



Criminal Justice Subcommittee

Tuesday, January 31, 2012

12:30 PM

404 HOB

Action Packet

**Dean Cannon
Speaker**

**Gayle Harrell
Chair**

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

Summary:

Criminal Justice Subcommittee

Tuesday January 31, 2012 12:30 pm

HB 5	Favorable With Committee Substitute	Yeas: 6	Nays: 5
	Amendment 309637 Withdrawn		
	Amendment 372849 Adopted Without Objection		
HB 137	Favorable With Committee Substitute	Yeas: 9	Nays: 5
	Amendment 458635 Adopted Without Objection		
HB 455	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 117779 Adopted Without Objection		
HB 497	Favorable With Committee Substitute	Yeas: 14	Nays: 0
	Amendment 606745 Adopted Without Objection		
HB 947	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 882405 Adopted Without Objection		
HB 1045	Favorable With Committee Substitute	Yeas: 11	Nays: 0
	Amendment 150381 Adopted Without Objection		
	Amendment 363839 Adopted Without Objection		
	Amendment 567489 Adopted Without Objection		
HB 1097	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 190765 Adopted Without Objection		
	Amendment 745383 Adopted Without Objection		
HB 1099	Favorable With Committee Substitute	Yeas: 9	Nays: 0
	Amendment 905135 Adopted Without Objection		
CS/HB 1143	Temporarily Deferred		
HB 1187	Favorable With Committee Substitute	Yeas: 11	Nays: 0
	Amendment 419679 Adopted Without Objection		
HB 1331	Favorable With Committee Substitute	Yeas: 11	Nays: 0
	Amendment 866241 Adopted Without Objection		
HB 1385	Favorable	Yeas: 15	Nays: 0

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Gayle Harrell (Chair)	X		
Dwight Bullard	X		
Daphne Campbell	X		
Jose Diaz	X		
Richard Glorioso	X		
James Grant	X		
John Julien	X		
Charles McBurney	X		
W. Keith Perry	X		
Ray Pilon	X		
Irving Slosberg	X		
Carlos Trujillo	X		
Charles Van Zant	X		
Barbara Watson	X		
Dana Young	X		
Totals:	15	0	0

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 5 : Parole for Juvenile Offenders

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard		X			
Daphne Campbell		X			
Jose Diaz	X				
Richard Glorioso	X				
James Grant	X				
John Julien		X			
Charles McBurney			X		
W. Keith Perry	X				
Ray Pilon				X	
Irving Slosberg		X			
Carlos Trujillo			X		
Charles Van Zant	X				
Barbara Watson		X			
Dana Young	X				
Gayle Harrell (Chair)				X	
Total Yeas: 6		Total Nays: 5			

HB 5 Amendments

Amendment 309637

Withdrawn

Amendment 372849

Adopted Without Objection

Appearances:

Martinez, Carlos (State Employee) - Opponent
Public Defender of Dade County, Florida Public Defender's Association
Miami FL

Messersmith, Frank (Lobbyist) - Waive In Support
Florida Sheriff's Association
2901 Bradford
Tallahassee FL 32317
Phone: (850) 576-5858

King, Brad (State Employee) - Waive In Support
State Attorney 5th Circuit, Florida Prosecuting Attorneys Association
110 NW 1st Ave. Suite 5000
Ocala FL 34480
Phone: (352) 671-5914

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 5 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12.

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Weinstein offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. This act may be cited as the "Graham Compliance
8 Act."

9 Section 2. Juvenile offender; eligibility.-

10 (1) (a) As used in this subsection, the term:

11 1. "Juvenile offender" means an offender who was less than
12 18 years of age at the time the nonhomicide offense was
13 committed.

14 2. "Nonhomicide offense" means an offense that did not
15 result in the death of a human being.

16 (b) Notwithstanding any other provision of law to the
17 contrary, a juvenile offender who is sentenced to life
18 imprisonment for a nonhomicide offense may be eligible for
19 resentencing as provided in this subsection.

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Amendment No. 1

20 (c) Before a juvenile offender may be eligible for
21 resentencing under this subsection, she or he must have served
22 25 years of incarceration for the offense for which resentencing
23 is sought. The initial resentencing hearing and any subsequent
24 resentencing hearing may occur only if the juvenile offender has
25 received no approved disciplinary reports for at least 3 years
26 before the scheduled resentencing hearing.

27 (d) The Department of Corrections shall screen juvenile
28 offenders committed to the department for eligibility criteria
29 in paragraph (c), to participate in a resentencing hearing. For
30 any juvenile offender who meets the eligibility requirements,
31 the department shall request the court of original jurisdiction
32 to hold a resentencing hearing.

33 (e) In determining whether the juvenile offender has
34 demonstrated maturity and reform and whether she or he should be
35 resentenced, the sentencing court must consider all of the
36 following:

37 1. Whether the juvenile offender remains at the same level
38 of risk to society as he or she had at the time of the initial
39 sentencing.

40 2. The wishes of the victim or the opinions of the
41 victim's next of kin. The absence of the victim or victim's next
42 of kin from the resentencing hearing shall not be a factor in
43 the court's determination under this section.

44 3. Whether the juvenile offender was a relatively minor
45 participant in the criminal offense or acted under extreme
46 duress or domination of another person.

47 4. Whether the juvenile offender has shown sincere and

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Amendment No. 1

48 sustained remorse for the criminal offense.

49 5. Whether the juvenile offender's age, maturity, and
50 psychological development at the time of the offense affected
51 her or his behavior.

52 6. Whether the juvenile offender, while in the custody of
53 the department, has aided inmates suffering from catastrophic or
54 terminal medical, mental, or physical conditions or has
55 prevented risk or injury to staff, citizens, or other inmates.

56 7. Whether the juvenile offender has successfully
57 completed any General Educational Development or other
58 educational, technical, work, vocational, or self-rehabilitation
59 program.

60 8. Whether the juvenile offender was a victim of sexual,
61 physical, or emotional abuse before she or he committed the
62 offense.

63 9. The results of any mental health assessment, risk
64 assessment, or evaluation of the juvenile offender.

65 10. The facts and circumstances of the offense for which
66 the life sentence was imposed including the severity of the
67 offense.

68 11. Any factor which the sentencing court may have taken
69 into account at the initial sentencing hearing in relation to
70 all other considerations listed in the his section which may be
71 relevant to the court's determination.

72 (f) If the court determines at the resentencing hearing
73 that the juvenile offender can reasonably be believed to be fit
74 to reenter society, the court must issue an order modifying the
75 sentence imposed and placing the offender on probation for a

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Amendment No. 1

76 term of at least 5 years. If the juvenile offender violates the
77 conditions of his or her probation, the court may revoke
78 probation and impose any sentence that it might have originally
79 imposed. After which, the juvenile offender is no longer
80 eligible for resentencing hearings pursuant to this section.

81 (g) A juvenile offender who is not resented under this
82 section at the initial resentencing hearing is eligible for a
83 resentencing hearing 7 years after the date of the denial and
84 every 7 years thereafter.

85 Section 3. This act shall take effect upon becoming a law.
86
87

88 -----
89 **T I T L E A M E N D M E N T**

90 Remove the entire title and insert:

91 An act relating to juvenile offenders; providing a short title;
92 providing definitions; providing that a juvenile offender who
93 was less than 18 years of age at the time of commission of a
94 nonhomicide offense and who is sentenced to life imprisonment is
95 eligible for resentencing if the offender has been incarcerated
96 for a minimum period; requiring an initial resentencing hearing
97 to determine whether the juvenile offender has demonstrated
98 maturity and reform for resentencing; providing criteria to
99 determine maturity and reform; requiring a term of at least 5
100 years probation for any juvenile offender resented by the
101 court; providing eligibility for a subsequent resentencing
102 hearing after a specified period for juvenile offenders denied
103 resentencing; providing an effective date.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 5 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

WITHDRAWN
1/31/12

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Grant offered the following:

4
5 **Amendment to Amendment (372849) by Representative Weinstein**

6 Remove line 22 of the amendment and insert:

7 10 years of incarceration for the offense for which resentencing

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 137 : Offenses Against Unborn Children

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard		X			
Daphne Campbell		X			
Jose Diaz	X				
Richard Glorioso	X				
James Grant	X				
John Julien		X			
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Irving Slosberg		X			
Carlos Trujillo	X				
Charles Van Zant	X				
Barbara Watson		X			
Dana Young			X		
Gayle Harrell (Chair)	X				
Total Yeas: 9		Total Nays: 5			

HB 137 Amendments

Amendment 458635

Adopted Without Objection

Appearances:

Delegal, Mark (Lobbyist) - Waive In Support
Counsel, First Professionals Insurance Company
215 S. Monroe St. #200
Tallahassee FL 32301
Phone: (850) 222-3533

Hopkins, Sheila (Lobbyist) - Waive In Support
Associate Director, Florida Catholic Conference
201 W. Park Ave.
Tallahassee FL 32301
Phone: (850) 205-6826

Bunkley, Bill (Lobbyist) - Waive In Support
President, Florida Ethics and Religion Liberty Commission
P.O Box 340288
Tampa FL 33694
Phone: (813) 264-2977

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 137 : Offenses Against Unborn Children (continued)

Appearances: (continued)

Warren, Bill (Lobbyist) - Waive In Support
Director of Policy, Florida Family Action
4853 S. Orange Ave.
Orlando Florida 32806
Phone: (850) 567-8143

Fort, Pamela Burch (Lobbyist) - Waive In Opposition
American Civil Liberties Union of Florida
104 S. Monroe St.
Tallahassee FL 32301
Phone: (850) 425-1344

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 137 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12

1 Committee/Subcommittee hearing bill: Criminal Justice

2 Subcommittee

3 Representative Ahern offered the following:

4
5 **Amendment (with title amendment)**

6 Remove lines 45-100 and insert:

7 this section. However, this section does not create, expand, or
8 authorize any civil cause of action for negligence or wrongful
9 death in any fetus that is not born alive, except as provided by
10 this section for vehicular homicide.

11 (4) In addition to any other punishment, the court may
12 order the person to serve 120 community service hours in a
13 trauma center or hospital that regularly receives victims of
14 vehicle accidents, under the supervision of a registered nurse,
15 an emergency room physician, or an emergency medical technician
16 pursuant to a voluntary community service program operated by
17 the trauma center or hospital.

18 Section 3. Section 782.09, Florida Statutes, is amended to
19 read:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 137 (2012)

Amendment No. 1

20 782.09 Killing of unborn ~~quick~~ child by injury to mother.-

21 (1) The unlawful killing of an unborn ~~quick~~ child, by any
22 injury to the mother of such child which would be murder if it
23 resulted in the death of such mother, shall be deemed murder in
24 the same degree as that which would have been committed against
25 the mother. Any person, other than the mother, who unlawfully
26 kills an unborn ~~quick~~ child by any injury to the mother:

27 (a) Which would be murder in the first degree constituting
28 a capital felony if it resulted in the mother's death commits
29 murder in the first degree constituting a capital felony,
30 punishable as provided in s. 775.082.

31 (b) Which would be murder in the second degree if it
32 resulted in the mother's death commits murder in the second
33 degree, a felony of the first degree, punishable as provided in
34 s. 775.082, s. 775.083, or s. 775.084.

35 (c) Which would be murder in the third degree if it
36 resulted in the mother's death commits murder in the third
37 degree, a felony of the second degree, punishable as provided in
38 s. 775.082, s. 775.083, or s. 775.084.

39 (2) The unlawful killing of an unborn ~~quick~~ child by any
40 injury to the mother of such child which would be manslaughter
41 if it resulted in the death of such mother is ~~shall be deemed~~
42 manslaughter. A person who unlawfully kills an unborn ~~quick~~
43 child by any injury to the mother which would be manslaughter if
44 it resulted in the mother's death commits manslaughter, a felony
45 of the second degree, punishable as provided in s. 775.082, s.
46 775.083, or s. 775.084.

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Amendment No. 1

47 (3) The death of the mother resulting from the same act or
48 criminal episode that caused the death of the unborn ~~quick~~ child
49 does not bar prosecution under this section.

50 (4) This section does not authorize the prosecution of ~~any~~
51 ~~person in connection with a termination of pregnancy pursuant to~~
52 ~~chapter 390:~~

53 (a) Any person for conduct relating to a termination of
54 pregnancy pursuant to chapter 390 for which consent of the
55 pregnant woman, or a person authorized by law to act on her
56 behalf, has been obtained or for which such consent is implied
57 by law; or

58 (b) Any person for any medical treatment of the pregnant
59 woman or her unborn child.

60 (5) For purposes of this section, the definition of the
61 term "unborn ~~quick~~ child" shall be determined in accordance with
62 the definition of an unborn child ~~viable fetus~~ as set forth in
63 s. 782.071.

64 (6) An offense under this section does not require:

65 (a) That the person engaging in the conduct:

66 1. Had knowledge or should have had knowledge that the
67 mother was pregnant; or

68 2. Intended to cause the death of, or bodily injury to,
69 the unborn child.

70 (b) The death of the mother.

71 (7) This section does not create, expand, or authorize any
72 civil cause of action for negligence or wrongful death based on
73 statute or common law for any fetus that is not born alive.
74

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 137 (2012)

Amendment No. 1

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T I T L E A M E N D M E N T

Remove lines 8-11 and insert:

s. 782.09, F.S.; providing exemptions from prosecution; revising
terminology; providing that certain offenses relating to the
killing of an unborn child by injury to the mother do not
require specified knowledge or intent or death of the mother;
providing legislative intent; amending

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 455 : Criminal Offenders

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Jose Diaz	X				
Richard Glorioso	X				
James Grant			X		
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Irving Slosberg	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Barbara Watson	X				
Dana Young	X				
Gayle Harrell (Chair)				X	
Total Yeas: 12		Total Nays: 0			

HB 455 Amendments

Amendment 117779

Adopted Without Objection

Appearances:

Pitts, Brian (General Public) - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727) 897-9291

Poore, Terri (Lobbyist) - Waive In Support

Director of Public Affairs, Florida Council Against Sexual Violence

1820 East Park Avenue Suite 100

Tallahassee FL 32301

Phone: (850) 297-2000

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 455 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Glorioso offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

11 775.21 The Florida Sexual Predators Act.—

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

13 (i) "Internet identifier ~~Instant message name~~" means all
14 electronic mail, chat, instant messenger, social networking, or
15 similar name used for Internet communication, but does not
16 include a date of birth, social security number, or personal
17 identification number (PIN). Voluntary disclosure by the sexual
18 predator of his or her date of birth, social security number, or
19 personal identification number (PIN) as an Internet identifier

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Amendment No. 1

20 waives the disclosure exemption in this paragraph for such
21 personal information an identifier that allows a person to
22 communicate in real time with another person using the Internet.

23 (4) SEXUAL PREDATOR CRITERIA.—

24 (a) For a current offense committed on or after October 1,
25 1993, upon conviction, an offender shall be designated as a
26 "sexual predator" under subsection (5), and subject to
27 registration under subsection (6) and community and public
28 notification under subsection (7) if:

29 1. The felony is:

30 a. A capital, life, or first-degree felony violation, or
31 any attempt thereof, of s. 787.01 or s. 787.02, where the victim
32 is a minor and the defendant is not the victim's parent or
33 guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a
34 violation of a similar law of another jurisdiction; or

35 b. Any felony violation, or any attempt thereof, of s.
36 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
37 787.025(2)(c), where the victim is a minor and the defendant is
38 not the victim's parent or guardian; s. 794.011, excluding s.
39 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 796.045; s.
40 800.04; s. 825.1025 ~~825.1025(2)(b)~~; s. 827.071; s. 847.0135(5);
41 s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a violation of
42 a similar law of another jurisdiction, and the offender has
43 previously been convicted of or found to have committed, or has
44 pled nolo contendere or guilty to, regardless of adjudication,
45 any violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s.
46 787.02, or s. 787.025(2)(c), where the victim is a minor and the
47 defendant is not the victim's parent or guardian; s. 794.011,

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 455 (2012)

Amendment No. 1

48 excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s.
49 796.045; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s.
50 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 916.1075(2);
51 or s. 985.701(1); or a violation of a similar law of another
52 jurisdiction;

53 2. The offender has not received a pardon for any felony
54 or similar law of another jurisdiction that is necessary for the
55 operation of this paragraph; and

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

59 (6) REGISTRATION.—

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

63 1. Name; social security number; age; race; sex; date of
64 birth; height; weight; tattoos or other identifying marks; hair
65 and eye color; photograph; address of legal residence and
66 address of any current temporary residence, within the state or
67 out of state, including a rural route address and a post office
68 box; if no permanent or temporary address, any transient
69 residence within the state; address, location or description,
70 and dates of any current or known future temporary residence
71 within the state or out of state; all ~~any~~ electronic mail
72 addresses ~~address~~ and all Internet identifiers ~~any instant~~
73 ~~message name~~ required to be provided pursuant to subparagraph
74 (g)4.; all home telephone numbers ~~number~~ and ~~any~~ cellular
75 telephone numbers ~~number~~; date and place of any employment; the

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 455 (2012)

Amendment No. 1

76 make, model, color, registration number, and license tag number
77 of all vehicles owned; date and place of each conviction;
78 fingerprints; palm prints; and a brief description of the crime
79 or crimes committed by the offender. A post office box shall not
80 be provided in lieu of a physical residential address. The
81 sexual predator must also produce his or her passport, if he or
82 she has a passport, and, if he or she is an alien, must produce
83 or provide information about documents establishing his or her
84 immigration status. The sexual predator must also provide
85 information about any professional licenses he or she may have.

