

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Vana offered the following:

2

3 **Amendment to Senate Amendment (803170) (with title**
4 **amendment)**

5 On page 1, line 17, through page 54, line 25, remove all of
6 said lines and insert:

7 Section 1. This act may be cited as the "Jessica Lunsford
8 Act."

9 Section 2. Paragraph (a) of subsection (5) of section
10 216.136, Florida Statutes, is amended to read:

11 216.136 Consensus estimating conferences; duties and
12 principals.--

13 (5) CRIMINAL JUSTICE ESTIMATING CONFERENCE.--

14 (a) Duties.--The Criminal Justice Estimating Conference
15 shall:

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16 1. Develop such official information relating to the
17 criminal justice system, including forecasts of prison
18 admissions and population and of supervised felony offender
19 admissions and population, as the conference determines is
20 needed for the state planning and budgeting system.

21 2. Develop such official information relating to the
22 number of eligible discharges and the projected number of civil
23 commitments for determining space needs pursuant to the civil
24 proceedings provided under part V of chapter 394.

25 3. Develop official information relating to the number of
26 sexual offenders and sexual predators who are required by law to
27 be placed on community control, probation, or conditional
28 release who are subject to electronic monitoring.

29 Section 3. Paragraph (a) of subsection (3) of section
30 775.082, Florida Statutes, is amended to read:

31 775.082 Penalties; applicability of sentencing structures;
32 mandatory minimum sentences for certain reoffenders previously
33 released from prison.--

34 (3) A person who has been convicted of any other
35 designated felony may be punished as follows:

36 (a)1. For a life felony committed prior to October 1,
37 1983, by a term of imprisonment for life or for a term of years
38 not less than 30.

39 2. For a life felony committed on or after October 1,
40 1983, by a term of imprisonment for life or by a term of
41 imprisonment not exceeding 40 years.

42 3. Except as provided in subparagraph 4., for a life
43 felony committed on or after July 1, 1995, by a term of

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44 imprisonment for life or by imprisonment for a term of years not
45 exceeding life imprisonment.

46 4. For a life felony committed on or after September 1,
47 2005, which is a violation of s. 800.04(5)(b), by:

48 a. A term of imprisonment for life; or

49 b. A split sentence that is a term of not less than 25
50 years' imprisonment and not exceeding life imprisonment,
51 followed by probation or community control for the remainder of
52 the person's natural life and subject to a system of active
53 electronic monitoring that identifies the location of a
54 monitored offender and that can produce, upon request, reports
55 or records of the offender's presence near or within a crime
56 scene or prohibited area or the offender's departure from a
57 specified geographic location.

58 Section 4. Section 775.0821, Florida Statutes, is created
59 to read:

60 775.0821 Tampering with or removal of electronic
61 monitoring device.--

62 (1) Any person subject to electronic monitoring provided
63 in s. 775.082(3)(a)4.b., s. 947.1406, or s. 948.11(6) who, for
64 the purpose of facilitating the commission of a crime, removes,
65 defaces, alters, destroys, or fails to maintain the electronic
66 monitoring device in working order commits a felony of the first
67 degree, punishable as provided in s. 775.082 or s. 775.083.

68 (2) Any person subject to electronic monitoring under s.
69 775.082(3)(a)4.b. must follow instructions provided by the
70 Department of Corrections or the electronic monitoring device
71 manufacturer to maintain the electronic monitoring device in

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72 working order. Incidental damage or defacement of the electronic
73 monitoring device must be reported to the Department of
74 Corrections within 2 hours. Failure to comply with the reporting
75 requirement of this subsection is a felony of the third degree,
76 punishable as provided in s. 775.082 or s. 775.083.

