hearing aids without a license.
1482	494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1483	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments

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exceeding \$300 but less
than \$20,000 by a money
services business.

1484

560.125(5)(a)

3rd

Money services business by
unauthorized person,
currency or payment
instruments exceeding \$300
but less than \$20,000.

1485

655.50(10)(b)1.

3rd

Failure to report
financial transactions
exceeding \$300 but less
than \$20,000 by financial
institution.

1486

775.21(10)(a)

3rd

Sexual predator; failure
to register; failure to
renew driver ~~driver's~~
license or identification
card; other registration
violations.

1487

775.21(10)(b)

3rd

Sexual predator working
where children regularly
congregate.

1488

775.21(10)(g)

3rd

Failure to report or
providing false

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information about a sexual
predator; harbor or
conceal a sexual predator.

1489

782.051(3)

2nd

Attempted felony murder of
a person by a person other
than the perpetrator or
the perpetrator of an
attempted felony.

1490

782.07(1)

2nd

Killing of a human being
by the act, procurement,
or culpable negligence of
another (manslaughter).

1491

782.071

2nd

Killing of a human being
or viable fetus by the
operation of a motor
vehicle in a reckless
manner (vehicular
homicide).

1492

782.072

2nd

Killing of a human being
by the operation of a
vessel in a reckless
manner (vessel homicide).

1493

784.045(1)(a)1.

2nd

Aggravated battery;
intentionally causing

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great bodily harm or
disfigurement.

1494

784.045(1)(a)2.

2nd

Aggravated battery; using
deadly weapon.

1495

784.045(1)(b)

2nd

Aggravated battery;
perpetrator aware victim
pregnant.

1496

784.048(4)

3rd

Aggravated stalking;
violation of injunction or
court order.

1497

784.048(7)

3rd

Aggravated stalking;
violation of court order.

1498

784.07(2)(d)

1st

Aggravated battery on law
enforcement officer.

1499

784.074(1)(a)

1st

Aggravated battery on
sexually violent predators
facility staff.

1500

784.08(2)(a)

1st

Aggravated battery on a
person 65 years of age or
older.

1501

784.081(1)

1st

Aggravated battery on

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specified official or
employee.

1502

784.082(1)

1st

Aggravated battery by
detained person on visitor
or other detainee.

1503

784.083(1)

1st

Aggravated battery on code
inspector.

1504

787.06(3)(a)

1st

Human trafficking using
coercion for labor and
services.

1505

787.06(3)(e)

1st

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

1506

790.07(4)

1st

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

1507

790.16(1)

1st

Discharge of a machine gun
under specified

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			circumstances.
1508	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1509	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1510	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1511	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1512	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1513			

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	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.
1514	796.03	2nd	Procuring any person under <u>18</u> 16 years for prostitution.
1515	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
1516	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.
1517	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1518	810.02 (3) (a)	2nd	Burglary of occupied

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dwelling; unarmed; no
assault or battery.

1519

810.02(3)(b)

2nd

Burglary of unoccupied
dwelling; unarmed; no
assault or battery.

1520

810.02(3)(d)

2nd

Burglary of occupied
conveyance; unarmed; no
assault or battery.

1521

810.02(3)(e)

2nd

Burglary of authorized
emergency vehicle.

1522

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.

1523

812.014(2)(b)2.

2nd

Property stolen, cargo
valued at less than
\$50,000, grand theft in
2nd degree.

1524

812.014(2)(b)3.

2nd

Property stolen, emergency

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medical equipment; 2nd
degree grand theft.

1525

812.014(2)(b)4.

2nd

Property stolen, law
enforcement equipment from
authorized emergency
vehicle.

1526

812.0145(2)(a)

1st

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

1527

812.019(2)

1st

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

1528

812.131(2)(a)

2nd

Robbery by sudden
snatching.

1529

812.133(2)(b)

1st

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

1530

817.034(4)(a)1.

1st

Communications fraud,
value greater than
\$50,000.

1531

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1532	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1533	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1534	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1535	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.
1536	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

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1537

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.

1538

827.03(2)(b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

1539

827.04(3)

3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

1540

837.05(2)

3rd

Giving false information about alleged capital felony to a law enforcement officer.

1541

838.015

2nd

Bribery.

1542

838.016

2nd

Unlawful compensation or reward for official behavior.

1543

838.021(3)(a)

2nd

Unlawful harm to a public

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servant.

1544

838.22

2nd

Bid tampering.

1545

843.0855(2)

3rd

Impersonation of a public
officer or employee.

1546

843.0855(3)

3rd

Unlawful simulation of
legal process.

1547

843.0855(4)

3rd

Intimidation of a public
officer or employee.

1548

847.0135(3)

3rd

Solicitation of a child,
via a computer service, to
commit an unlawful sex
act.

1549

847.0135(4)

2nd

Traveling to meet a minor
to commit an unlawful sex
act.

1550

872.06

2nd

Abuse of a dead human
body.

1551

874.05(2)(b)

1st

Encouraging or recruiting
person under 13 to join a
criminal gang; second or
subsequent offense.

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1552

874.10

1st, PBL

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

1553

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.

1554

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., within 1,000
feet of property used for

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religious services or a
specified business site.

1555

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).

1556

893.135(1)(a)1.

1st

Trafficking in cannabis,
more than 25 lbs., less
than 2,000 lbs.

1557

893.135
(1)(b)1.a.

1st

Trafficking in cocaine,
more than 28 grams, less
than 200 grams.

1558

893.135
(1)(c)1.a.