86 a. If the sexual predator's place of residence is a motor
87 vehicle, trailer, mobile home, or manufactured home, as defined
88 in chapter 320, the sexual predator shall also provide to the
89 department written notice of the vehicle identification number;
90 the license tag number; the registration number; and a
91 description, including color scheme, of the motor vehicle,
92 trailer, mobile home, or manufactured home. If a sexual
93 predator's place of residence is a vessel, live-aboard vessel,
94 or houseboat, as defined in chapter 327, the sexual predator
95 shall also provide to the department written notice of the hull
96 identification number; the manufacturer's serial number; the
97 name of the vessel, live-aboard vessel, or houseboat; the
98 registration number; and a description, including color scheme,
99 of the vessel, live-aboard vessel, or houseboat.

100 b. If the sexual predator is enrolled, employed,
101 volunteering, or carrying on a vocation at an institution of
102 higher education in this state, the sexual predator shall also
103 provide to the department the name, address, and county of each

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 455 (2012)

Amendment No. 1

104 institution, including each campus attended, and the sexual
105 predator's enrollment, volunteer, or employment status. Each
106 change in enrollment or employment status shall be reported in
107 person at the sheriff's office, or the Department of Corrections
108 if the sexual predator is in the custody or control of or under
109 the supervision of the Department of Corrections, within 48
110 hours after any change in status. The sheriff or the Department
111 of Corrections shall promptly notify each institution of the
112 sexual predator's presence and any change in the sexual
113 predator's enrollment, volunteer, or employment status.

114 2. Any other information determined necessary by the
115 department, including criminal and corrections records;
116 nonprivileged personnel and treatment records; and evidentiary
117 genetic markers when available.

118 (b) If the sexual predator is in the custody or control
119 of, or under the supervision of, the Department of Corrections,
120 or is in the custody of a private correctional facility, the
121 sexual predator must register with the Department of
122 Corrections. A sexual predator who is under the supervision of
123 the Department of Corrections but who is not incarcerated must
124 register with the Department of Corrections within 3 business
125 days after the court finds the offender to be a sexual predator.
126 The Department of Corrections shall provide to the department
127 registration information and the location of, and local
128 telephone number for, any Department of Corrections office that
129 is responsible for supervising the sexual predator. In addition,
130 the Department of Corrections shall notify the department if the

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 455 (2012)

Amendment No. 1

131 sexual predator escapes or absconds from custody or supervision
132 or if the sexual predator dies.

133 (c) If the sexual predator is in the custody of a local
134 jail, the custodian of the local jail shall register the sexual
135 predator within 3 business days after intake of the sexual
136 predator for any reason and upon release, and shall forward the
137 registration information to the department. The custodian of the
138 local jail shall also take a digitized photograph of the sexual
139 predator while the sexual predator remains in custody and shall
140 provide the digitized photograph to the department. The
141 custodian shall notify the department if the sexual predator
142 escapes from custody or dies.

143 (d) If the sexual predator is under federal supervision,
144 the federal agency responsible for supervising the sexual
145 predator may forward to the department any information regarding
146 the sexual predator which is consistent with the information
147 provided by the Department of Corrections under this section,
148 and may indicate whether use of the information is restricted to
149 law enforcement purposes only or may be used by the department
150 for purposes of public notification.

151 (e)1. If the sexual predator is not in the custody or
152 control of, or under the supervision of, the Department of
153 Corrections or is not in the custody of a private correctional
154 facility, the sexual predator shall register in person:

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

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

161 2. Any change in the sexual predator's permanent or
162 temporary residence, name, or all any electronic mail addresses
163 ~~address~~ and all Internet identifiers ~~any instant message name~~
164 required to be provided pursuant to subparagraph (g)4., after
165 the sexual predator registers in person at the sheriff's office
166 as provided in subparagraph 1., shall be accomplished in the
167 manner provided in paragraphs (g), (i), and (j). When a sexual
168 predator registers with the sheriff's office, the sheriff shall
169 take a photograph, ~~and~~ a set of fingerprints, and palm prints of
170 the predator and forward the photographs, palm prints, and
171 fingerprints to the department, along with the information that
172 the predator is required to provide pursuant to this section.

173 (f) Within 48 hours after the registration required under
174 paragraph (a) or paragraph (e), a sexual predator who is not
175 incarcerated and who resides in the community, including a
176 sexual predator under the supervision of the Department of
177 Corrections, shall register in person at a driver ~~driver's~~
178 license office of the Department of Highway Safety and Motor
179 Vehicles and shall present proof of registration. At the driver
180 ~~driver's~~ license office the sexual predator shall:

181 1. If otherwise qualified, secure a Florida driver
182 ~~driver's~~ license, renew a Florida driver ~~driver's~~ license, or
183 secure an identification card. The sexual predator shall
184 identify himself or herself as a sexual predator who is required
185 to comply with this section, provide his or her place of

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186 permanent, temporary, or transient residence, including a rural
187 route address and a post office box, and submit to the taking of
188 a photograph for use in issuing a driver ~~driver's~~ license,
189 renewed license, or identification card, and for use by the
190 department in maintaining current records of sexual predators. A
191 post office box shall not be provided in lieu of a physical
192 residential address. If the sexual predator's place of residence
193 is a motor vehicle, trailer, mobile home, or manufactured home,
194 as defined in chapter 320, the sexual predator shall also
195 provide to the Department of Highway Safety and Motor Vehicles
196 the vehicle identification number; the license tag number; the
197 registration number; and a description, including color scheme,
198 of the motor vehicle, trailer, mobile home, or manufactured
199 home. If a sexual predator's place of residence is a vessel,
200 live-aboard vessel, or houseboat, as defined in chapter 327, the
201 sexual predator shall also provide to the Department of Highway
202 Safety and Motor Vehicles the hull identification number; the
203 manufacturer's serial number; the name of the vessel, live-
204 aboard vessel, or houseboat; the registration number; and a
205 description, including color scheme, of the vessel, live-aboard
206 vessel, or houseboat.

207 2. Pay the costs assessed by the Department of Highway
208 Safety and Motor Vehicles for issuing or renewing a driver
209 ~~driver's~~ license or identification card as required by this
210 section. The driver ~~driver's~~ license or identification card
211 issued to the sexual predator must be in compliance with s.
212 322.141(3).

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

216 (g)1. Each time a sexual predator's driver ~~driver's~~
217 license or identification card is subject to renewal, and,
218 without regard to the status of the predator's driver ~~driver's~~
219 license or identification card, within 48 hours after any change
220 of the predator's residence or change in the predator's name by
221 reason of marriage or other legal process, the predator shall
222 report in person to a driver ~~driver's~~ license office and shall
223 be subject to the requirements specified in paragraph (f). The
224 Department of Highway Safety and Motor Vehicles shall forward to
225 the department and to the Department of Corrections all
226 photographs and information provided by sexual predators.

227 Notwithstanding the restrictions set forth in s. 322.142, the
228 Department of Highway Safety and Motor Vehicles is authorized to
229 release a reproduction of a color-photograph or digital-image
230 license to the Department of Law Enforcement for purposes of
231 public notification of sexual predators as provided in this
232 section. A sexual predator who is unable to secure or update a
233 driver license or identification card with the Department of
234 Highway Safety and Motor Vehicles as provided in paragraph (f)
235 and this paragraph must also report any change of the predator's
236 residence or change in the predator's name by reason of marriage
237 or other legal process within 48 hours after the change to the
238 sheriff's office in the county where the predator resides or is
239 located and provide confirmation that he or she reported such

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240 information to the Department of Highway Safety and Motor
241 Vehicles.

242 2. A sexual predator who vacates a permanent, temporary,
243 or transient residence and fails to establish or maintain
244 another permanent, temporary, or transient residence shall,
245 within 48 hours after vacating the permanent, temporary, or
246 transient residence, report in person to the sheriff's office of
247 the county in which he or she is located. The sexual predator
248 shall specify the date upon which he or she intends to or did
249 vacate such residence. The sexual predator must provide or
250 update all of the registration information required under
251 paragraph (a). The sexual predator must provide an address for
252 the residence or other place that he or she is or will be
253 located during the time in which he or she fails to establish or
254 maintain a permanent or temporary residence.

255 3. A sexual predator who remains at a permanent,
256 temporary, or transient residence after reporting his or her
257 intent to vacate such residence shall, within 48 hours after the
258 date upon which the predator indicated he or she would or did
259 vacate such residence, report in person to the sheriff's office
260 to which he or she reported pursuant to subparagraph 2. for the
261 purpose of reporting his or her address at such residence. When
262 the sheriff receives the report, the sheriff shall promptly
263 convey the information to the department. An offender who makes
264 a report as required under subparagraph 2. but fails to make a
265 report as required under this subparagraph commits a felony of
266 the second degree, punishable as provided in s. 775.082, s.
267 775.083, or s. 775.084.

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268 4. A sexual predator must register all ~~any~~ electronic mail
269 addresses and Internet identifiers ~~address or instant message~~
270 ~~name~~ with the department prior to using such electronic mail
271 addresses and Internet identifiers ~~address or instant message~~
272 ~~name on or after October 1, 2007~~. The department shall establish
273 an online system through which sexual predators may securely
274 access and update all electronic mail address and Internet
275 identifier ~~instant message name~~ information.

276 (h) The department must notify the sheriff and the state
277 attorney of the county and, if applicable, the police chief of
278 the municipality, where the sexual predator maintains a
279 residence.

280 (i) A sexual predator who intends to establish a
281 permanent, temporary, or transient residence in another state or
282 jurisdiction other than the State of Florida shall report in
283 person to the sheriff of the county of current residence within
284 48 hours before the date he or she intends to leave this state
285 to establish residence in another state or jurisdiction or
286 within 21 days before his or her planned departure date if the
287 intended residence of 5 days or more is outside of the United
288 States. The sexual predator must provide to the sheriff the
289 address, municipality, county, ~~and~~ state, and country of
290 intended residence. The sheriff shall promptly provide to the
291 department the information received from the sexual predator.
292 The department shall notify the statewide law enforcement
293 agency, or a comparable agency, in the intended state, ~~or~~
294 jurisdiction, or country of residence of the sexual predator's
295 intended residence. The failure of a sexual predator to provide

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296 his or her intended place of residence is punishable as provided
297 in subsection (10).

298 (j) A sexual predator who indicates his or her intent to
299 establish a permanent, temporary, or transient residence in
300 another state, a ~~or~~ jurisdiction other than the State of
301 Florida, or another country and later decides to remain in this
302 state shall, within 48 hours after the date upon which the
303 sexual predator indicated he or she would leave this state,
304 report in person to the sheriff to which the sexual predator
305 reported the intended change of residence, and report his or her
306 intent to remain in this state. If the sheriff is notified by
307 the sexual predator that he or she intends to remain in this
308 state, the sheriff shall promptly report this information to the
309 department. A sexual predator who reports his or her intent to
310 establish a permanent, temporary, or transient residence in
311 another state, a ~~or~~ jurisdiction other than the State of
312 Florida, or another country, but who remains in this state
313 without reporting to the sheriff in the manner required by this
314 paragraph, commits a felony of the second degree, punishable as
315 provided in s. 775.082, s. 775.083, or s. 775.084.

316 (k)1. The department is responsible for the online
317 maintenance of current information regarding each registered
318 sexual predator. The department must maintain hotline access for
319 state, local, and federal law enforcement agencies to obtain
320 instantaneous locator file and offender characteristics
321 information on all released registered sexual predators for
322 purposes of monitoring, tracking, and prosecution. The

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323 | photograph and fingerprints do not have to be stored in a
324 | computerized format.

325 | 2. The department's sexual predator registration list,
326 | containing the information described in subparagraph (a)1., is a
327 | public record. The department is authorized to disseminate this
328 | public information by any means deemed appropriate, including
329 | operating a toll-free telephone number for this purpose. When
330 | the department provides information regarding a registered
331 | sexual predator to the public, department personnel must advise
332 | the person making the inquiry that positive identification of a
333 | person believed to be a sexual predator cannot be established
334 | unless a fingerprint comparison is made, and that it is illegal
335 | to use public information regarding a registered sexual predator
336 | to facilitate the commission of a crime.

337 | 3. The department shall adopt guidelines as necessary
338 | regarding the registration of sexual predators and the
339 | dissemination of information regarding sexual predators as
340 | required by this section.

341 | (1) A sexual predator must maintain registration with the
342 | department for the duration of his or her life, unless the
343 | sexual predator has received a full pardon or has had a
344 | conviction set aside in a postconviction proceeding for any
345 | offense that met the criteria for the sexual predator
346 | designation.

347 | (8) VERIFICATION.—The department and the Department of
348 | Corrections shall implement a system for verifying the addresses
349 | of sexual predators. The system must be consistent with the
350 | provisions of the federal Adam Walsh Child Protection and Safety

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351 Act of 2006 and any other federal standards applicable to such
352 verification or required to be met as a condition for the
353 receipt of federal funds by the state. The Department of
354 Corrections shall verify the addresses of sexual predators who
355 are not incarcerated but who reside in the community under the
356 supervision of the Department of Corrections and shall report to
357 the department any failure by a sexual predator to comply with
358 registration requirements. County and local law enforcement
359 agencies, in conjunction with the department, shall verify the
360 addresses of sexual predators who are not under the care,
361 custody, control, or supervision of the Department of
362 Corrections. Local law enforcement agencies shall report to the
363 department any failure by a sexual predator to comply with
364 registration requirements.

365 (a) A sexual predator must report in person each year
366 during the month of the sexual predator's birthday and during
367 every third month thereafter to the sheriff's office in the
368 county in which he or she resides or is otherwise located to
369 reregister. The sheriff's office may determine the appropriate
370 times and days for reporting by the sexual predator, which shall
371 be consistent with the reporting requirements of this paragraph.
372 Reregistration shall include any changes to the following
373 information:

374 1. Name; social security number; age; race; sex; date of
375 birth; height; weight; tattoos or other identifying marks; hair
376 and eye color; address of any permanent residence and address of
377 any current temporary residence, within the state or out of
378 state, including a rural route address and a post office box; if

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379 no permanent or temporary address, any transient residence
380 within the state; address, location or description, and dates of
381 any current or known future temporary residence within the state
382 or out of state; all ~~any~~ electronic mail addresses ~~address~~ and
383 all Internet identifiers ~~any instant message name~~ required to be
384 provided pursuant to subparagraph (6)(g)4.; all home telephone
385 numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~; date
386 and place of any employment; the ~~vehicle~~ make, model, color,
387 registration number, and license tag number of all vehicles
388 owned; fingerprints; palm prints; and photograph. A post office
389 box shall not be provided in lieu of a physical residential
390 address. The sexual predator must also produce his or her
391 passport, if he or she has a passport, and, if he or she is an
392 alien, must produce or provide information about documents
393 establishing his or her immigration status. The sexual predator
394 must also provide information about any professional licenses he
395 or she may have.

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

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

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407 of the motor vehicle, trailer, mobile home, or manufactured
408 home. If the sexual predator's place of residence is a vessel,
409 live-aboard vessel, or houseboat, as defined in chapter 327, the
410 sexual predator shall also provide the hull identification
411 number; the manufacturer's serial number; the name of the
412 vessel, live-aboard vessel, or houseboat; the registration
413 number; and a description, including color scheme, of the
414 vessel, live-aboard vessel, or houseboat.

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

419 (10) PENALTIES.—

420 (a) Except as otherwise specifically provided, a sexual
421 predator who fails to register; who fails, after registration,
422 to maintain, acquire, or renew a driver ~~driver's~~ license or
423 identification card; who fails to provide required location
424 information, electronic mail address information, Internet
425 identifier ~~instant message name~~ information, all home telephone
426 numbers ~~number~~ and any cellular telephone numbers ~~number~~, or
427 change-of-name information; who fails to make a required report
428 in connection with vacating a permanent residence; who fails to
429 reregister as required; who fails to respond to any address
430 verification correspondence from the department within 3 weeks
431 of the date of the correspondence; who knowingly provides false
432 registration information by act or omission; or who otherwise
433 fails, by act or omission, to comply with the requirements of

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434 this section, commits a felony of the third degree, punishable
435 as provided in s. 775.082, s. 775.083, or s. 775.084.

436 Section 2. Section 800.03, Florida Statutes, is amended to
437 read:

438 800.03 Exposure of sexual organs.—

439 (1) It is unlawful to expose or exhibit one's sexual
440 organs in public or on the private premises of another, or so
441 near thereto as to be seen from such private premises, in a
442 vulgar or indecent manner, or to be naked in public except in
443 any place provided or set apart for that purpose.

444 (2)(a) Except as provided in paragraph (b), a violation of
445 this section is a misdemeanor of the first degree, punishable as
446 provided in s. 775.082 or s. 775.083.

447 (b) A third or subsequent violation of this section is a
448 felony of the third degree, punishable as provided in s.
449 775.082, s. 775.083, or s. 775.084.