77 Section 5. Paragraph (b) of subsection (4), paragraphs
78 (a), (b), and (l) of subsection (6), and paragraph (a) of
79 subsection (10) of section 775.21, Florida Statutes, are
80 amended, and paragraph (m) is added to subsection (6) of said
81 section, to read:

82 775.21 The Florida Sexual Predators Act.--

83 (4) SEXUAL PREDATOR CRITERIA.--

84 (b) In order to be counted as a prior felony for purposes
85 of this subsection, the felony must have resulted in a
86 conviction ~~sentenced separately,~~ or an adjudication of
87 delinquency ~~entered separately,~~ prior to the current offense ~~and~~
88 ~~sentenced or adjudicated separately from any other felony~~
89 ~~conviction that is to be counted as a prior felony. If the~~
90 ~~offender's prior enumerated felony was committed more than 10~~
91 ~~years before the primary offense, it shall not be considered a~~
92 ~~prior felony under this subsection if the offender has not been~~
93 ~~convicted of any other crime for a period of 10 consecutive~~
94 ~~years from the most recent date of release from confinement,~~
95 ~~supervision, or sanction, whichever is later.~~

96 (6) REGISTRATION.--

97 (a) A sexual predator must register with the department by
98 providing the following information to the department:

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99 1. Name, social security number, age, race, sex, date of
100 birth, height, weight, hair and eye color, photograph, address
101 of legal residence and address of any current temporary
102 residence, within the state or out of state, including a rural
103 route address and a post office box, date and place of any
104 employment, date and place of each conviction, fingerprints, and
105 a brief description of the crime or crimes committed by the
106 offender. In addition, any sexual predator sentenced to
107 electronic monitoring provided in s. 775.082(3)(a)4.b., s.
108 947.1406, or s. 948.11(6) must provide that information to the
109 department. A post office box shall not be provided in lieu of a
110 physical residential address.

111 a. If the sexual predator's place of residence is a motor
112 vehicle, trailer, mobile home, or manufactured home, as defined
113 in chapter 320, the sexual predator shall also provide to the
114 department written notice of the vehicle identification number;
115 the license tag number; the registration number; and a
116 description, including color scheme, of the motor vehicle,
117 trailer, mobile home, or manufactured home. If a sexual
118 predator's place of residence is a vessel, live-aboard vessel,
119 or houseboat, as defined in chapter 327, the sexual predator
120 shall also provide to the department written notice of the hull
121 identification number; the manufacturer's serial number; the
122 name of the vessel, live-aboard vessel, or houseboat; the
123 registration number; and a description, including color scheme,
124 of the vessel, live-aboard vessel, or houseboat.

125 b. If the sexual predator is enrolled, employed, or
126 carrying on a vocation at an institution of higher education in

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127 | this state, the sexual predator shall also provide to the
128 | department the name, address, and county of each institution,
129 | including each campus attended, and the sexual predator's
130 | enrollment or employment status. Each change in enrollment or
131 | employment status shall be reported in person at the sheriff's
132 | office, or the Department of Corrections if the sexual predator
133 | is in the custody or control of or under the supervision of the
134 | Department of Corrections, within 48 hours after any change in
135 | status. The sheriff or the Department of Corrections shall
136 | promptly notify each institution of the sexual predator's
137 | presence and any change in the sexual predator's enrollment or
138 | employment status.

139 | 2. Any other information determined necessary by the
140 | department, including criminal and corrections records;
141 | nonprivileged personnel and treatment records; and evidentiary
142 | genetic markers when available.

143 | (b) If the sexual predator is in the custody or control
144 | of, or under the supervision of, the Department of Corrections,
145 | or is in the custody of a private correctional facility, the
146 | sexual predator must register with the Department of
147 | Corrections. The Department of Corrections shall provide to the
148 | department registration information and the location of, and
149 | local telephone number for, any Department of Corrections office
150 | that is responsible for supervising the sexual predator. ~~In~~
151 | ~~addition,~~ The Department of Corrections shall also notify the
152 | department if the sexual predator escapes or absconds from
153 | custody or supervision or if the sexual predator dies. In
154 | addition, for any sexual predator sentenced to electronic

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155 monitoring provided in s. 775.082(3)(a)4.b., s. 947.1406, or s.
156 948.11(6), the Department of Corrections must provide that
157 information to the department.