1st

Trafficking in illegal
drugs, more than 4 grams,
less than 14 grams.

1559

893.135(1)(d)1.

1st

Trafficking in
phencyclidine, more than
28 grams, less than 200
grams.

1560

893.135(1)(e)1.

1st

Trafficking in
methaqualone, more than
200 grams, less than 5

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kilograms.

1561

893.135 (1) (f) 1.

1st

Trafficking in
amphetamine, more than 14
grams, less than 28 grams.

1562

893.135
(1) (g) 1.a.

1st

Trafficking in
flunitrazepam, 4 grams or
more, less than 14 grams.

1563

893.135
(1) (h) 1.a.

1st

Trafficking in gamma-
hydroxybutyric acid (GHB),
1 kilogram or more, less
than 5 kilograms.

1564

893.135
(1) (j) 1.a.

1st

Trafficking in 1,4-
Butanediol, 1 kilogram or
more, less than 5
kilograms.

1565

893.135
(1) (k) 2.a.

1st

Trafficking in
Phenethylamines, 10 grams
or more, less than 200
grams.

1566

893.1351(2)

2nd

Possession of place for
trafficking in or
manufacturing of
controlled substance.

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1567

896.101(5)(a)

3rd

Money laundering,
financial transactions
exceeding \$300 but less
than \$20,000.

1568

896.104(4)(a)1.

3rd

Structuring transactions
to evade reporting or
registration requirements,
financial transactions
exceeding \$300 but less
than \$20,000.

1569

943.0435(4)(c)

2nd

Sexual offender vacating
permanent residence;
failure to comply with
reporting requirements.

1570

943.0435(8)

2nd

Sexual offender; remains
in state after indicating
intent to leave; failure
to comply with reporting
requirements.

1571

943.0435(9)(a)

3rd

Sexual offender; failure
to comply with reporting
requirements.

1572

943.0435(13)

3rd

Failure to report or

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

1573

943.0435(14)

3rd

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

1574

944.607(9)

3rd

Sexual offender; failure
to comply with reporting
requirements.

1575

944.607(10)(a)

3rd

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

1576

944.607(12)

3rd

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

1577

944.607(13)

3rd

Sexual offender; failure
to report and reregister;
failure to respond to

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address verification;
providing false
registration information.

1578

985.4815(10)

3rd

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

1579

985.4815(12)

3rd

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

1580

985.4815(13)

3rd

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

1581

1582

(i) LEVEL 9

1583

Florida
 Statute

Felony
 Degree

Description

1584

316.193
 (3) (c) 3.b.

1st

DUI manslaughter; failing to
 render aid or give information.

1585

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1586	327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
1587	409.920 (2)(b)1.c.	1st	Medicaid provider fraud; \$50,000 or more.
1588	499.0051(9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
1589	560.123(8)(b)3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1590	560.125(5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
1591	655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1592	775.0844	1st	Aggravated white collar crime.
1593	782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.

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1594	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.
1595	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
1596	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
1597	787.01(1)(a)1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
1598	787.01(1)(a)2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
1599	787.01(1)(a)4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
	787.02(3)(a)	1st, <u>PBL</u>	False imprisonment; child under age 13; perpetrator also commits

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aggravated child abuse, sexual
battery, or lewd or lascivious
battery, molestation, conduct, or
exhibition.

1600

787.06(3)(d) 1st Human trafficking using coercion
for commercial sexual activity of
an unauthorized alien.

1601

787.06(3)(g) 1st, PBL Human trafficking for commercial
sexual activity of a child under
the age of 18.

1602

787.06(4) 1st Selling or buying of minors into
human trafficking.

1603

790.161 1st Attempted capital destructive
device offense.

1604

790.166(2) 1st, PBL Possessing, selling, using, or
attempting to use a weapon of mass
destruction.

1605

794.011(2) 1st Attempted sexual battery; victim
less than 12 years of age.

1606

794.011(2) Life Sexual battery; offender younger
than 18 years and commits sexual
battery on a person less than 12

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years.

1607

794.011(4)

1st

Sexual battery; victim 12 years or older, certain circumstances.

1608

794.011(8)(b)

1st

Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

1609

794.08(2)

1st

Female genital mutilation; victim younger than 18 years of age.

1610

796.035

1st

Selling or buying of minors into prostitution.

1611

800.04(5)(b)

Life

Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.

1612

812.13(2)(a)

1st, PBL

Robbery with firearm or other deadly weapon.

1613

812.133(2)(a)

1st, PBL

Carjacking; firearm or other deadly weapon.

1614

812.135(2)(b)

1st

Home-invasion robbery with weapon.

1615

817.535(3)(b)

1st

Filing false lien or other

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unauthorized document; second or subsequent offense; property owner is a public officer or employee.

1616

817.535(4)(a)2.

1st

Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.

1617

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.

1618

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 guardian, or person exercising custodial authority.

1619

827.03(2)(a)

1st

Aggravated child abuse.

1620

847.0145(1)

1st

Selling, or otherwise transferring custody or control, of a minor.

1621

847.0145(2)

1st

Purchasing, or otherwise obtaining custody or control, of a minor.

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1622	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.
1623	893.135	1st	Attempted capital trafficking offense.
1624	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1625	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1626	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
1627	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
1628	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
1629	893.135	1st	Trafficking in amphetamine, more

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1630	(1) (f) 1.c.		than 200 grams.
1631	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
1632	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
1633	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
1634	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
1635	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
1636	Section 10. This act shall take effect October 1, 2014.		