450 (3) A mother's breastfeeding of her baby does not under
451 any circumstance violate this section.

452 Section 3. Paragraph (m) is added to subsection (2) of
453 section 903.046, Florida Statutes, to read:

454 903.046 Purpose of and criteria for bail determination.—

455 (2) When determining whether to release a defendant on
456 bail or other conditions, and what that bail or those conditions
457 may be, the court shall consider:

458 (m) Whether the defendant, other than a defendant whose
459 only criminal charge is a misdemeanor offense under chapter 316,
460 is required to register as a sexual offender under s. 943.0435
461 or a sexual predator under s. 775.21; and, if so, he or she is

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462 not eligible for release on bail or surety bond until the first
463 appearance on the case in order to ensure the full participation
464 of the prosecutor and the protection of the public.

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

469 943.0435 Sexual offenders required to register with the
470 department; penalty.-

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

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

475 a.(I) Has been convicted of committing, or attempting,
476 soliciting, or conspiring to commit, any of the criminal
477 offenses proscribed in the following statutes in this state or
478 similar offenses in another jurisdiction: s. 393.135(2); s.
479 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where
480 the victim is a minor and the defendant is not the victim's
481 parent or guardian; s. 794.011, excluding s. 794.011(10); s.
482 794.05; s. 796.03; s. 796.035; s. 796.045; s. 800.04; s.
483 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s.
484 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s.
485 916.1075(2); or s. 985.701(1); or any similar offense committed

486 in this state which has been redesignated from a former statute
487 number to one of those listed in this sub-sub-subparagraph; and

488 (II) Has been released on or after October 1, 1997, from
489 the sanction imposed for any conviction of an offense described

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490 in sub-sub-subparagraph (I). For purposes of sub-sub-
491 subparagraph (I), a sanction imposed in this state or in any
492 other jurisdiction includes, but is not limited to, a fine,
493 probation, community control, parole, conditional release,
494 control release, or incarceration in a state prison, federal
495 prison, private correctional facility, or local detention
496 facility;

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

507 c. Establishes or maintains a residence in this state who
508 is in the custody or control of, or under the supervision of,
509 any other state or jurisdiction as a result of a conviction for
510 committing, or attempting, soliciting, or conspiring to commit,
511 any of the criminal offenses proscribed in the following
512 statutes or similar offense in another jurisdiction: s.
513 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
514 787.025(2)(c), where the victim is a minor and the defendant is
515 not the victim's parent or guardian; s. 794.011, excluding s.
516 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 796.045; s.
517 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135,

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518 | excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145;
519 | s. 916.1075(2); or s. 985.701(1); or any similar offense
520 | committed in this state which has been redesignated from a
521 | former statute number to one of those listed in this sub-
522 | subparagraph; or

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

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

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

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

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

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

540 |

541 | For each violation of a qualifying offense listed in this
542 | subsection, except for a violation of s. 794.011, the court
543 | shall make a written finding of the age of the victim at the
544 | time of the offense. For a violation of s. 800.04(4), the court
545 | shall additionally make a written finding indicating that the

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546 offense did or did not involve sexual activity and indicating
547 that the offense did or did not involve force or coercion. For a
548 violation of s. 800.04(5), the court shall additionally make a
549 written finding that the offense did or did not involve
550 unclothed genitals or genital area and that the offense did or
551 did not involve the use of force or coercion.

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

556 (2) A sexual offender shall:

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

558 1. In the county in which the offender establishes or
559 maintains a permanent, temporary, or transient residence within
560 48 hours after:

561 a. Establishing permanent, temporary, or transient
562 residence in this state; or

563 b. Being released from the custody, control, or
564 supervision of the Department of Corrections or from the custody
565 of a private correctional facility; or

566 2. In the county where he or she was convicted within 48
567 hours after being convicted for a qualifying offense for
568 registration under this section if the offender is not in the
569 custody or control of, or under the supervision of, the
570 Department of Corrections, or is not in the custody of a private
571 correctional facility.

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573 Any change in the information required to be provided pursuant
574 to paragraph (b), including, but not limited to, any change in
575 the sexual offender's permanent, temporary, or transient
576 residence, name, all any electronic mail addresses address and
577 all Internet identifiers any instant message name required to be
578 provided pursuant to paragraph (4)(d), after the sexual offender
579 reports in person at the sheriff's office, shall be accomplished
580 in the manner provided in subsections (4), (7), and (8).

581 (b) Provide his or her name; date of birth; social
582 security number; race; sex; height; weight; hair and eye color;
583 tattoos or other identifying marks; occupation and place of
584 employment; address of permanent or legal residence or address
585 of any current temporary residence, within the state or out of
586 state, including a rural route address and a post office box; if
587 no permanent or temporary address, any transient residence
588 within the state, address, location or description, and dates of
589 any current or known future temporary residence within the state
590 or out of state; the make, model, color, registration number,
591 and license tag number of all vehicles owned; all home telephone
592 numbers number and any cellular telephone numbers number; all
593 any electronic mail addresses address and all Internet
594 identifiers any instant message name required to be provided
595 pursuant to paragraph (4)(d); fingerprints; palm prints;
596 photograph; date and place of each conviction; and a brief
597 description of the crime or crimes committed by the offender. A
598 post office box shall not be provided in lieu of a physical
599 residential address. The sexual offender must also produce his
600 or her passport, if he or she has a passport, and, if he or she

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601 is an alien, must produce or provide information about documents
602 establishing his or her immigration status. The sexual offender
603 must also provide information about any professional licenses he
604 or she may have.

605 1. If the sexual offender's place of residence is a motor
606 vehicle, trailer, mobile home, or manufactured home, as defined
607 in chapter 320, the sexual offender shall also provide to the
608 department through the sheriff's office written notice of the
609 vehicle identification number; the license tag number; the
610 registration number; and a description, including color scheme,
611 of the motor vehicle, trailer, mobile home, or manufactured
612 home. If the sexual offender's place of residence is a vessel,
613 live-aboard vessel, or houseboat, as defined in chapter 327, the
614 sexual offender shall also provide to the department written
615 notice of the hull identification number; the manufacturer's
616 serial number; the name of the vessel, live-aboard vessel, or
617 houseboat; the registration number; and a description, including
618 color scheme, of the vessel, live-aboard vessel, or houseboat.

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

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629 presence and any change in the sexual offender's enrollment,
630 volunteer, or employment status.

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

635

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

643 (4)(a) Each time a sexual offender's driver ~~driver's~~
644 license or identification card is subject to renewal, and,
645 without regard to the status of the offender's driver ~~driver's~~
646 license or identification card, within 48 hours after any change
647 in the offender's permanent, temporary, or transient residence
648 or change in the offender's name by reason of marriage or other
649 legal process, the offender shall report in person to a driver
650 ~~driver's~~ license office, and shall be subject to the
651 requirements specified in subsection (3). The Department of
652 Highway Safety and Motor Vehicles shall forward to the
653 department all photographs and information provided by sexual
654 offenders. Notwithstanding the restrictions set forth in s.
655 322.142, the Department of Highway Safety and Motor Vehicles is
656 authorized to release a reproduction of a color-photograph or

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657 digital-image license to the Department of Law Enforcement for
658 purposes of public notification of sexual offenders as provided
659 in this section and ss. 943.043 and 944.606. A sexual offender
660 who is unable to secure or update a driver license or
661 identification card with the Department of Highway Safety and
662 Motor Vehicles as provided in subsection (3) and this subsection
663 must also report any change in the sexual offender's permanent,
664 temporary, or transient residence or change in the offender's
665 name by reason of marriage or other legal process within 48
666 hours after the change to the sheriff's office in the county
667 where the offender resides or is located and provide
668 confirmation that he or she reported such information to the
669 Department of Highway Safety and Motor Vehicles.

670 (d) A sexual offender must register all ~~any~~ electronic
671 mail addresses and Internet identifiers ~~address or instant~~
672 ~~message name~~ with the department prior to using such electronic
673 mail addresses and Internet identifiers ~~address or instant~~
674 ~~message name on or after October 1, 2007.~~ The department shall
675 establish an online system through which sexual offenders may
676 securely access and update all electronic mail address and
677 Internet identifier ~~instant message name~~ information.

678 (7) A sexual offender who intends to establish a
679 permanent, temporary, or transient residence in another state or
680 jurisdiction other than the State of Florida shall report in
681 person to the sheriff of the county of current residence within
682 48 hours before the date he or she intends to leave this state
683 to establish residence in another state or jurisdiction or
684 within 21 days before his or her planned departure date if the

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685 intended residence of 5 days or more is outside of the United
686 States. The notification must include the address, municipality,
687 county, ~~and~~ state, and country of intended residence. The
688 sheriff shall promptly provide to the department the information
689 received from the sexual offender. The department shall notify
690 the statewide law enforcement agency, or a comparable agency, in
691 the intended state, ~~or~~ jurisdiction, or country of residence of
692 the sexual offender's intended residence. The failure of a
693 sexual offender to provide his or her intended place of
694 residence is punishable as provided in subsection (9).

695 (8) A sexual offender who indicates his or her intent to
696 establish a permanent, temporary, or transient residence in
697 another state, a ~~or~~ jurisdiction other than the State of
698 Florida, or another country and later decides to remain in this
699 state shall, within 48 hours after the date upon which the
700 sexual offender indicated he or she would leave this state,
701 report in person to the sheriff to which the sexual offender
702 reported the intended change of permanent, temporary, or
703 transient residence, and report his or her intent to remain in
704 this state. The sheriff shall promptly report this information
705 to the department. A sexual offender who reports his or her
706 intent to establish a permanent, temporary, or transient
707 residence in another state, a ~~or~~ jurisdiction other than the
708 State of Florida, or another country but who remains in this
709 state without reporting to the sheriff in the manner required by
710 this subsection commits a felony of the second degree,
711 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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712 (11) Except as provided in this subsection and s.
713 943.04354, a sexual offender must maintain registration with the
714 department for the duration of his or her life, unless the
715 sexual offender has received a full pardon or has had a
716 conviction set aside in a postconviction proceeding for any
717 offense that meets the criteria for classifying the person as a
718 sexual offender for purposes of registration. ~~However, a sexual~~
719 ~~offender:~~

720 (a)1. A sexual offender may petition the criminal division
721 of the circuit court of the circuit in which the sexual offender
722 resides for the purpose of removing the requirement for
723 registration as a sexual offender if ~~Who has been lawfully~~
724 ~~released from confinement, supervision, or sanction, whichever~~
725 ~~is later, for at least 25 years and has not been arrested for~~
726 ~~any felony or misdemeanor offense since release, provided that~~
727 ~~the sexual offender's requirement to register was not based upon~~
728 ~~an adult conviction:~~

729 a. Twenty-five years have elapsed since the sexual
730 offender's registration period for the most recent conviction
731 that required the offender to register began;

732 b. The sexual offender has not been convicted or
733 adjudicated delinquent of any felony offense or of an offense
734 punishable by more than 1 year of imprisonment during the 25
735 years preceding the petition to the court;

736 c. The sexual offender has successfully completed all
737 sanctions imposed for all offenses that required the offender to
738 register;

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739 d. The sexual offender's requirement to register was not
740 based upon an adult conviction for a violation of s. 787.01, s.
741 794.011, excluding s. 794.011(10), s. 800.04(4)(b) where the
742 court finds the offense involved a victim under 12 years of age
743 or sexual activity by the use of force or coercion, s.
744 800.04(5)(b), or s. 800.04(5)(c)2. where the court finds the
745 offense involved unclothed genitals or genital area; for any
746 attempt or conspiracy to commit any offense listed in this sub-
747 paragraph; or for a violation of similar law of another
748 jurisdiction; and

749 e. For sexual offenders whose requirement to register is
750 based upon a conviction in another state, the sexual offender is
751 not required to register as a sexual offender pursuant to the
752 laws of the state where the conviction occurred.

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

754 ~~b. For a violation of s. 794.011, excluding s.~~
755 ~~794.011(10);~~

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

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

760 ~~e. For a violation of s. 800.04(5)c.2. where the court~~
761 ~~finds the offense involved unclothed genitals or genital area;~~

762 ~~f. For any attempt or conspiracy to commit any such~~
763 ~~offense; or~~

764 ~~g. For a violation of similar law of another jurisdiction;~~

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766 ~~may petition the criminal division of the circuit court of the~~
767 ~~circuit in which the sexual offender resides for the purpose of~~
768 ~~removing the requirement for registration as a sexual offender.~~

769 2. A sexual offender whose requirement to register was
770 based upon an adult conviction for a violation of s. 787.02 or
771 s. 827.071(5), for any attempt or conspiracy to commit any
772 offense listed in this subparagraph, or for a violation of
773 similar law of another jurisdiction may petition the criminal
774 division of the circuit court of the circuit in which the sexual
775 offender resides for the purpose of removing the requirement for
776 registration as a sexual offender if:

777 a. Fifteen years have elapsed since the sexual offender's
778 registration period for the most recent conviction that required
779 the offender to register began;

780 b. The sexual offender has not been convicted or
781 adjudicated delinquent of any felony offense or of an offense
782 punishable by more than 1 year of imprisonment during the 10
783 years preceding the petition to the court;

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

787 d. For sexual offenders whose requirement to register is
788 based upon a conviction in another state, the sexual offender is
789 not required to register as a sexual offender pursuant to the
790 laws of the state where the conviction occurred.

791 3. A sexual offender required to register under sub-
792 subparagraph (1)(a)1.d. may petition the criminal division of
793 the circuit court of the circuit in which the sexual offender

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794 resides for the purpose of removing the requirement for
795 registration as a sexual offender if:

796 a. Twenty-five years have elapsed since the sexual
797 offender's registration period for the most recent adjudication
798 that required the offender to register began;

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

803 c. The sexual offender has successfully completed all
804 sanctions imposed for any offense that required the offender to
805 register.

806 4.2. The court may grant or deny relief if the offender
807 demonstrates to the court that ~~he or she has not been arrested~~
808 ~~for any crime since release;~~ the requested relief complies with
809 this paragraph, ~~the provisions of~~ the federal Adam Walsh Child
810 Protection and Safety Act of 2006, and any other federal
811 standards applicable to the removal of registration requirements
812 for a sexual offender or required to be met as a condition for
813 the receipt of federal funds by the state; and the court is
814 otherwise satisfied that the offender is not a current or
815 potential threat to public safety. The state attorney in the
816 circuit in which the petition is filed and the department must
817 be given notice of the petition at least 3 weeks before the
818 hearing on the matter. The state attorney may present evidence
819 in opposition to the requested relief or may otherwise
820 demonstrate the reasons why the petition should be denied. If
821 the court grants the petition, the court shall instruct the

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822 petitioner to provide the department with a certified copy of
823 the order granting relief. If the court denies the petition, the
824 court may set a future date at which the sexual offender may
825 again petition the court for relief, subject to the standards
826 for relief provided in this subsection.

827 ~~5.3-~~ The department shall remove an offender from
828 classification as a sexual offender for purposes of registration
829 if the offender provides to the department a certified copy of
830 the court's written findings or order that indicates that the
831 offender is no longer required to comply with the requirements
832 for registration as a sexual offender.

833 6. For purposes of this paragraph:

834 a. The registration period of a sexual offender sentenced
835 to a term of incarceration or committed to a residential program
836 begins upon the offender's release for the most recent
837 conviction that required the offender to register.

838 b. A sexual offender's registration period is tolled
839 during any period in which the offender is incarcerated, civilly
840 committed, detained pursuant to chapter 985, or committed to a
841 residential program.

842 (b) A sexual offender as defined in sub-subparagraph
843 (1)(a)1.b. must maintain registration with the department for
844 the duration of his or her life until the person provides the
845 department with an order issued by the court that designated the
846 person as a sexual predator, as a sexually violent predator, or
847 by another sexual offender designation in the state or
848 jurisdiction in which the order was issued which states that
849 such designation has been removed or demonstrates to the

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850 department that such designation, if not imposed by a court, has
851 been removed by operation of law or court order in the state or
852 jurisdiction in which the designation was made, and provided
853 such person no longer meets the criteria for registration as a
854 sexual offender under the laws of this state.

855 (14)

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

861 1. Name; social security number; age; race; sex; date of
862 birth; height; weight; hair and eye color; address of any
863 permanent residence and address of any current temporary
864 residence, within the state or out of state, including a rural
865 route address and a post office box; if no permanent or
866 temporary address, any transient residence within the state;
867 address, location or description, and dates of any current or
868 known future temporary residence within the state or out of
869 state; all any electronic mail addresses address and all
870 Internet identifiers any instant message name required to be
871 provided pursuant to paragraph (4)(d); all home telephone
872 numbers number and any cellular telephone numbers number; date
873 and place of any employment; the vehicle make, model, color,
874 registration number, and license tag number of all vehicles
875 owned; fingerprints; palm prints; and photograph. A post office
876 box may shall not be provided in lieu of a physical residential
877 address. The sexual offender must also produce his or her

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878 passport, if he or she has a passport, and, if he or she is an
879 alien, must produce or provide information about documents
880 establishing his or her immigration status. The sexual offender
881 must also provide information about any professional licenses he
882 or she may have.