158 (1) A sexual predator must maintain registration with the
159 department for the duration of his or her life, unless the
160 sexual predator has received a full pardon or has had a
161 conviction set aside in a postconviction proceeding for any
162 offense that met the criteria for the sexual predator
163 designation. However, a sexual predator who was designated as a
164 sexual predator by a court before October 1, 1998, and who has
165 been lawfully released from confinement, supervision, or
166 sanction, whichever is later, for at least 10 years and has not
167 been arrested for any felony or misdemeanor offense since
168 release, may petition the criminal division of the circuit court
169 in the circuit in which the sexual predator resides for the
170 purpose of removing the sexual predator designation. A sexual
171 predator who was designated a sexual predator by a court on or
172 after October 1, 1998, who has been lawfully released from
173 confinement, supervision, or sanction, whichever is later, for
174 at least 20 years, and who has not been arrested for any felony
175 or misdemeanor offense since release may petition the criminal
176 division of the circuit court in the circuit in which the sexual
177 predator resides for the purpose of removing the sexual predator
178 designation. A sexual predator who was designated a sexual
179 predator by a court on or after September 1, 2005, who has been
180 lawfully released from confinement, supervision, or sanction,
181 whichever is later, for at least 30 years and who has not been
182 arrested for any felony or misdemeanor offense since release may

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183 | petition the criminal division of the circuit court in the
184 | circuit in which the sexual predator resides for the purpose of
185 | removing the sexual predator designation. The court may grant or
186 | deny such relief if the petitioner demonstrates to the court
187 | that he or she has not been arrested for any crime since
188 | release, the requested relief complies with the provisions of
189 | the federal Jacob Wetterling Act, as amended, and any other
190 | federal standards applicable to the removal of the designation
191 | as a sexual predator or required to be met as a condition for
192 | the receipt of federal funds by the state, and the court is
193 | otherwise satisfied that the petitioner is not a current or
194 | potential threat to public safety. The state attorney in the
195 | circuit in which the petition is filed must be given notice of
196 | the petition at least 3 weeks before the hearing on the matter.
197 | The state attorney may present evidence in opposition to the
198 | requested relief or may otherwise demonstrate the reasons why
199 | the petition should be denied. If the court denies the petition,
200 | the court may set a future date at which the sexual predator may
201 | again petition the court for relief, subject to the standards
202 | for relief provided in this paragraph. Unless specified in the
203 | order, a sexual predator who is granted relief under this
204 | paragraph must comply with the requirements for registration as
205 | a sexual offender and other requirements provided under s.
206 | 943.0435 or s. 944.607. If a petitioner obtains an order from
207 | the court that imposed the order designating the petitioner as a
208 | sexual predator which removes such designation, the petitioner
209 | shall forward a certified copy of the written findings or order

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210 to the department in order to have the sexual predator
211 designation removed from the sexual predator registry.

212 (m)1. A sexual predator must report in person each year
213 during the month of the sexual predator's date of birth and
214 during the 6th month following the sexual predator's birth month
215 to the sheriff's office in the county in which he or she resides
216 or is otherwise located to reregister. The sheriff's office may
217 determine the appropriate times and days for reporting by the
218 sexual predator, which shall be consistent with the reporting
219 requirements of this paragraph. Reregistration shall include any
220 changes to information provided in paragraph (a).

221 2. The sheriff's office shall, within 2 working days,
222 electronically submit and update all information provided by the
223 sexual predator to the department in a manner prescribed by the
224 department. This procedure shall be implemented by December 1,
225 2005.

226
227 The sheriff shall promptly provide to the department the
228 information received from the sexual predator.

229 (10) PENALTIES.--

230 (a) Except as otherwise specifically provided, a sexual
231 predator who fails to register; who fails, after registration,
232 to maintain, acquire, or renew a driver's license or
233 identification card; who fails to provide required location
234 information or change-of-name information; who fails to make a
235 required report in connection with vacating a permanent
236 residence; who fails to reregister as required; who fails to
237 respond to any address verification correspondence from the

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238 department within 3 weeks after the date of the correspondence;
239 or who otherwise fails, by act or omission, to comply with the
240 requirements of this section, commits a felony of the third
241 degree, punishable as provided in s. 775.082, s. 775.083, or s.
242 775.084.