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

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

902 4. Any sexual offender who fails to report in person as
903 required at the sheriff's office, ~~or~~ who fails to respond to any
904 address verification correspondence from the department within 3
905 weeks of the date of the correspondence, ~~or~~ who fails to report

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906 all electronic mail addresses and all Internet identifiers ~~or~~
907 ~~instant message names,~~ or who knowingly provides false
908 registration information by act or omission commits a felony of
909 the third degree, punishable as provided in s. 775.082, s.
910 775.083, or s. 775.084.

911 Section 5. Section 943.04351, Florida Statutes, is amended
912 to read:

913 943.04351 Search of registration information regarding
914 sexual predators and sexual offenders required prior to
915 appointment or employment.—A state agency or governmental
916 subdivision, prior to making any decision to appoint or employ a
917 person to work, whether for compensation or as a volunteer, at
918 any park, playground, day care center, or other place where
919 children regularly congregate, must conduct a search of that
920 person's name or other identifying information against the
921 registration information regarding sexual predators and sexual
922 offenders maintained by the Department of Law Enforcement under
923 s. 943.043. The agency or governmental subdivision may conduct
924 the search using the Internet site maintained by the Department
925 of Law Enforcement. Also, a national search must be conducted
926 through the Dru Sjodin National Sex Offender Public Website
927 maintained by the United States Department of Justice. This
928 section does not apply to those positions or appointments within
929 a state agency or governmental subdivision for which a state and
930 national criminal history background check is conducted.

931 Section 6. Section 943.04354, Florida Statutes, is amended
932 to read:

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933 943.04354 Removal of the requirement to register as a
934 sexual offender or sexual predator in special circumstances.-

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

938 (a) Was ~~or will be~~ convicted, regardless of adjudication,
939 or adjudicated delinquent of a violation of s. 794.011, s.
940 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in
941 another jurisdiction, ~~or the person committed a violation of s.~~
942 ~~794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which~~
943 ~~adjudication of guilt was or will be withheld,~~ and the person
944 does not have any other conviction, regardless of adjudication,
945 or adjudication of delinquency, ~~or withhold of adjudication of~~
946 ~~guilt~~ for a violation of s. 794.011, s. 800.04, s. 827.071, or
947 s. 847.0135(5), or a similar offense in another jurisdiction;

948 (b)1. Was convicted, regardless of adjudication, or
949 adjudicated delinquent of an offense listed in paragraph (a) and
950 is required to register as a sexual offender or sexual predator
951 solely on the basis of this conviction or adjudication
952 violation; or and

953 2. Was convicted, regardless of adjudication, or
954 adjudicated delinquent of an offense in another jurisdiction
955 that is similar to an offense listed in paragraph (a) and no
956 longer meets the criteria for registration as a sexual offender
957 or sexual predator under the laws of the jurisdiction where the
958 similar offense occurred; and

959 (c) Is not more than 4 years older than the victim of this
960 violation who was 13 ~~14~~ years of age or older but less ~~not more~~

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961 than 18 ~~17~~ years of age at the time the person committed this
962 violation.

963 (2) If a person meets the criteria in subsection (1) ~~and~~
964 ~~the violation of s. 794.011, s. 800.04, s. 827.071, or s.~~
965 ~~847.0135(5) was committed on or after July 1, 2007, the person~~
966 may move the sentencing court or, for persons convicted or
967 adjudicated delinquent of a qualifying offense in another
968 jurisdiction, the criminal circuit court of the circuit in which
969 the person resides ~~that will sentence or dispose of this~~
970 ~~violation~~ to remove the requirement that the person register as
971 a sexual offender or sexual predator. The person must allege in
972 the motion that he or she meets the criteria in subsection (1)
973 and that removal of the registration requirement will not
974 conflict with federal law. Persons convicted or adjudicated
975 delinquent of an offense in another jurisdiction that is similar
976 to an offense listed in paragraph (1)(a) must provide the court
977 written confirmation that he or she is not required to register
978 in the state where the conviction or adjudication occurred. The
979 state attorney and the department must be given notice of the
980 motion at least 21 days before the date of sentencing, ~~or~~
981 disposition of the this violation, or hearing on the motion and
982 may present evidence in opposition to the requested relief or
983 may otherwise demonstrate why the motion should be denied. At
984 sentencing, ~~or~~ disposition of the this violation, or hearing on
985 the motion, the court shall rule on this motion and, if the
986 court determines the person meets the criteria in subsection (1)
987 and the removal of the registration requirement will not
988 conflict with federal law, it may grant the motion and order the

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989 removal of the registration requirement. The court shall
990 instruct the person to provide the department a certified copy
991 of the order granting relief. If the court denies the motion,
992 the person is not authorized under this section to petition for
993 removal of the registration requirement.

994 ~~(3)(a) This subsection applies to a person who:~~

995 ~~1. Is not a person described in subsection (2) because the~~
996 ~~violation of s. 794.011, s. 800.04, or s. 827.071 was not~~
997 ~~committed on or after July 1, 2007;~~

998 ~~2. Is subject to registration as a sexual offender or~~
999 ~~sexual predator for a violation of s. 794.011, s. 800.04, or s.~~
1000 ~~827.071; and~~

1001 ~~3. Meets the criteria in subsection (1).~~

1002 ~~(b) A person may petition the court in which the sentence~~
1003 ~~or disposition for the violation of s. 794.011, s. 800.04, or s.~~
1004 ~~827.071 occurred for removal of the requirement to register as a~~
1005 ~~sexual offender or sexual predator. The person must allege in~~
1006 ~~the petition that he or she meets the criteria in subsection (1)~~
1007 ~~and removal of the registration requirement will not conflict~~
1008 ~~with federal law. The state attorney must be given notice of the~~
1009 ~~petition at least 21 days before the hearing on the petition and~~
1010 ~~may present evidence in opposition to the requested relief or~~
1011 ~~may otherwise demonstrate why the petition should be denied. The~~
1012 ~~court shall rule on the petition and, if the court determines~~
1013 ~~the person meets the criteria in subsection (1) and removal of~~
1014 ~~the registration requirement will not conflict with federal law,~~
1015 ~~it may grant the petition and order the removal of the~~
1016 ~~registration requirement. If the court denies the petition, the~~

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1017 ~~person is not authorized under this section to file any further~~
1018 ~~petition for removal of the registration requirement.~~

1019 (3)(4) If a person provides to the Department of Law
1020 Enforcement a certified copy of the court's order removing the
1021 requirement that the person register as a sexual offender or
1022 sexual predator for the violation of s. 794.011, s. 800.04, s.
1023 827.071, or s. 847.0135(5), or a similar offense in another
1024 jurisdiction, the registration requirement will not apply to the
1025 person and the department shall remove all information about the
1026 person from the public registry of sexual offenders and sexual
1027 predators maintained by the department. However, the removal of
1028 this information from the public registry does not mean that the
1029 public is denied access to information about the person's
1030 criminal history or record that is otherwise available as a
1031 public record.

1032 Section 7. Subsection (2) and paragraph (a) of subsection
1033 (3) of section 943.0437, Florida Statutes, are amended to read:

1034 943.0437 Commercial social networking websites.—

1035 (2) The department may provide information relating to
1036 electronic mail addresses and Internet identifiers ~~instant~~
1037 ~~message names~~ maintained as part of the sexual offender registry
1038 to commercial social networking websites or third parties
1039 designated by commercial social networking websites. The
1040 commercial social networking website may use this information
1041 for the purpose of comparing registered users and screening
1042 potential users of the commercial social networking website
1043 against the list of electronic mail addresses and Internet
1044 identifiers ~~instant message names~~ provided by the department.

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1045 (3) This section shall not be construed to impose any
1046 civil liability on a commercial social networking website for:

1047 (a) Any action voluntarily taken in good faith to remove
1048 or disable any profile of a registered user associated with an
1049 electronic mail address or Internet identifier ~~instant message~~
1050 ~~name~~ contained in the sexual offender registry.

1051 Section 8. Paragraphs (b) and (d) of subsection (1) and
1052 paragraph (a) of subsection (3) of section 944.606, Florida
1053 Statutes, are amended to read:

1054 944.606 Sexual offenders; notification upon release.—

1055 (1) As used in this section:

1056 (b) "Sexual offender" means a person who has been
1057 convicted of committing, or attempting, soliciting, or
1058 conspiring to commit, any of the criminal offenses proscribed in
1059 the following statutes in this state or similar offenses in
1060 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
1061 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
1062 the defendant is not the victim's parent or guardian; s.
1063 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
1064 796.045; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s.
1065 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
1066 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
1067 similar offense committed in this state which has been
1068 redesignated from a former statute number to one of those listed
1069 in this subsection, when the department has received verified
1070 information regarding such conviction; an offender's
1071 computerized criminal history record is not, in and of itself,
1072 verified information.

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1073 (d) "Internet identifier ~~Instant message name~~" has the
1074 same meaning as provided in s. 775.21 ~~means an identifier that~~
1075 ~~allows a person to communicate in real time with another person~~
1076 ~~using the Internet.~~

1077 (3)(a) The department must provide information regarding
1078 any sexual offender who is being released after serving a period
1079 of incarceration for any offense, as follows:

1080 1. The department must provide: the sexual offender's
1081 name, any change in the offender's name by reason of marriage or
1082 other legal process, and any alias, if known; the correctional
1083 facility from which the sexual offender is released; the sexual
1084 offender's social security number, race, sex, date of birth,
1085 height, weight, and hair and eye color; address of any planned
1086 permanent residence or temporary residence, within the state or
1087 out of state, including a rural route address and a post office
1088 box; if no permanent or temporary address, any transient
1089 residence within the state; address, location or description,
1090 and dates of any known future temporary residence within the
1091 state or out of state; date and county of sentence and each
1092 crime for which the offender was sentenced; a copy of the
1093 offender's fingerprints, palm prints, and a digitized photograph
1094 taken within 60 days before release; the date of release of the
1095 sexual offender; all any electronic mail addresses ~~address~~ and
1096 all Internet identifiers ~~any instant message name~~ required to be
1097 provided pursuant to s. 943.0435(4)(d); all and home telephone
1098 numbers ~~number~~ and any cellular telephone numbers; information
1099 about any professional licenses the offender may have, if known;
1100 and passport information, if he or she has a passport, and, if

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1101 | he or she is an alien, information about documents establishing
1102 | his or her immigration status number. The department shall
1103 | notify the Department of Law Enforcement if the sexual offender
1104 | escapes, absconds, or dies. If the sexual offender is in the
1105 | custody of a private correctional facility, the facility shall
1106 | take the digitized photograph of the sexual offender within 60
1107 | days before the sexual offender's release and provide this
1108 | photograph to the Department of Corrections and also place it in
1109 | the sexual offender's file. If the sexual offender is in the
1110 | custody of a local jail, the custodian of the local jail shall
1111 | register the offender within 3 business days after intake of the
1112 | offender for any reason and upon release, and shall notify the
1113 | Department of Law Enforcement of the sexual offender's release
1114 | and provide to the Department of Law Enforcement the information
1115 | specified in this paragraph and any information specified in
1116 | subparagraph 2. that the Department of Law Enforcement requests.

1117 | 2. The department may provide any other information deemed
1118 | necessary, including criminal and corrections records,
1119 | nonprivileged personnel and treatment records, when available.

1120 | Section 9. Paragraphs (a) and (f) of subsection (1),
1121 | subsection (4), and paragraph (c) of subsection (13) of section
1122 | 944.607, Florida Statutes, are amended to read:

1123 | 944.607 Notification to Department of Law Enforcement of
1124 | information on sexual offenders.-

1125 | (1) As used in this section, the term:

1126 | (a) "Sexual offender" means a person who is in the custody
1127 | or control of, or under the supervision of, the department or is
1128 | in the custody of a private correctional facility:

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1129 1. On or after October 1, 1997, as a result of a
1130 conviction for committing, or attempting, soliciting, or
1131 conspiring to commit, any of the criminal offenses proscribed in
1132 the following statutes in this state or similar offenses in
1133 another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01,
1134 s. 787.02, or s. 787.025(2)(c), where the victim is a minor and
1135 the defendant is not the victim's parent or guardian; s.
1136 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s.
1137 796.035; s. 796.045; s. 800.04; s. 825.1025; s. 827.071; s.
1138 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s.
1139 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any
1140 similar offense committed in this state which has been
1141 redesignated from a former statute number to one of those listed
1142 in this paragraph; or

1143 2. Who establishes or maintains a residence in this state
1144 and who has not been designated as a sexual predator by a court
1145 of this state but who has been designated as a sexual predator,
1146 as a sexually violent predator, or by another sexual offender
1147 designation in another state or jurisdiction and was, as a
1148 result of such designation, subjected to registration or
1149 community or public notification, or both, or would be if the
1150 person were a resident of that state or jurisdiction, without
1151 regard as to whether the person otherwise meets the criteria for
1152 registration as a sexual offender.

1153 (f) "Internet identifier ~~Instant message name~~" has the
1154 same meaning as provided in s. 775.21 ~~means an identifier that~~
1155 ~~allows a person to communicate in real time with another person~~
1156 ~~using the Internet.~~

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1157 (4) A sexual offender, as described in this section, who
1158 is under the supervision of the Department of Corrections but is
1159 not incarcerated must register with the Department of
1160 Corrections within 3 business days after sentencing for a
1161 registrable offense and otherwise provide information as
1162 required by this subsection.

1163 (a) The sexual offender shall provide his or her name;
1164 date of birth; social security number; race; sex; height;
1165 weight; hair and eye color; tattoos or other identifying marks;
1166 all any electronic mail addresses address and all Internet
1167 identifiers any instant message name required to be provided
1168 pursuant to s. 943.0435(4)(d); the make, model, color,
1169 registration number, and license tag number of all vehicles
1170 owned; permanent or legal residence and address of temporary
1171 residence within the state or out of state while the sexual
1172 offender is under supervision in this state, including any rural
1173 route address or post office box; if no permanent or temporary
1174 address, any transient residence within the state; and address,
1175 location or description, and dates of any current or known
1176 future temporary residence within the state or out of state. The
1177 sexual offender must also produce his or her passport, if he or
1178 she has a passport, and, if he or she is an alien, must produce
1179 or provide information about documents establishing his or her
1180 immigration status. The sexual offender must also provide
1181 information about any professional licenses he or she may have.

1182 The Department of Corrections shall verify the address of each
1183 sexual offender in the manner described in ss. 775.21 and
1184 943.0435. The department shall report to the Department of Law

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1185 Enforcement any failure by a sexual predator or sexual offender
1186 to comply with registration requirements.

1187 (b) If the sexual offender is enrolled, employed,
1188 volunteering, or carrying on a vocation at an institution of
1189 higher education in this state, the sexual offender shall
1190 provide the name, address, and county of each institution,
1191 including each campus attended, and the sexual offender's
1192 enrollment, volunteer, or employment status. Each change in
1193 enrollment, volunteer, or employment status shall be reported to
1194 the department within 48 hours after the change in status. The
1195 Department of Corrections shall promptly notify each institution
1196 of the sexual offender's presence and any change in the sexual
1197 offender's enrollment, volunteer, or employment status.

1198 (13)

1199 (c) The sheriff's office may determine the appropriate
1200 times and days for reporting by the sexual offender, which shall
1201 be consistent with the reporting requirements of this
1202 subsection. Reregistration shall include any changes to the
1203 following information:

1204 1. Name; social security number; age; race; sex; date of
1205 birth; height; weight; hair and eye color; address of any
1206 permanent residence and address of any current temporary
1207 residence, within the state or out of state, including a rural
1208 route address and a post office box; if no permanent or
1209 temporary address, any transient residence; address, location or
1210 description, and dates of any current or known future temporary
1211 residence within the state or out of state; all ~~any~~ electronic
1212 mail addresses ~~address~~ and all ~~Internet identifiers~~ ~~any instant~~

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1213 ~~message name~~ required to be provided pursuant to s.
1214 943.0435(4)(d); date and place of any employment; ~~the vehicle~~
1215 make, model, color, registration number, and license tag number
1216 of all vehicles owned; fingerprints; palm prints; and
1217 photograph. A post office box shall not be provided in lieu of a
1218 physical residential address. The sexual offender must also
1219 produce his or her passport, if he or she has a passport, and,
1220 if he or she is an alien, must produce or provide information
1221 about documents establishing his or her immigration status. The
1222 sexual offender must also provide information about any
1223 professional licenses he or she may have.

1224 2. If the sexual offender is enrolled, employed,
1225 volunteering, or carrying on a vocation at an institution of
1226 higher education in this state, the sexual offender shall also
1227 provide to the department the name, address, and county of each
1228 institution, including each campus attended, and the sexual
1229 offender's enrollment, volunteer, or employment status.

1230 3. If the sexual offender's place of residence is a motor
1231 vehicle, trailer, mobile home, or manufactured home, as defined
1232 in chapter 320, the sexual offender shall also provide the
1233 vehicle identification number; the license tag number; the
1234 registration number; and a description, including color scheme,
1235 of the motor vehicle, trailer, mobile home, or manufactured
1236 home. If the sexual offender's place of residence is a vessel,
1237 live-aboard vessel, or houseboat, as defined in chapter 327, the
1238 sexual offender shall also provide the hull identification
1239 number; the manufacturer's serial number; the name of the
1240 vessel, live-aboard vessel, or houseboat; the registration

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1241 number; and a description, including color scheme, of the
1242 vessel, live-aboard vessel or houseboat.

1243 4. Any sexual offender who fails to report in person as
1244 required at the sheriff's office, ~~or~~ who fails to respond to any
1245 address verification correspondence from the department within 3
1246 weeks of the date of the correspondence, ~~or~~ who fails to report
1247 all electronic mail addresses and all Internet identifiers ~~or~~
1248 instant message names, or who knowingly provides false
1249 registration information by act or omission commits a felony of
1250 the third degree, punishable as provided in s. 775.082, s.
1251 775.083, or s. 775.084.

1252 Section 10. Subsection (11) of section 947.005, Florida
1253 Statutes, is amended to read:

1254 947.005 Definitions.—As used in this chapter, unless the
1255 context clearly indicates otherwise:

1256 (11) "Risk assessment" means an assessment completed by a
1257 ~~an independent~~ qualified practitioner to evaluate the level of
1258 risk associated when a sex offender has contact with a child.

1259 Section 11. Section 948.31, Florida Statutes, is amended
1260 to read:

1261 948.31 Evaluation and treatment of sexual predators and
1262 offenders on probation or community control.—The court may ~~shall~~
1263 ~~require an evaluation by a qualified practitioner to determine~~
1264 ~~the need of a probationer or community controllee for treatment.~~
1265 ~~If the court determines that a need therefor is established by~~
1266 ~~the evaluation process, the court shall require sexual offender~~
1267 ~~treatment as a term or condition of probation or community~~
1268 ~~control for any probationer or community controllee person who~~

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1269 is required to register as a sexual predator under s. 775.21 or
1270 sexual offender under s. 943.0435, s. 944.606, or s. 944.607 to
1271 undergo an evaluation, at the probationer or community
1272 controllee's expense, by a qualified practitioner to determine
1273 whether such person needs sexual offender treatment. If the
1274 qualified practitioner determines that sexual offender treatment
1275 is needed and recommends treatment, the probationer or community
1276 controllee must successfully complete and pay for the treatment.

1277 Such treatment must ~~shall be required to~~ be obtained from a
1278 qualified practitioner as defined in s. 948.001. Treatment may
1279 not be administered by a qualified practitioner who has been
1280 convicted or adjudicated delinquent of committing, or
1281 attempting, soliciting, or conspiring to commit, any offense
1282 that is listed in s. 943.0435(1)(a)1.a.(I). ~~The court shall~~
1283 ~~impose a restriction against contact with minors if sexual~~
1284 ~~offender treatment is recommended. The evaluation and~~
1285 ~~recommendations for treatment of the probationer or community~~
1286 ~~controllee shall be provided to the court for review.~~

1287 Section 12. Paragraph (a) of subsection (3) of section
1288 985.481, Florida Statutes, is amended to read:

1289 985.481 Sexual offenders adjudicated delinquent;
1290 notification upon release.-

1291 (3)(a) The department must provide information regarding
1292 any sexual offender who is being released after serving a period
1293 of residential commitment under the department for any offense,
1294 as follows:

1295 1. The department must provide the sexual offender's name,
1296 any change in the offender's name by reason of marriage or other

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1297 | legal process, and any alias, if known; the correctional
1298 | facility from which the sexual offender is released; the sexual
1299 | offender's social security number, race, sex, date of birth,
1300 | height, weight, and hair and eye color; the make, model, color,
1301 | registration number, and license tag number of all vehicles
1302 | owned, if known; address of any planned permanent residence or
1303 | temporary residence, within the state or out of state, including
1304 | a rural route address and a post office box; if no permanent or
1305 | temporary address, any transient residence within the state;
1306 | address, location or description, and dates of any known future
1307 | temporary residence within the state or out of state; date and
1308 | county of disposition and each crime for which there was a
1309 | disposition; a copy of the offender's fingerprints and a
1310 | digitized photograph taken within 60 days before release; the
1311 | date of release of the sexual offender; all and home telephone
1312 | numbers number and any cellular telephone numbers; information
1313 | about any professional licenses the offender may have, if known;
1314 | and passport information, if he or she has a passport, and, if
1315 | he or she is an alien, information about documents establishing
1316 | his or her immigration status number. The department shall
1317 | notify the Department of Law Enforcement if the sexual offender
1318 | escapes, absconds, or dies. If the sexual offender is in the
1319 | custody of a private correctional facility, the facility shall
1320 | take the digitized photograph of the sexual offender within 60
1321 | days before the sexual offender's release and also place it in
1322 | the sexual offender's file. If the sexual offender is in the
1323 | custody of a local jail, the custodian of the local jail shall
1324 | register the offender within 3 business days after intake of the

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1325 offender for any reason and upon release, and shall notify the
1326 Department of Law Enforcement of the sexual offender's release
1327 and provide to the Department of Law Enforcement the information
1328 specified in this subparagraph and any information specified in
1329 subparagraph 2. which the Department of Law Enforcement
1330 requests.

1331 2. The department may provide any other information
1332 considered necessary, including criminal and delinquency
1333 records, when available.

1334 Section 13. Subsection (4) and paragraph (b) of subsection
1335 (13) of section 985.4815, Florida Statutes, are amended to read:

1336 985.4815 Notification to Department of Law Enforcement of
1337 information on juvenile sexual offenders.-

1338 (4) A sexual offender, as described in this section, who
1339 is under the supervision of the department but who is not
1340 committed must register with the department within 3 business
1341 days after adjudication and disposition for a registrable
1342 offense and otherwise provide information as required by this
1343 subsection.

1344 (a) The sexual offender shall provide his or her name;
1345 date of birth; social security number; race; sex; height;
1346 weight; hair and eye color; tattoos or other identifying marks;
1347 the make, model, color, registration number, and license tag
1348 number of all vehicles owned; permanent or legal residence and
1349 address of temporary residence within the state or out of state
1350 while the sexual offender is in the care or custody or under the
1351 jurisdiction or supervision of the department in this state,
1352 including any rural route address or post office box; if no

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1353 permanent or temporary address, any transient residence;
1354 address, location or description, and dates of any current or
1355 known future temporary residence within the state or out of
1356 state; and the name and address of each school attended. The
1357 sexual offender must also produce his or her passport, if he or
1358 she has a passport, and, if he or she is an alien, must produce
1359 or provide information about documents establishing his or her
1360 immigration status. The offender must also provide information
1361 about any professional licenses he or she may have. The
1362 department shall verify the address of each sexual offender and
1363 shall report to the Department of Law Enforcement any failure by
1364 a sexual offender to comply with registration requirements.

1365 (b) If the sexual offender is enrolled, employed,
1366 volunteering, or carrying on a vocation at an institution of
1367 higher education in this state, the sexual offender shall
1368 provide the name, address, and county of each institution,
1369 including each campus attended, and the sexual offender's
1370 enrollment, volunteer, or employment status. Each change in
1371 enrollment, volunteer, or employment status shall be reported to
1372 the department within 48 hours after the change in status. The
1373 department shall promptly notify each institution of the sexual
1374 offender's presence and any change in the sexual offender's
1375 enrollment, volunteer, or employment status.

1376 (13)

1377 (b) The sheriff's office may determine the appropriate
1378 times and days for reporting by the sexual offender, which shall
1379 be consistent with the reporting requirements of this

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1380 subsection. Reregistration shall include any changes to the
1381 following information:

1382 1. Name; social security number; age; race; sex; date of
1383 birth; height; weight; hair and eye color; fingerprints; palm
1384 prints; address of any permanent residence and address of any
1385 current temporary residence, within the state or out of state,
1386 including a rural route address and a post office box; if no
1387 permanent or temporary address, any transient residence;
1388 address, location or description, and dates of any current or
1389 known future temporary residence within the state or out of
1390 state; passport information, if he or she has a passport, and,
1391 if he or she is an alien, information about documents
1392 establishing his or her immigration status; name and address of
1393 each school attended; date and place of any employment; the
1394 ~~vehicle~~ make, model, color, registration number, and license tag
1395 number of all vehicles owned; ~~fingerprints;~~ and photograph. A
1396 post office box shall not be provided in lieu of a physical
1397 residential address. The offender must also provide information
1398 about any professional licenses he or she may have.

1399 2. If the sexual offender is enrolled, employed,
1400 volunteering, or carrying on a vocation at an institution of
1401 higher education in this state, the sexual offender shall also
1402 provide to the department the name, address, and county of each
1403 institution, including each campus attended, and the sexual
1404 offender's enrollment, volunteer, or employment status.

1405 3. If the sexual offender's place of residence is a motor
1406 vehicle, trailer, mobile home, or manufactured home, as defined
1407 in chapter 320, the sexual offender shall also provide the

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1408 vehicle identification number; the license tag number; the
1409 registration number; and a description, including color scheme,
1410 of the motor vehicle, trailer, mobile home, or manufactured
1411 home. If the sexual offender's place of residence is a vessel,
1412 live-aboard vessel, or houseboat, as defined in chapter 327, the
1413 sexual offender shall also provide the hull identification
1414 number; the manufacturer's serial number; the name of the
1415 vessel, live-aboard vessel, or houseboat; the registration
1416 number; and a description, including color scheme, of the
1417 vessel, live-aboard vessel, or houseboat.

1418 4. Any sexual offender who fails to report in person as
1419 required at the sheriff's office, ~~or~~ who fails to respond to any
1420 address verification correspondence from the department within 3
1421 weeks after the date of the correspondence, or who knowingly
1422 provides false registration information by act or omission
1423 commits a felony of the third degree, punishable as provided in
1424 ss. 775.082, 775.083, and 775.084.

1425 Section 14. Subsection (13) is added to section 947.1405,
1426 Florida Statutes, to read:

1427 947.1405 Conditional release program.—

1428 (13) In addition to all other conditions imposed, for a
1429 releasee who is subject to conditional release for a crime that
1430 was committed on or after July 1, 2012, and who has been
1431 convicted at any time of a violation of s. 800.04(7)(b) or s.
1432 847.0135(4), or a similar offense in another jurisdiction, the
1433 commission must order electronic monitoring for the duration of
1434 the releasee's supervision.

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1435 Section 15. Subsection (5) is added to section 948.30,
1436 Florida Statutes, to read:

1437 948.30 Additional terms and conditions of probation or
1438 community control for certain sex offenses.—Conditions imposed
1439 pursuant to this section do not require oral pronouncement at
1440 the time of sentencing and shall be considered standard
1441 conditions of probation or community control for offenders
1442 specified in this section.

1443 (5) Effective for a probationer or community controllee
1444 whose crime was committed on or after July 1, 2012, and who:

1445 (a)1. Is placed on probation or community control for a
1446 violation of s. 800.04(7)(b) or s. 847.0135(4); or

1447 2. Has previously been convicted of a violation of s.
1448 800.04(7)(b) or s. 847.0135(4), or a similar offense in another
1449 jurisdiction,

1450
1451 the court must order, in addition to any other requirements of
1452 this section, mandatory electronic monitoring as a condition of
1453 the probation or community control supervision.

1454 Section 16. Paragraphs (g) and (i) of subsection (3) of
1455 section 921.0022, Florida Statutes, are amended to read:

1456 921.0022 Criminal Punishment Code; offense severity
1457 ranking chart.—

1458 (3) OFFENSE SEVERITY RANKING CHART

1459 (g) LEVEL 7

1460

Florida	Felony	Description
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	Amendment No. 1 Statute	Degree	
1461	316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
1462	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
1463	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.
1464	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
1465	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1466	409.920	3rd	Medicaid provider fraud;

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1467	(2) (b) 1.a.		\$10,000 or less.
	409.920	2nd	Medicaid provider fraud; more
	(2) (b) 1.b.		than \$10,000, but less than
1468			\$50,000.
	456.065(2)	3rd	Practicing a health care
			profession without a license.
1469			
	456.065(2)	2nd	Practicing a health care
			profession without a license
			which results in serious bodily
			injury.
1470			
	458.327(1)	3rd	Practicing medicine without a
			license.
1471			
	459.013(1)	3rd	Practicing osteopathic medicine
			without a license.
1472			
	460.411(1)	3rd	Practicing chiropractic
			medicine without a license.
1473			
	461.012(1)	3rd	Practicing podiatric medicine
			without a license.
1474			
	462.17	3rd	Practicing naturopathy without

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1475			a license.
	463.015(1)	3rd	Practicing optometry without a license.
1476			
	464.016(1)	3rd	Practicing nursing without a license.
1477			
	465.015(2)	3rd	Practicing pharmacy without a license.
1478			
	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
1479			
	467.201	3rd	Practicing midwifery without a license.
1480			
	468.366	3rd	Delivering respiratory care services without a license.
1481			
	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
1482			
	483.901(9)	3rd	Practicing medical physics without a license.
1483			

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1484	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
1485	484.053	3rd	Dispensing hearing aids without a license.
1486	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.
1487	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1488	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial

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1489			institution.
	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew <u>driver</u> driver's license or identification card; other registration violations.
1490			
	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
1491			
	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1492			
	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1493			
	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1494			

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1495	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1496	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1497	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1498	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
1499	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1500	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
1501	784.048(7)	3rd	Aggravated stalking; violation of court order.

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1502	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
1503	784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
1504	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
1505	784.081(1)	1st	Aggravated battery on specified official or employee.
1506	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
1507	784.083(1)	1st	Aggravated battery on code inspector.
1508	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1509	790.16(1)	1st	Discharge of a machine gun under specified circumstances.

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1510	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1511	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1512	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1513	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1514	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
	794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger

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than 18 years of age.

1515

796.03 2nd Procuring any person under 18
~~16~~ years for prostitution.

1516

800.04(5)(c)1. 2nd Lewd or lascivious molestation;
victim less than 12 years of
age; offender less than 18
years.

1517

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.

1518

806.01(2) 2nd Maliciously damage structure by
fire or explosive.

1519

810.02(3)(a) 2nd Burglary of occupied dwelling;
unarmed; no assault or battery.

1520

810.02(3)(b) 2nd Burglary of unoccupied
dwelling; unarmed; no assault
or battery.

1521

810.02(3)(d) 2nd Burglary of occupied
conveyance; unarmed; no assault

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1522			or battery.
	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
1523			
	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.
1524			
	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1525			
	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1526			
	812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1527			
	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1528			

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1529	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1530	812.131(2) (a)	2nd	Robbery by sudden snatching.
1531	812.133(2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
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.
	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

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1535			insolvency of that entity.
	825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1536			
	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.
1537			
	827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1538			
	827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1539			
	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1540			
	838.015	2nd	Bribery.
1541			
	838.016	2nd	Unlawful compensation or reward

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1542			for official behavior.
	838.021(3)(a)	2nd	Unlawful harm to a public servant.
1543			
	838.22	2nd	Bid tampering.
1544			
	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1545			
	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1546			
	872.06	2nd	Abuse of a dead human body.
1547			
	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1548			
	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

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care facility, school, or
state, county, or municipal
park or publicly owned
recreational facility or
community center.

1549

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 religious services or
a specified business site.

1550

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).

1551

893.135(1)(a)1. 1st Trafficking in cannabis, more
than 25 lbs., less than 2,000
lbs.

1552

893.135 1st Trafficking in cocaine, more
(1)(b)1.a. than 28 grams, less than 200
grams.

1553

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1554	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1555	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1556	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1557	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1558	893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1559	893.135 (1)(h)1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
	893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5

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			kilograms.
1560	893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1561	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1562	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1563	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1564	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1565	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent

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			to leave; failure to comply with reporting requirements.
1566	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
1567	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1568	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1569	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
1570	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1571	944.607(12)	3rd	Failure to report or providing false information about a

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1572			sexual offender; harbor or conceal a sexual offender.
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1573			
	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1574			
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1575			
	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
1576			
1577	(i)	LEVEL 9	
1578			
	Florida	Felony	
	Statute	Degree	Description
1579			

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1580	316.193 (3)(c)3.b.	1st	DUI manslaughter; failing to render aid or give information.
1581	327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
1582	409.920 (2)(b)1.c.	1st	Medicaid provider fraud; \$50,000 or more.
1583	499.0051(9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
1584	560.123(8)(b)3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1585	560.125(5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
1586	655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.

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1587	775.0844	1st	Aggravated white collar crime.
1588	782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
1589	782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
1590	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
1591	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
1592	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
1593	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.

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1594	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 aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
1595	790.161	1st	Attempted capital destructive device offense.
1596	790.166(2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1597	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
1598	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a

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1599			person less than 12 years.
1600	794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1601	794.011(8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1602	794.08(2)	1st	Female genital mutilation; victim younger than 18 years of age.
1603	800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1604	812.13(2)(a)	1st, PBL	Robbery with firearm or other deadly weapon.
1605	812.133(2)(a)	1st, PBL	Carjacking; firearm or other deadly weapon.
1606	812.135(2)(b)	1st	Home-invasion robbery with weapon.

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1607	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.
1608	827.03(2)	1st	Aggravated child abuse.
1609	847.0145(1)	1st	Selling, or otherwise transferring custody or control, of a minor.
1610	847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
1611	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.
1612	893.135	1st	Attempted capital trafficking offense.

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1613	893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1614	893.135 (1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1615	893.135 (1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
1616	893.135 (1)(d)1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
1617	893.135 (1)(e)1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
1618	893.135 (1)(f)1.c.	1st	Trafficking in amphetamine, more than 200 grams.
1619	893.135 (1)(h)1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
1620	893.135 (1)(j)1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.