243 Section 6. Section 775.235, Florida Statutes, is created
244 to read:

245 775.235 Harboring sexual predator or sexual offender.--Any
246 person who knows or has reasonable cause to believe that a
247 sexual predator or sexual offender is not complying, or has not
248 complied, with the requirements of s. 775.21, s. 943.0435, or s.
249 944.607 and who, with the intent to assist the sexual predator
250 or sexual offender in eluding a law enforcement agency that is
251 seeking to find the sexual predator or sexual offender to
252 question the sexual predator or sexual offender about, or to
253 arrest the sexual predator or sexual offender for, his or her
254 noncompliance with the requirements of this section:

255 (1) Withholds information from, or does not notify, the
256 law enforcement agency about the sexual predator or sexual
257 offender's noncompliance with the requirements of this section,
258 and, if known, the whereabouts of the sexual predator or sexual
259 offender;

260 (2) Harbors, or attempts to harbor, or assists another
261 person in harboring or attempting to harbor, the sexual predator
262 or sexual offender;

263 (3) Hides or attempts to hide, or assists another person
264 in hiding or attempting to hide, the sexual predator or sexual
265 offender; or

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266 (4) Provides information to the law enforcement agency
 267 regarding the sexual predator or sexual offender which the
 268 person knows to be false information,
 269
 270 commits a felony of the third degree, punishable as provided in
 271 s. 775.082 , s. 775.083, or s. 775.084. This paragraph does not
 272 apply if the sexual predator or sexual offender is incarcerated
 273 in or is in the custody of a state correctional facility, a
 274 private correctional facility, a local jail, or a federal
 275 correctional facility.

276 Section 7. Paragraph (b) of subsection (5) of section
 277 800.04, Florida Statutes, is amended to read:

278 800.04 Lewd or lascivious offenses committed upon or in
 279 the presence of persons less than 16 years of age.--

280 (5) LEWD OR LASCIVIOUS MOLESTATION.--

281 (b) An offender 18 years of age or older who commits lewd
 282 or lascivious molestation against a victim less than 12 years of
 283 age commits a life felony ~~of the first degree~~, punishable as
 284 provided in s. s. 775.082(3)(a)4. 775.082, s. 775.083, or s.
 285 ~~775.084.~~

286 Section 8. Paragraphs (f) and (g) of subsection (3) of
 287 section 921.0022, Florida Statutes, are amended to read:

288 921.0022 Criminal Punishment Code; offense severity
 289 ranking chart.--

290 (3) OFFENSE SEVERITY RANKING CHART

291

Florida	Felony	Description
Statute	Degree	

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(f) LEVEL 6

316.193(2)(b) 3rd Felony DUI, 4th or subsequent conviction.

499.0051(3) 2nd Forgery of pedigree papers.

499.0051(4) 2nd Purchase or receipt of legend drug from unauthorized person.

499.0051(5) 2nd Sale of legend drug to unauthorized person.

775.0875(1) 3rd Taking firearm from law enforcement officer.

~~775.21(10) 3rd Sexual predators; failure to register; failure to renew driver's license or identification card.~~

784.021(1)(a) 3rd Aggravated assault; deadly weapon without intent to kill.

784.021(1)(b) 3rd Aggravated assault; intent to commit felony.

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302	784.041	3rd	Felony battery.
303	784.048(3)	3rd	Aggravated stalking; credible threat.
304	784.048(5)	3rd	Aggravated stalking of person under 16.
305	784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
306	784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
307	784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
308	784.081(2)	2nd	Aggravated assault on specified official or employee.
309	784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
310	784.083(2)	2nd	Aggravated assault on code inspector.
	787.02(2)	3rd	False imprisonment; restraining

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with purpose other than those in
s. 787.01.

311

790.115(2)(d) 2nd Discharging firearm or weapon on
school property.

312

790.161(2) 2nd Make, possess, or throw
destructive device with intent to
do bodily harm or damage property.

313

790.164(1) 2nd False report of deadly explosive,
weapon of mass destruction, or act
of arson or violence to state
property.

314

790.19 2nd Shooting or throwing deadly
missiles into dwellings, vessels,
or vehicles.

315

794.011(8)(a) 3rd Solicitation of minor to
participate in sexual activity by
custodial adult.

316

794.05(1) 2nd Unlawful sexual activity with
specified minor.

317

800.04(5)(d) 3rd Lewd or lascivious molestation;
victim 12 years of age or older

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but less than 16 years; offender
less than 18 years.

318

800.04(6)(b) 2nd Lewd or lascivious conduct;
offender 18 years of age or older.

319

806.031(2) 2nd Arson resulting in great bodily
harm to firefighter or any other
person.

320

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

321

812.014(2)(b)1. 2nd Property stolen \$20,000 or more,
but less than \$100,000, grand
theft in 2nd degree.

322

812.015(9) 2nd Retail theft; property stolen \$300
or more; second or subsequent
conviction.

323

812.13(2)(c) 2nd Robbery, no firearm or other
weapon (strong-arm robbery).

324

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

325

817.4821(5) 2nd Possess cloning paraphernalia with

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intent to create cloned cellular
telephones.

326

825.102(1) 3rd Abuse of an elderly person or
disabled adult.

327

825.102(3)(c) 3rd Neglect of an elderly person or
disabled adult.

328

825.1025(3) 3rd Lewd or lascivious molestation of
an elderly person or disabled
adult.

329

825.103(2)(c) 3rd Exploiting an elderly person or
disabled adult and property is
valued at less than \$20,000.

330

827.03(1) 3rd Abuse of a child.

331

827.03(3)(c) 3rd Neglect of a child.

332

827.071(2) & (3) 2nd Use or induce a child in a sexual
performance, or promote or direct
such performance.

333

836.05 2nd Threats; extortion.

334

836.10 2nd Written threats to kill or do

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bodily injury.

335

843.12 3rd Aids or assists person to escape.

336

847.0135(3) 3rd Solicitation of a child, via a computer service, to commit an unlawful sex act.

337

914.23 2nd Retaliation against a witness, victim, or informant, with bodily injury.

338

~~943.0435(9) 3rd Sex offenders; failure to comply with reporting requirements.~~

339

944.35(3)(a)2. 3rd Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.

340

944.40 2nd Escapes.

341

944.46 3rd Harboring, concealing, aiding escaped prisoners.

342

944.47(1)(a)5. 2nd Introduction of contraband (firearm, weapon, or explosive)

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into correctional facility.

343

951.22(1) 3rd Intoxicating drug, firearm, or
weapon introduced into county
facility.

344

(g) LEVEL 7

345

316.027(1)(b) 2nd Accident involving death, failure
to stop; leaving scene.

346

316.193(3)(c)2. 3rd DUI resulting in serious bodily
injury.

347

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.

348

327.35(3)(c)2. 3rd Vessel BUI resulting in serious
bodily injury.

349

402.319(2) 2nd Misrepresentation and negligence
or intentional act resulting in

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great bodily harm, permanent
disfiguration, permanent
disability, or death.

350

409.920(2) 3rd Medicaid provider fraud.

351

456.065(2) 3rd Practicing a health care
profession without a license.

352

456.065(2) 2nd Practicing a health care
profession without a license which
results in serious bodily injury.

353

458.327(1) 3rd Practicing medicine without a
license.

354

459.013(1) 3rd Practicing osteopathic medicine
without a license.

355

460.411(1) 3rd Practicing chiropractic medicine
without a license.

356

461.012(1) 3rd Practicing podiatric medicine
without a license.

357

462.17 3rd Practicing naturopathy without a
license.

358

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359	463.015(1)	3rd	Practicing optometry without a license.
360	464.016(1)	3rd	Practicing nursing without a license.
361	465.015(2)	3rd	Practicing pharmacy without a license.
362	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
363	467.201	3rd	Practicing midwifery without a license.
364	468.366	3rd	Delivering respiratory care services without a license.
365	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
366	483.901(9)	3rd	Practicing medical physics without a license.
367	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
	484.053	3rd	Dispensing hearing aids without a

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license.

368

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.

369

560.123(8)(b)1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.

370

560.125(5)(a) 3rd Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

371

655.50(10)(b)1. 3rd Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

372

775.0821 3rd Tampering with electronic monitoring device.

373

775.21(10)(a) 3rd Sexual predator; failure to

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register; failure to renew
driver's license or identification
card.

374

775.21(10)(b) 3rd

Sexual predator working where
children regularly congregate.

375

775.235 3rd

Harboring sexual predator or
sexual offender.