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

1621

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

1622

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

1623

1624 Section 17. This act shall take effect October 1, 2012.

1625

1626

1627

1628

1629

T I T L E A M E N D M E N T

1630

Remove the entire title and insert:

1631

An act relating to sex offenses; amending s. 775.21,

1632

F.S.; replacing the definition of the term "instant

1633

message name" with the definition of the term

1634

"Internet identifier"; providing that voluntary

1635

disclosure of specified information waives a

1636

disclosure exemption for such information; conforming

1637

provisions; adding additional offenses to the list of

1638

sexual predator qualifying offenses; requiring

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1639 disclosure of additional information during the sexual
1640 predator registration process; requiring that a sexual
1641 predator who is unable to secure or update a driver
1642 license or identification card within a specified
1643 period must report specified information to the local
1644 sheriff's office within a specified period after such
1645 change with confirmation that he or she also reported
1646 such information to the Department of Highway Safety
1647 and Motor Vehicles; revising reporting requirements if
1648 a sexual predator plans to leave the United States for
1649 more than a specified period; providing criminal
1650 penalties for knowingly providing false registration
1651 information by act or omission; amending s. 800.03,
1652 F.S.; providing enhanced penalties for third or
1653 subsequent indecent exposure violations; amending s.
1654 903.046, F.S.; requiring a court considering whether
1655 to release a defendant on bail to determine whether
1656 the defendant is subject to registration as a sexual
1657 offender or sexual predator and, if so, to hold the
1658 defendant without bail until the first appearance on
1659 the case; providing an exception; amending s.
1660 943.0435, F.S.; adding additional offenses to the list
1661 of sexual offender qualifying offenses; replacing the
1662 definition of the term "instant message name" with the
1663 definition of the term "Internet identifier";
1664 conforming provisions; requiring disclosure of
1665 additional sexual offender registration information;
1666 requiring that a sexual offender who is unable to

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1667 secure or update a driver license or identification
1668 card within a specified period must report specified
1669 information to the local sheriff's office within a
1670 specified period of such change with confirmation that
1671 he or she also reported such information to the
1672 Department of Highway Safety and Motor Vehicles;
1673 providing additional requirements for sexual offenders
1674 intending to reside outside of the United States;
1675 revising criteria applicable to provisions allowing
1676 removal from the requirement to register as a sexual
1677 offender; providing criminal penalties for knowingly
1678 providing false registration information by act or
1679 omission; amending s. 943.04351, F.S.; requiring a
1680 specified national search of registration information
1681 regarding sexual predators and sexual offenders prior
1682 to appointment or employment of persons by state
1683 agencies and governmental subdivisions; amending s.
1684 943.04354, F.S.; revising the criteria applicable to
1685 provisions allowing removal of the requirement to
1686 register as a sexual offender or sexual predator;
1687 amending s. 943.0437, F.S.; replacing the term
1688 "instant message name" with the term "Internet
1689 identifier"; amending ss. 944.606 and 944.607, F.S.;
1690 adding additional offenses to the list of sexual
1691 offender qualifying offenses; replacing the definition
1692 of the term "instant message name" with the definition
1693 of the term "Internet identifier"; conforming
1694 provisions; requiring disclosure of additional

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1695 registration information; providing criminal penalties
1696 for knowingly providing false registration information
1697 by act or omission; amending s. 947.005, F.S.;
1698 revising the definition of the term "risk assessment";
1699 amending s. 948.31, F.S.; authorizing the court to
1700 require sexual offenders and sexual predators who are
1701 on probation or community control to undergo an
1702 evaluation to determine whether the offender or
1703 predator needs sexual offender treatment; requiring
1704 the probationer or community controllee to pay for the
1705 treatment; removing a provision prohibiting contact
1706 with minors if sexual offender treatment is
1707 recommended; amending ss. 985.481 and 985.4815, F.S.;
1708 requiring disclosure of additional registration
1709 information by certain sexual offenders adjudicated
1710 delinquent and certain juvenile sexual offenders;
1711 providing criminal penalties for knowingly providing
1712 false registration information by act or omission;
1713 amending s. 947.1405, F.S.; requiring the commission
1714 to order electronic monitoring for certain conditional
1715 releasees; amending s. 948.30, F.S., requiring the
1716 court to order electronic monitoring for certain
1717 offenders; amending s. 921.0022, F.S.; correcting
1718 references; providing an effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 497 : Juvenile Expunction

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell	X				
Jose Diaz	X				
Richard Glorioso	X				
James Grant	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Irving Slosberg	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Barbara Watson	X				
Dana Young	X				
Gayle Harrell (Chair)				X	
Total Yeas: 14		Total Nays: 0			

HB 497 Amendments

Amendment 606745

Adopted Without Objection

Appearances:

Pitts, Brian (General Public) - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727) 897-9291

Chamizo, Jorge (Lobbyist) - Waive In Support

Attorney, Florida Association of Criminal Defense Lawyers

108 S. Monroe St.

Tallahassee FL 32301

Phone: (850) 681-0024

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

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Bill No. HB 497 (2012)

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COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Porth offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraphs (c), (e), and (f) of subsection (3)
8 and subsection (5) of section 943.0582, Florida Statutes, are
9 amended to read:

10 943.0582 Prearrest, postarrest, or teen court diversion
11 program expunction.—

12 (3) The department shall expunge the nonjudicial arrest
13 record of a minor who has successfully completed a prearrest or
14 postarrest diversion program if that minor:

15 (c) Submits to the department, with the application, an
16 official written statement from the state attorney for the
17 county in which the arrest occurred certifying that he or she
18 has successfully completed that county's prearrest or postarrest
19 diversion program and that he or she participated in the program

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20 based on an arrest for participation in the program is strictly
21 limited to minors arrested for a nonviolent misdemeanor, or for
22 a felony that does not relate to a violation of s. 393.135, s.
23 394.4593, s. 787.025, chapter 794, s. 796.03, s. 800.04, s.
24 810.14, s. 817.034, s. 825.1025, s. 827.071, chapter 839, s.
25 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s. 916.1075, a
26 violation enumerated in s. 907.041, or any violation specified
27 as a predicate offense for registration as a sexual predator
28 pursuant to s. 775.21, without regard to whether that offense
29 alone is sufficient to require such registration, or for
30 registration as a sexual offender pursuant to s. 943.0435, who
31 have not otherwise been charged with or found to have committed
32 any criminal offense or comparable ordinance violation.

33 ~~(e) Participated in a prearrest or postarrest diversion~~
34 ~~program based on an arrest for a nonviolent misdemeanor that~~
35 ~~would not qualify as an act of domestic violence as that term is~~
36 ~~defined in s. 741.28.~~

37 ~~(e)~~ (f) Has never, prior to filing the application for
38 expunction, been charged with or been found to have committed
39 any criminal offense or comparable ordinance violation.

40 (5) This section operates retroactively to permit the
41 expunction of any nonjudicial record of the arrest of a minor
42 who has successfully completed a prearrest or postarrest
43 diversion program on or after July 1, 2000; however, in the case
44 of a minor whose completion of the program occurred before the
45 effective date of this section, the application for prearrest or
46 postarrest diversion expunction must be submitted within 12 ~~6~~
47 months after the effective date of this section.

606745 - h497-strike.docx

Published On: 1/30/2012 7:38:22 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 497 (2012)

Amendment No. 1

48 Section 2. This act shall take effect July 1, 2012.

49

50

51

T I T L E A M E N D M E N T

52

Remove the entire title and insert:

53

An act relating to juvenile expunction; amending s. 943.0582,

54

F.S.; allowing minors who have certain felony arrests to have

55

the Department of Law Enforcement expunge their nonjudicial

56

arrest record upon successful completion of a prearrest or

57

postarrest diversion program; extending the application

58

submission date for minors who complete the program before the

59

effective date of this section; providing an effective date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 947 : Possession of a Firearm or Destructive Device During Commission of an Offense

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell	X				
Jose Diaz	X				
Richard Glorioso	X				
James Grant	X				
John Julien	X				
Charles McBurney			X		
W. Keith Perry	X				
Ray Pilon	X				
Irving Slosberg	X				
Carlos Trujillo			X		
Charles Van Zant	X				
Barbara Watson	X				
Dana Young	X				
Gayle Harrell (Chair)				X	
Total Yeas: 12		Total Nays: 0			

HB 947 Amendments

Amendment 882405

Adopted Without Objection

Appearances:

Pitts, Brian (General Public) - Proponent

Justice-2-Jesus
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: (727) 897-9291

King, Brad (State Employee) - Waive In Support

State Attorney 5th Circuit, Florida Prosecuting Attorneys Association
110 NW 1st Ave. Suite 5000
Ocala FL 34480
Phone: (352) 671-5914

Gabbard, Jim (Lobbyist) - Waive In Support

The Florida Police Chiefs Association
P.O Box 14038
Tallahassee FL 32317
Phone: (850) 219-3640

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

**HB 947 : Possession of a Firearm or Destructive Device During Commission of an Offense
(continued)**

Appearances: (continued)

Bullara, Rob (General Public) - Waive In Support
Major, Hillsborough County Sheriffs Office
2008 E. 8th Ave.
Tampa FL 33601
Phone: (813) 363-0375

Teague, Sophia L. (General Public) - Waive In Support
Major, Tampa Police
411 N. Franklin St.
Tampa FL 33602
Phone: (813) 276-3481

Kohler, Owen (General Public) - Waive In Support
General Counsel, Tampa Police Benevolent Association
3010 N. Blvd.
Tampa FL 33603
Phone: (813) 228-8900

Messersmith, Frank (Lobbyist) - Waive In Support
Florida Sheriffs Association
P. O. Box 12519
Tallahassee FL 32317
Phone: (850) 576-5858

Case, Kimberly (Lobbyist) - Waive In Support
Legislative Affairs Director, Office of the Attorney General
PL-01 The Capitol
Tallahassee FL 32399-1050
Phone: (850) 245-0155

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 947 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION
ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Boyd offered the following:

4
5 **Amendment**

6 Remove lines 53-63 and insert:
7 defined in s. 790.001, or such a person convicted for possession
8 of a firearm by a felon has a previous conviction of a felony or
9 an attempt to commit a felony listed in s. 775.084(1)(b)1,
10 shall be sentenced to a minimum term of imprisonment of 10
11 years, except that a person who is convicted for aggravated
12 assault, possession of a firearm by a felon, or burglary of a
13 conveyance shall be sentenced to a minimum term of imprisonment
14 of 3 years if such person possessed a "firearm" or "destructive
15 device" during the commission of the offense.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 1045 : Mental Health

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Jose Diaz	X				
Richard Glorioso	X				
James Grant	X				
John Julien	X				
Charles McBurney			X		
W. Keith Perry	X				
Ray Pilon	X				
Irving Slosberg	X				
Carlos Trujillo			X		
Charles Van Zant	X				
Barbara Watson	X				
Dana Young	X				
Gayle Harrell (Chair)				X	
Total Yeas: 11		Total Nays: 0			

HB 1045 Amendments

Amendment 150381

Adopted Without Objection

Amendment 363839

Adopted Without Objection

Amendment 567489

Adopted Without Objection

Appearances:

Haughwout, Carey (State Employee) - Waive In Support
Public Defender for Palm Beach County, Florida Public Defenders Association
421 3rd. St.
West Palm Beach FL 33401
Phone: (561) 355-7651

Hendrickson, Dan (Lobbyist) (State Employee) - Waive In Support
Assistant Public Defender, Florida Public Defenders Association
301 S. Monroe St. 4th Flr N.
Tallahassee FL
Phone: (850) 606-1037

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1045 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Schwartz offered the following:

4
5 **Amendment**

6 Remove lines 131-133 and insert:
7 required training course within the previous 5 years. Once
8 trained, experts must retake the required training course every
9 5 years in order to remain on the registry. Those who have not
10 completed the training course or have not retaken the training
11 course within 5 years must be removed from the registry and may
12 not conduct competency evaluations for the courts.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1045 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION
ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12.

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Schwartz offered the following:

4
5 **Amendment**

6 Remove lines 275-284 and insert:

7 Statistical Manual of Mental Disorders of the American
8 Psychiatric Association and must be presented in a section of
9 his or her competency evaluation report that shall be identified
10 as a summary of findings. This section must include:

11 1. The day, month, year, and length of time of the face-
12 to-face diagnostic clinical interview to determine the child's
13 mental condition.

14 2. A statement that identifies the mental disorder causing
15 the child's incompetence. In reporting on the mental disorder,
16 the evaluator shall use the clinical name and associated
17 diagnostic code found in the most recent edition of the
18 Diagnostic and Statistical Manual of Mental Disorders of the
19 American Psychiatric Association.

363839 - h1045-line275.docx

Published On: 1/30/2012 7:40:37 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1045 (2012)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12.

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Schwartz offered the following:

4
5 **Amendment**

6 Remove lines 347-350 and insert:

7 course within the previous 5 years. Once trained, an expert must
8 retake the required training course every 5 years in order to
9 remain on the registry. An expert who has not completed the
10 required training course or has not retaken the training course
11 within 5 years must be removed from the registry and may not
12 conduct competency evaluations for the courts.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 1097 : Sexually Violent Predators

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell	X				
Jose Diaz	X				
Richard Glorioso			X		
James Grant			X		
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Irving Slosberg	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Barbara Watson	X				
Dana Young	X				
Gayle Harrell (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 1097 Amendments

Amendment 190765

Adopted Without Objection

Amendment 745383

Adopted Without Objection

Appearances:

Dritt, Jennifer (Lobbyist) - Waive In Support
Executive Director, Florida Council Against Sexual Violence
1820 E Park Avenue, Suite 100
Tallahassee FL 32301
Phone: (850) 297-2000

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1097 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

*FAVORABLE
1/31/12*

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Kreegel offered the following:

4
5 **Amendment (with title amendment)**

6 Remove line 144 and insert:

7 (1) Except as authorized by law or as specifically
8 authorized by the person in charge of a secure facility
9 providing secure confinement and treatment under this part, it
10 is unlawful to

11
12
13
14 -----
15 **T I T L E A M E N D M E N T**

16 Remove line 29 and insert:
17 penalties for violations; providing exceptions; providing an
18 effective date.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1097 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION — (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER —

FAVORABLE
1/31/12

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Kreegel offered the following:
4

5 **Amendment**

6 Remove lines 41-87 and insert:

7 Section 2. Paragraph (e) of subsection (3) of section
8 394.913, Florida Statutes, is amended to read:

9 394.913 Notice to state attorney and multidisciplinary
10 team of release of sexually violent predator; establishing
11 multidisciplinary teams; information to be provided to
12 multidisciplinary teams.—

13 (3)

14 (e)1. Within 180 days after receiving notice, there shall
15 be a written assessment as to whether the person meets the
16 definition of a sexually violent predator and a written
17 recommendation, which shall be provided to the state attorney.
18 The written recommendation shall be provided by the Department

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Published On: 1/30/2012 7:47:39 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1097 (2012)

Amendment No. 2

19 of Children and Family Services and shall include the written
20 report of the multidisciplinary team.

21 2. Notwithstanding sub-paragraph 1., in the case of a
22 person for whom the written assessment and recommendation has
23 not been completed at least 365 days prior to his or her release
24 from total confinement, the department shall prioritize the
25 assessment of that person based upon the person's release date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 1099 : Stalking and Aggravated Stalking

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell	X				
Jose Diaz			X		
Richard Glorioso	X				
James Grant			X		
John Julien	X				
Charles McBurney			X		
W. Keith Perry	X				
Ray Pilon				X	
Irving Slosberg			X		
Carlos Trujillo	X				
Charles Van Zant	X				
Barbara Watson	X				
Dana Young	X				
Gayle Harrell (Chair)				X	
Total Yeas: 9		Total Nays: 0			

HB 1099 Amendments

Amendment 905135

Adopted Without Objection

Appearances:

Pitts, Brian (General Public) - Proponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727) 897-9291

Poore, Terri (Lobbyist) - Waive In Support

Director of Public Affairs, Florida Council Against Sexual Violence

1820 East Park Ave. Suite 100

Tallahassee FL 32301

Phone: (850) 363-2918

Wiseman, Leisa (Lobbyist) - Waive In Support

Director, External Affairs Florida Coalition Against Domestic Violence

425 Office Plaza Dr.

Tallahassee FL 32301

Phone: (850) 425-2741

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 1099 : Stalking and Aggravated Stalking (continued)

Appearances: (continued)

Perko, Ann (Lobbyist) - Waive In Support
Senior Staff Attorney, Florida Legal Services Inc.
2425 Torrey Dr.
Tallahassee FL 32303
Phone: (850) 358-7900

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1099 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Plakon offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
7 Section 1. Section 784.048, Florida Statutes, is amended to
8 read:

9 784.048 Stalking; definitions; penalties.—

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

11 (a) "Harass" means to engage in a course of conduct
12 directed at a specific person which ~~that~~ causes substantial
13 emotional distress to that ~~in such~~ person and serves no
14 legitimate purpose.

15 (b) "Course of conduct" means a pattern of conduct
16 composed of a series of acts over a period of time, however
17 short, which evidence ~~evidencing~~ a continuity of purpose. The
18 term does not include constitutionally protected activity such
19 as is not included within the meaning of "course of conduct."

905135 - h1099-strike.docx

Published On: 1/30/2012 7:42:36 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1099 (2012)

Amendment No. 1

20 ~~Such constitutionally protected activity includes picketing or~~
21 other organized protests.

22 (c) "Credible threat" means a verbal or nonverbal threat,
23 including a threat delivered by electronic communication or a
24 threat implied by a pattern of conduct, or a combination of the
25 two, which places the person who is the target of the threat in
26 reasonable fear for his or her safety or the safety of his or
27 her immediate family or household member, as defined in s.
28 741.28, and which is made with the apparent ability to carry out
29 the threat to cause such harm. It is not necessary to prove that
30 the person making the threat had the intent to actually carry
31 out the threat. The present incarceration of the person making
32 the threat is not a bar to prosecution under this section ~~made~~
33 ~~with the intent to cause the person who is the target of the~~
34 ~~threat to reasonably fear for his or her safety. The threat must~~
35 ~~be against the life of, or a threat to cause bodily injury to, a~~
36 ~~person.~~

37 (d) "Cyberstalk" means to engage in a course of conduct to
38 communicate, or to cause to be communicated, words, images, or
39 language by or through the use of electronic mail or electronic
40 communication, directed at a specific person, causing
41 substantial emotional distress to that person and serving no
42 legitimate purpose.

43 (e) "Immediate family" means a person's spouse, parent,
44 child, grandparent, or sibling.

45 (2) A Any person who willfully, maliciously, and
46 repeatedly follows, harasses, or cyberstalks another person
47 commits the offense of stalking, a misdemeanor of the first

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Published On: 1/30/2012 7:42:36 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1099 (2012)

Amendment No. 1

48 degree, punishable as provided in s. 775.082 or s. 775.083.

49 (3) A ~~Any~~ person who willfully, maliciously, and
50 repeatedly follows, harasses, or cyberstalks another person, and
51 makes a credible threat to that person ~~with the intent to place~~
52 ~~that person in reasonable fear of death or bodily injury of the~~
53 ~~person, or the person's child, sibling, spouse, parent, or~~
54 ~~dependent,~~ commits the offense of aggravated stalking, a felony
55 of the third degree, punishable as provided in s. 775.082, s.
56 775.083, or s. 775.084.

57 (4) A ~~Any~~ person who, after an injunction for protection
58 against repeat violence, sexual violence, or dating violence
59 pursuant to s. 784.046, or an injunction for protection against
60 domestic violence pursuant to s. 741.30, or after any other
61 court-imposed prohibition of conduct toward the subject person
62 or that person's property, knowingly, willfully, maliciously,
63 and repeatedly follows, harasses, or cyberstalks another person
64 commits the offense of aggravated stalking, a felony of the
65 third degree, punishable as provided in s. 775.082, s. 775.083,
66 or s. 775.084.

67 (5) A ~~Any~~ person who willfully, maliciously, and
68 repeatedly follows, harasses, or cyberstalks a child ~~minor~~ under
69 16 years of age commits the offense of aggravated stalking, a
70 felony of the third degree, punishable as provided in s.
71 775.082, s. 775.083, or s. 775.084.

72 (6) A ~~Any~~ law enforcement officer may arrest, without a
73 warrant, any person that he or she has probable cause to believe
74 has violated ~~the provisions of~~ this section.

75 (7) A ~~Any~~ person who, after having been sentenced for a

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Published On: 1/30/2012 7:42:36 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1099 (2012)

Amendment No. 1

76 violation of s. 794.011, s. 800.04, or s. 847.0135(5) and
77 prohibited from contacting the victim of the offense under s.
78 921.244, willfully, maliciously, and repeatedly follows,
79 harasses, or cyberstalks the victim commits the offense of
80 aggravated stalking, a felony of the third degree, punishable as
81 provided in s. 775.082, s. 775.083, or s. 775.084.

82 (8) The punishment imposed under this section shall run
83 consecutive to any former sentence imposed for a conviction for
84 any offense under s. 794.011, s. 800.04, or s. 847.0135(5).

85 (9)(a) The sentencing court shall consider, as a part of
86 any sentence, issuing an injunction restraining the defendant
87 from any contact with the victim, which may be valid for up to
88 10 years, as determined by the court. It is the intent of the
89 Legislature that the length of any such restraining order be
90 based upon the seriousness of the facts before the court, the
91 probability of future violations by the perpetrator, and the
92 safety of the victim and his or her immediate family.

93 (b) The injunction may be issued by the court even if the
94 defendant is sentenced to a state prison or a county jail or
95 even if the imposition of the sentence is suspended and the
96 defendant is placed on probation.

97 Section 2. Section 784.0485, Florida Statutes, is created
98 to read:

99 784.0485 Stalking or cyberstalking; injunction; powers and
100 duties of court and clerk; petition; notice and hearing;
101 temporary injunction; issuance of injunction; statewide
102 verification system; enforcement.-

103 (1) There is created a cause of action for an injunction

905135 - h1099-strike.docx

Published On: 1/30/2012 7:42:36 PM

Amendment No. 1

104 for protection against stalking or cyberstalking.

105 (a) A person who is the victim of stalking or
106 cyberstalking has standing in the circuit court to file a sworn
107 petition for an injunction for protection against stalking or
108 cyberstalking.

109 (b) The cause of action for an injunction for protection
110 may be sought regardless of whether any other cause of action is
111 currently pending between the parties. However, the pendency of
112 any such cause of action shall be alleged in the petition.

113 (c) The cause of action for an injunction may be sought by
114 any affected person.

115 (d) The cause of action for an injunction does not require
116 either party to be represented by an attorney.

117 (e) The court may not issue mutual orders of protection;
118 however, the court is not precluded from issuing separate
119 injunctions for protection against stalking or cyberstalking if
120 each party has complied with this section. Compliance with this
121 section may not be waived.

122 (f) Notwithstanding chapter 47, a petition for an
123 injunction for protection against stalking or cyberstalking may
124 be filed in the circuit where the petitioner currently or
125 temporarily resides, where the respondent resides, or where the
126 stalking or cyberstalking occurred. There is no minimum
127 requirement of residency to petition for an injunction for
128 protection.

129 (2)(a) Notwithstanding any other law, the clerk of court
130 may not assess a filing fee to file a petition for protection
131 against stalking or cyberstalking. However, subject to

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1099 (2012)

Amendment No. 1

132 legislative appropriation, the clerk of the circuit court may,
133 on a quarterly basis, submit to the Office of the State Courts
134 Administrator a certified request for reimbursement for
135 petitions for protection against stalking or cyberstalking
136 issued by the court, at the rate of \$40 per petition. The
137 request for reimbursement shall be submitted in the form and
138 manner prescribed by the Office of the State Courts
139 Administrator. From this reimbursement, the clerk shall pay any
140 law enforcement agency serving the injunction the fee requested
141 by the law enforcement agency; however, this fee may not exceed
142 \$20.

143 (b) A bond is not required by the court for the entry of
144 an injunction.

145 (c)1. The clerk of the court shall assist petitioners in
146 seeking both injunctions for protection against stalking and
147 enforcement of a violation thereof as specified in this section.

148 2. All offices of the clerk of the court shall provide
149 simplified petition forms for the injunction and any
150 modifications to and the enforcement thereof, including
151 instructions for completion.

152 3. The clerk of the court shall ensure the petitioner's
153 privacy to the extent practicable while completing the forms for
154 an injunction for protection against stalking or cyberstalking.

155 4. The clerk of the court shall provide a petitioner with
156 a minimum of two certified copies of the order of injunction,
157 one of which is serviceable and will inform the petitioner of
158 the process for service and enforcement.

159 5. The clerk of the court and appropriate staff in each

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Published On: 1/30/2012 7:42:36 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1099 (2012)

Amendment No. 1

160 | county shall receive training in the effective assistance of
161 | petitioners as provided or approved by the Florida Association
162 | of Court Clerks.

163 | 6. The clerk of the court in each county shall make
164 | available informational brochures on stalking when such a
165 | brochure is provided by the local certified domestic violence
166 | center.

167 | 7. The clerk of the court in each county shall distribute
168 | a statewide uniform informational brochure to petitioners at the
169 | time of filing for an injunction for protection against stalking
170 | or cyberstalking when such brochures become available. The
171 | brochure must include information about the effect of giving the
172 | court false information.

173 | (3)(a) The sworn petition shall allege the existence of
174 | such stalking or cyberstalking and shall include the specific
175 | facts and circumstances for which relief is sought.

176 | (b) The sworn petition shall be in substantially the
177 | following form:

178 |
179 | PETITION FOR INJUNCTION FOR PROTECTION AGAINST STALKING
180 |

181 | Before me, the undersigned authority, personally appeared
182 | Petitioner....(Name)...., who has been sworn and says that
183 | the following statements are true:
184 |

185 | 1. Petitioner resides at:....(address)....

186 | (Petitioner may furnish the address to the court in a
187 | separate confidential filing if, for safety reasons,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1099 (2012)

Amendment No. 1

- 188 | the petitioner requires the location of the current
189 | residence to be confidential.)
190 | 2. Respondent resides at:....(last known address)....
191 | 3. Respondent's last known place of employment:....(name
192 | of business and address)....
193 | 4. Physical description of respondent:....
194 | 5. Race....
195 | 6. Sex....
196 | 7. Date of birth....
197 | 8. Height....
198 | 9. Weight....
199 | 10. Eye color....
200 | 11. Hair color....
201 | 12. Distinguishing marks or scars....
202 | 13. Aliases of respondent:....

203

204 | (c) The petitioner shall describe any other cause of
205 | action currently pending between the petitioner and respondent.
206 | The petitioner shall also describe any previous attempt by the
207 | petitioner to obtain an injunction for protection against
208 | stalking or cyberstalking in this or any other circuit, and the
209 | result of that attempt. (Case numbers should be included, if
210 | available.)

211 | (d) The petition must provide space for the petitioner to
212 | specifically allege that he or she is a victim of stalking or
213 | cyberstalking because respondent has:

214

215 | (Mark all sections that apply and describe in the spaces below

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216 the incidents of stalking or cyberstalking specifying when and
217 where they occurred, including, but not limited to, locations
218 such as a home, school, or place of employment.)

219

220 Committed or threatened to commit stalking.

221 Previously threatened, harassed, stalked,

222 cyberstalked, or physically abused the petitioner.

223 Threatened to harm the petitioner or family members or

224 individuals closely associated with the petitioner.

225 Intentionally injured or killed a family pet.

226 Used, or has threatened to use, against the petitioner

227 any weapons such as guns or knives.

228 A criminal history involving violence or the threat of

229 violence (if known).

230 Another order of protection issued against him or her

231 previously or from another jurisdiction, if known.

232 Destroyed personal property, including, but not

233 limited to, telephones or other communication equipment,

234 clothing, or other items belonging to the petitioner.

235 (e) The petitioner seeks an injunction: (Mark appropriate

236 section or sections.)

237 Immediately restraining the respondent from committing

238 any acts of stalking or cyberstalking.

239 Restraining the respondent from committing any acts of

240 stalking or cyberstalking.

241 Providing any terms the court deems necessary for the

242 protection of a victim of stalking or cyberstalking, including

243 any injunctions or directives to law enforcement agencies.

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244 (f) Every petition for an injunction against stalking or
245 cyberstalking must contain, directly above the signature line, a
246 statement in all capital letters and bold type not smaller than
247 the surrounding text, as follows:

248
249 I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND
250 EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT
251 THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE
252 UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN
253 SECTION 837.02, FLORIDA STATUTES.

254
255(initials)....

256
257 (4) Upon the filing of the petition, the court shall set a
258 hearing to be held at the earliest possible time. The respondent
259 shall be personally served with a copy of the petition, notice
260 of hearing, and temporary injunction, if any, before the
261 hearing.

262 (5) (a) If it appears to the court that an immediate and
263 present danger of stalking or cyberstalking exists, the court
264 may grant a temporary injunction ex parte, pending a full
265 hearing, and may grant such relief as the court deems proper,
266 including an injunction restraining the respondent from
267 committing any act of stalking or cyberstalking.

268 (b) In a hearing ex parte for the purpose of obtaining
269 such ex parte temporary injunction, evidence other than verified
270 pleadings or affidavits may not be used as evidence, unless the
271 respondent appears at the hearing or has received reasonable

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272 notice of the hearing. A denial of a petition for an ex parte
273 injunction shall be by written order noting the legal grounds
274 for denial. If the only ground for denial is no appearance of an
275 immediate and present danger of stalking or cyberstalking, the
276 court shall set a full hearing on the petition for injunction
277 with notice at the earliest possible time. This paragraph does
278 not affect a petitioner's right to promptly amend any petition,
279 or otherwise be heard in person on any petition consistent with
280 the Florida Rules of Civil Procedure.

281 (c) Any such ex parte temporary injunction is effective
282 for a fixed period not to exceed 15 days. A full hearing, as
283 provided in this section, shall be set for a date no later than
284 the date when the temporary injunction ceases to be effective.
285 The court may grant a continuance of the hearing before or
286 during a hearing for good cause shown by any party, which shall
287 include a continuance to obtain service of process. An
288 injunction shall be extended if necessary to remain in full
289 force and effect during any period of continuance.

290 (6) (a) Upon notice and hearing, when it appears to the
291 court that the petitioner is the victim of stalking or
292 cyberstalking, the court may grant such relief as the court
293 deems proper, including an injunction:

294 1. Restraining the respondent from committing any act of
295 stalking or cyberstalking.

296 2. Ordering the respondent to participate in treatment,
297 intervention, or counseling services to be paid for by the
298 respondent.

299 3. Referring a petitioner to a certified domestic violence

Amendment No. 1

300 | center. The court must provide the petitioner with a list of
301 | certified domestic violence centers in the circuit which the
302 | petitioner may contact.

303 | 4. Ordering such other relief as the court deems necessary
304 | for the protection of a victim of stalking or cyberstalking,
305 | including injunctions or directives to law enforcement agencies,
306 | as provided in this section.

307 | (b) When determining whether a petitioner has reasonable
308 | cause to believe that there is a credible threat that he or she
309 | is in imminent danger of becoming a victim of stalking or
310 | cyberstalking, the court shall consider and evaluate all
311 | relevant factors alleged in the petition, including, but not
312 | limited to:

313 | 1. The history between the petitioner and the respondent,
314 | including threats, harassment, stalking or cyberstalking, and
315 | physical abuse.

316 | 2. Whether the respondent has attempted to harm the
317 | petitioner or family members or individuals closely associated
318 | with the petitioner.

319 | 3. Whether the respondent has intentionally injured or
320 | killed a family pet.

321 | 4. Whether the respondent has used, or has threatened to
322 | use, against the petitioner any weapons such as guns or knives.

323 | 5. Whether the respondent has a criminal history involving
324 | violence or the threat of violence.

325 | 6. The existence of a verifiable order of protection
326 | issued previously or from another jurisdiction.

327 | 7. Whether the respondent has destroyed personal property,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1099 (2012)

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328 including, but not limited to, telephones or other
329 communications equipment, clothing, or other items belonging to
330 the petitioner.

331

332 In making its determination under this paragraph, the court is
333 not limited to those factors enumerated in subparagraphs 1.-7.

334 (c) The terms of an injunction restraining the respondent
335 under subparagraph (a)1. or ordering other relief for the
336 protection of the victim under subparagraph (a)4. shall remain
337 in effect until modified or dissolved. Either party may move at
338 any time to modify or dissolve the injunction. Specific
339 allegations are not required. Such relief may be granted in
340 addition to other civil or criminal remedies.

341 (d) A temporary or final judgment on injunction for
342 protection against stalking or cyberstalking entered pursuant to
343 this section shall, on its face, indicate that:

344 1. The injunction is valid and enforceable in all counties
345 of this state.

346 2. Law enforcement officers may use their arrest powers
347 pursuant to s. 901.15(6) to enforce the terms of the injunction.

348 3. The court has jurisdiction over the parties and matter
349 under the laws of this state and that reasonable notice and
350 opportunity to be heard was given to the person against whom the
351 order is sought sufficient to protect that person's right to due
352 process.

353 4. The date that the respondent was served with the
354 temporary or final order, if obtainable.

355 (e) The fact that a separate order of protection is

COMMITTEE/SUBCOMMITTEE AMENDMENT

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356 granted to each opposing party is not legally sufficient to deny
357 any remedy to either party or to prove that the parties are
358 equally at fault or equally endangered.

359 (f) A final judgment on an injunction for protection
360 against stalking or cyberstalking entered pursuant to this
361 section may, on its face, provide that it is a violation of s.
362 790.233 and a misdemeanor of the first degree for the respondent
363 to have in his or her care, custody, possession, or control any
364 firearm or ammunition.

365 (g) All proceedings under this subsection shall be
366 recorded. Recording may be by electronic means as provided by
367 the Rules of Judicial Administration.

368 (7) The court shall allow an advocate from a state
369 attorney's office, a law enforcement agency, or a certified
370 domestic violence center who is registered under s. 39.905 to be
371 present with the petitioner or respondent during any court
372 proceedings or hearings related to the injunction for protection
373 if the petitioner or respondent has made such a request and the
374 advocate is able to be present.

375 (8)(a)1. The clerk of the court shall furnish a copy of
376 the petition, notice of hearing, and temporary injunction, if
377 any, to the sheriff or a law enforcement agency of the county
378 where the respondent resides or can be found, who shall serve it
379 upon the respondent as soon thereafter as possible on any day of
380 the week and at any time of the day or night. When requested by
381 the sheriff, the clerk of the court may transmit a facsimile
382 copy of an injunction that has been certified by the clerk of
383 the court, and this facsimile copy may be served in the same

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384 manner as a certified copy. Upon receiving a facsimile copy, the
385 sheriff must verify receipt with the sender before attempting to
386 serve it on the respondent. In addition, if the sheriff is in
387 possession of an injunction for protection which has been
388 certified by the clerk of the court, the sheriff may transmit a
389 facsimile copy of that injunction to a law enforcement officer
390 who shall serve it in the same manner as a certified copy. The
391 clerk of the court shall furnish to the sheriff such information
392 concerning the respondent's physical description and location as
393 is required by the department to comply with the verification
394 procedures set forth in this section. Notwithstanding any other
395 law, the chief judge of each circuit, in consultation with the
396 appropriate sheriff, may authorize a law enforcement agency
397 within the jurisdiction to effect service. A law enforcement
398 agency serving injunctions pursuant to this section shall use
399 service and verification procedures consistent with those of the
400 sheriff.

401 2. If an injunction is issued and the petitioner requests
402 the assistance of a law enforcement agency, the court may order
403 that an officer from the appropriate law enforcement agency
404 accompany the petitioner to assist in the execution or service
405 of the injunction. A law enforcement officer shall accept a copy
406 of an injunction for protection against stalking, certified by
407 the clerk of the court, from the petitioner and immediately
408 serve it upon a respondent who has been located but not yet
409 served.

410 3. An order issued, changed, continued, extended, or
411 vacated subsequent to the original service of documents

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412 enumerated under subparagraph 1. shall be certified by the clerk
413 of the court and delivered to the parties at the time of the
414 entry of the order. The parties may acknowledge receipt of such
415 order in writing on the face of the original order. If a party
416 fails or refuses to acknowledge the receipt of a certified copy
417 of an order, the clerk shall note on the original order that
418 service was effected. If delivery at the hearing is not
419 possible, the clerk shall mail certified copies of the order to
420 the parties at the last known address of each party. Service by
421 mail is complete upon mailing. When an order is served pursuant
422 to this subsection, the clerk shall prepare a written
423 certification to be placed in the court file specifying the
424 time, date, and method of service and shall notify the sheriff.

425 4. If the respondent has been served previously with a
426 temporary injunction and has failed to appear at the initial
427 hearing on the temporary injunction, any subsequent petition for
428 injunction seeking an extension of time may be served on the
429 respondent by the clerk of the court by certified mail in lieu
430 of personal service by a law enforcement officer.

431 (b)1. Within 24 hours after the court issues an injunction
432 for protection against stalking or cyberstalking or changes,
433 continues, extends, or vacates an injunction for protection
434 against stalking or cyberstalking, the clerk of the court must
435 forward a certified copy of the injunction for service to the
436 sheriff having jurisdiction over the residence of the
437 petitioner. The injunction must be served in accordance with
438 this subsection.

439 2. Within 24 hours after service of process of an

COMMITTEE/SUBCOMMITTEE AMENDMENT

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440 injunction for protection against stalking or cyberstalking upon
441 a respondent, the law enforcement officer must forward the
442 written proof of service of process to the sheriff having
443 jurisdiction over the residence of the petitioner.

444 3. Within 24 hours after the sheriff receives a certified
445 copy of the injunction for protection against stalking or
446 cyberstalking, the sheriff must make information relating to the
447 injunction available to other law enforcement agencies by
448 electronically transmitting such information to the Department
449 of Law Enforcement.

450 4. Within 24 hours after the sheriff or other law
451 enforcement officer has made service upon the respondent and the
452 sheriff has been so notified, the sheriff must make information
453 relating to the service available to other law enforcement
454 agencies by electronically transmitting such information to the
455 Department of Law Enforcement.

456 5. Within 24 hours after an injunction for protection
457 against stalking or cyberstalking is vacated, terminated, or
458 otherwise rendered no longer effective by ruling of the court,
459 the clerk of the court must notify the sheriff receiving
460 original notification of the injunction as provided in
461 subparagraph 2. That agency shall, within 24 hours after
462 receiving such notification from the clerk of the court, notify
463 the Department of Law Enforcement of such action of the court.

464 (9) (a) The court may enforce a violation of an injunction
465 for protection against stalking or cyberstalking through a civil
466 or criminal contempt proceeding, or the state attorney may
467 prosecute it as a criminal violation under s. 784.0487. The

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468 | court may enforce the respondent's compliance with the
469 | injunction through any appropriate civil and criminal remedies,
470 | including, but not limited to, a monetary assessment or a fine.
471 | The clerk of the court shall collect and receive such
472 | assessments or fines. On a monthly basis, the clerk shall
473 | transfer the moneys collected pursuant to this paragraph to the
474 | State Treasury for deposit into the Domestic Violence Trust
475 | Fund.

476 | (b) If the respondent is arrested by a law enforcement
477 | officer under s. 901.15(6) or for a violation of s. 784.0487,
478 | the respondent shall be held in custody until brought before the
479 | court as expeditiously as possible for the purpose of enforcing
480 | the injunction and for admittance to bail in accordance with
481 | chapter 903 and the applicable rules of criminal procedure,
482 | pending a hearing.

483 | (10) The petitioner or the respondent may move the court
484 | to modify or dissolve an injunction at any time.

485 | Section 3. Section 784.0487, Florida Statutes, is created
486 | to read:

487 | 784.0487 Violation of an injunction for protection against
488 | stalking or cyberstalking.-

489 | (1) If the injunction for protection against stalking or
490 | cyberstalking has been violated and the respondent has not been
491 | arrested, the petitioner may contact the clerk of the circuit
492 | court of the county in which the violation is alleged to have
493 | occurred. The clerk shall assist the petitioner in preparing an
494 | affidavit in support of reporting the violation or directing the
495 | petitioner to the office operated by the court that has been

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496 designated by the chief judge of that circuit as the central
497 intake point for violations of injunctions for protection where
498 the petitioner can receive assistance in the preparation of the
499 affidavit in support of the violation.

500 (2) The affidavit shall be immediately forwarded by the
501 office assisting the petitioner to the state attorney of that
502 circuit and to such judge as the chief judge determines to be
503 the recipient of affidavits of violations of an injunction. If
504 the affidavit alleges that a crime has been committed, the
505 office assisting the petitioner shall also forward a copy of the
506 petitioner's affidavit to the appropriate law enforcement agency
507 for investigation. No later than 20 days after receiving the
508 initial report, the local law enforcement agency shall complete
509 its investigation and forward a report to the state attorney.
510 The policy adopted by the state attorney in each circuit under
511 s. 741.2901(2) shall include a policy regarding intake of
512 alleged violations of injunctions for protection against
513 stalking or cyberstalking under this section. The intake shall
514 be supervised by a state attorney who has been designated and
515 assigned to handle stalking or cyberstalking cases. The state
516 attorney shall determine within 30 working days whether his or
517 her office will file criminal charges or prepare a motion for an
518 order to show cause as to why the respondent should not be held
519 in criminal contempt, or prepare both as alternative findings,
520 or file notice that the case remains under investigation or is
521 pending subject to some other action.

522 (3) If the court has knowledge that the petitioner or
523 another person is in immediate danger if the court does not act

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524 before the decision of the state attorney to proceed, the court
525 shall immediately issue an order of appointment of the state
526 attorney to file a motion for an order to show cause as to why
527 the respondent should not be held in contempt. If the court does
528 not issue an order of appointment of the state attorney, it
529 shall immediately notify the state attorney that the court is
530 proceeding to enforce the violation through criminal contempt.

531 (4) A person who willfully violates an injunction for
532 protection against stalking or cyberstalking issued pursuant to
533 s. 784.0485, or a foreign protection order accorded full faith
534 and credit pursuant to s. 741.315, by:

535 (a) Going to, or being within 500 feet of, the
536 petitioner's residence, school, place of employment, or a
537 specified place frequented regularly by the petitioner and any
538 named family or household member;

539 (b) Committing an act of stalking or cyberstalking against
540 the petitioner;

541 (c) Committing any other violation of the injunction
542 through an intentional unlawful threat, word, or act to do
543 violence to the petitioner;

544 (d) Telephoning, contacting, or otherwise communicating
545 with the petitioner, directly or indirectly, unless the
546 injunction specifically allows indirect contact through a third
547 party;

548 (e) Knowingly and intentionally coming within 100 feet of
549 the petitioner's motor vehicle, whether or not that vehicle is
550 occupied;

551 (f) Defacing or destroying the petitioner's personal

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552 property, including the petitioner's motor vehicle; or

553 (g) Refusing to surrender firearms or ammunition if

554 ordered to do so by the court,

555

556 commits a misdemeanor of the first degree, punishable as

557 provided in s. 775.082 or s. 775.083.

558 (5) A person who suffers an injury or loss as a result of

559 a violation of an injunction for protection against stalking or

560 cyberstalking may be awarded economic damages for that injury or

561 loss by the court issuing the injunction. Damages includes costs

562 and attorney fees for enforcement of the injunction.

563 Section 4. This act shall take effect October 1, 2012.

564

565

566

T I T L E A M E N D M E N T

567

568 Remove the entire title and insert:

569 An act relating to stalking and aggravated stalking; amending s.

570 784.048, F.S.; redefining the terms "course of conduct" and

571 "credible threat" and defining the term "immediate family";

572 providing that a person who makes a threat which places another

573 person in reasonable fear for his or her safety or the safety of

574 his or her immediate family commits the offense of aggravated

575 stalking under certain circumstances; requiring that the

576 sentencing court consider issuing an injunction that restrains a

577 defendant from any contact with the victim for up to 10 years;

578 providing legislative intent regarding the length of any such

579 restraining order; creating s. 784.0485, F.S.; creating a civil

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580 cause of action for an injunction for protection against
581 stalking or cyberstalking; providing that the victim of stalking
582 or cyberstalking has standing in the circuit court to file a
583 sworn petition for an injunction for protection against stalking
584 or cyberstalking; prohibiting a court from issuing mutual orders
585 of protection, but authorizing the court to issue a separate
586 injunction for protection against stalking or cyberstalking if
587 each party has complied with the provisions of law; providing
588 for venue of the cause of action; prohibiting the clerk of the
589 court from assessing a filing fee; providing an exception;
590 providing that a petitioner is not required to post a bond;
591 requiring the clerks of court to assist petitioners in filing
592 petitions with the court; requiring the clerk of the court in
593 each county to make available informational brochures; providing
594 a sample petition for an injunction for protection against
595 stalking or cyberstalking; authorizing the court to grant a
596 temporary injunction ex parte, pending a full hearing, under
597 certain circumstances; authorizing the court to grant such
598 relief as the court deems necessary and proper; providing
599 procedures for an ex parte injunction hearing; setting forth the
600 relief the court may grant if it finds that the petitioner is in
601 imminent danger of becoming a victim of stalking or
602 cyberstalking; setting forth the criteria the court must
603 consider at the hearing; requiring the court to allow an
604 advocate from a state attorney's office, law enforcement agency,
605 or certified domestic violence center to be present with the
606 petitioner or respondent during any court proceeding; requiring
607 the clerk of the court to furnish a copy of the petition, notice

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608 of hearing, and temporary injunction, if any, to the sheriff or
609 a law enforcement agency of the county where the respondent
610 resides or can be found, who shall serve it upon the respondent
611 as soon thereafter as possible on any day of the week and at any
612 time of the day or night; authorizing the court to order a law
613 enforcement officer to accompany the petitioner; authorizing the
614 court to enforce a violation of an injunction for protection
615 against stalking or cyberstalking through a civil or criminal
616 contempt proceeding; authorizing a state attorney to use
617 criminal procedures for a violation of an injunction for
618 protection; creating s. 784.0487, F.S.; providing procedures to
619 follow when the respondent has violated the injunction for
620 protection; providing legislative intent; providing criminal
621 penalties; providing that a court may award a person who suffers
622 an injury or loss as a result of a violation of an injunction
623 for protection against stalking or cyberstalking economic
624 damages for that injury or loss, including costs and attorney
625 fees for enforcement of the injunction; providing an effective
626 date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

CS/HB 1143 : Licensing of Health Care Practitioners

Temporarily Deferred

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 1187 : Sentencing Alternatives

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Jose Diaz	X				
Richard Glorioso			X		
James Grant			X		
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Irving Slosberg	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Barbara Watson	X				
Dana Young	X				
Gayle Harrell (Chair)				X	
Total Yeas: 11		Total Nays: 0			

HB 1187 Amendments

Amendment 419679

Adopted Without Objection

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1187 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Perry offered the following:

5 **Amendment (with title amendment)**

6 Remove line 26 and insert:

7 circuit in which the alternative sentence is imposed. If there
8 is more than one child protection team in the judicial circuit
9 in which the alternative sentence is imposed, the assessment
10 shall be allocated evenly among them.

12 -----
13 **T I T L E A M E N D M E N T**

14 Remove lines 2-9 and insert:

15 An act relating to sentencing child abusers; amending
16 s. 921.187, F.S.; authorizing the court to order an
17 offender convicted of an offense of child abuse to pay
18 an assessment of a specified amount if the offender
19 does not receive a state prison sentence; specifying

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Bill No. HB 1187 (2012)

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20 how the assessments are allocated to child protection
21 teams; providing an

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 1331 : Property Fraud

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Jose Diaz	X				
Richard Glorioso			X		
James Grant			X		
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Irving Slosberg	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Barbara Watson	X				
Dana Young	X				
Gayle Harrell (Chair)				X	
Total Yeas: 11		Total Nays: 0			

HB 1331 Amendments

Amendment 866241

Adopted Without Objection

Appearances:

Pitts, Brian (General Public) - Information Only

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727) 897-9291

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1331 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

FAVORABLE
1/31/12.

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative McBurney offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
7 Section 1. Section 817.535, Florida Statutes, is created to
8 read:

9 817.535 Fraudulent creation of interest in real or
10 personal property.-

11 (1) A person may not, with the intent to defraud or harass
12 another, file or cause to be filed for recording in the official
13 records a document relating to real or personal property which
14 the person knows to contain a material misstatement,
15 misrepresentation, or omission of fact. The filed document may
16 include, but is not limited to, a deed, lease, bill of sale,
17 agreement, mortgage, notice of claim of lien, notice of levy,
18 promissory note, mortgage note, or any other instrument that
19 relates to the ownership, transfer, or encumbrance of or claim

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20 against real or personal property or any interest in real or
21 personal property.

22 (2) A person who violates subsection (1) commits the
23 offense of fraudulent creation of an interest in real or
24 personal property, a felony of the third degree, punishable as
25 provided in s. 775.082, s. 775.083, or s. 775.084.

26 (3) A person who records a claim of lien in the official
27 records pursuant to Chapter 713, Part I, shall be subject to the
28 fraud provisions of s. 713.31 and not this section.

29 Section 2. This act shall take effect October 1, 2012.

30
31
32 -----
33 **T I T L E A M E N D M E N T**

34 Remove the entire title and insert:

35 An act relating to property fraud; creating s. 817.535, F.S.;
36 prohibiting a person, with intent to defraud or harass another,
37 from filing or causing to be filed a document relating to the
38 ownership, transfer, or encumbrance of or claim against real or
39 personal property, or any interest in real or personal property,
40 which the person knows contains a material misstatement,
41 misrepresentation, or omission of fact; providing criminal
42 penalties; providing a person who records a claim of lien in the
43 official records pursuant to Chapter 713, Part I, be subject to
44 the fraud provisions of s. 713.31, F.S.; providing an effective
45 date.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 1385 : Child Pornography

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell	X				
Jose Diaz	X				
Richard Glorioso	X				
James Grant	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Irving Slosberg	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Barbara Watson	X				
Dana Young	X				
Gayle Harrell (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Appearances:

Hopkins, Sheila (Lobbyist) - Waive In Support
Associate Director, Florida Catholic Conference
120 West Pine Ave.
Tallahassee Florida 32301
Phone: (850) 205-6826

Pitts, Brian (General Public) - Information Only
Justice-2-Jesus
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: (727) 897-9291

Dritt, Jennifer (Lobbyist) - Waive In Support
Executive Director, Florida Council Against Sexual Violence
1820 E Park Ave. Suite 100
Tallahassee FL 32301
Phone: (850) 297-2000

Grimes, Ken (Lobbyist) - Waive In Support
Polk County Sheriff Office
1985 15th Ct. N. W
Winter Haven FL 33881
Phone: (863) 559-3809

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

1/31/2012 12:30:00PM

Location: 404 HOB

HB 1385 : Child Pornography (continued)

Appearances: (continued)

Avalon, Victoria (State Employee) - Proponent
Assistant State Attorney, State Attorney's Office 10th Judicial Circuit
P.O Box 9000
Barton FL 33831
Phone: (863) 534-4995

Committee meeting was reported out: Tuesday, January 31, 2012 6:58:48PM