376

377

782.051(3) 2nd

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

378

782.07(1) 2nd

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

379

782.071 2nd

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

380

782.072 2nd

Killing of a human being by the
operation of a vessel in a

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reckless manner (vessel homicide).

381

784.045(1)(a)1. 2nd Aggravated battery; intentionally causing great bodily harm or disfigurement.

382

784.045(1)(a)2. 2nd Aggravated battery; using deadly weapon.

383

784.045(1)(b) 2nd Aggravated battery; perpetrator aware victim pregnant.

384

784.048(4) 3rd Aggravated stalking; violation of injunction or court order.

385

784.048(7) 3rd Aggravated stalking; violation of court order.

386

784.07(2)(d) 1st Aggravated battery on law enforcement officer.

387

784.074(1)(a) 1st Aggravated battery on sexually violent predators facility staff.

388

784.08(2)(a) 1st Aggravated battery on a person 65 years of age or older.

389

784.081(1) 1st Aggravated battery on specified

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official or employee.

390

784.082(1) 1st Aggravated battery by detained person on visitor or other detainee.

391

784.083(1) 1st Aggravated battery on code inspector.

392

790.07(4) 1st Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

393

790.16(1) 1st Discharge of a machine gun under specified circumstances.

394

790.165(2) 2nd Manufacture, sell, possess, or deliver hoax bomb.

395

790.165(3) 2nd Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

396

790.166(3) 2nd Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

397

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398	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
399	796.03	2nd	Procuring any person under 16 years for prostitution.
400	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
401	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.
402	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
403	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
404	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
	810.02(3)(d)	2nd	Burglary of occupied conveyance;

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unarmed; no assault or battery.

405

812.014(2)(a)1. 1st Property stolen, valued at \$100,000 or more; property stolen while causing other property damage; 1st degree grand theft.

406

812.014(2)(b)2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

407

812.014(2)(b)3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

408

812.0145(2)(a) 1st Theft from person 65 years of age or older; \$50,000 or more.

409

812.019(2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

410

812.131(2)(a) 2nd Robbery by sudden snatching.

411

812.133(2)(b) 1st Carjacking; no firearm, deadly weapon, or other weapon.

412

817.234(8)(a) 2nd Solicitation of motor vehicle

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accident victims with intent to defraud.

413

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

414

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

415

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

416

825.102(3)(b) 2nd Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

417

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.

418

827.03(3)(b) 2nd Neglect of a child causing great

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bodily harm, disability, or
disfigurement.

419

827.04(3) 3rd Impregnation of a child under 16
years of age by person 21 years of
age or older.

420

837.05(2) 3rd Giving false information about
alleged capital felony to a law
enforcement officer.

421

838.015 2nd Bribery.

422

838.016 2nd Unlawful compensation or reward
for official behavior.

423

838.021(3)(a) 2nd Unlawful harm to a public servant.

424

838.22 2nd Bid tampering.

425

872.06 2nd Abuse of a dead human body.

426

893.13(1)(c)1. 1st Sell, manufacture, or deliver
cocaine (or other drug prohibited
under s. 893.03(1)(a), (1)(b),
(1)(d), (2)(a), (2)(b), or
(2)(c)4.) within 1,000 feet of a
child care facility, school, or

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

427

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.

428

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).

429

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

430

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

431

893.135(1)(c)1.a. 1st Trafficking in illegal drugs, more
than 4 grams, less than 14 grams.

432

893.135(1)(d)1. 1st Trafficking in phencyclidine, more

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than 28 grams, less than 200
grams.

433

893.135(1)(e)1. 1st Trafficking in methaqualone, more
than 200 grams, less than 5
kilograms.

434

893.135(1)(f)1. 1st Trafficking in amphetamine, more
than 14 grams, less than 28 grams.

435

893.135(1)(g)1.a. 1st Trafficking in flunitrazepam, 4
grams or more, less than 14 grams.

436

893.135(1)(h)1.a. 1st Trafficking in gamma-
hydroxybutyric acid (GHB), 1
kilogram or more, less than 5
kilograms.

437

893.135(1)(j)1.a. 1st Trafficking in 1,4-Butanediol, 1
kilogram or more, less than 5
kilograms.

438

893.135(1)(k)2.a. 1st Trafficking in Phenethylamines, 10
grams or more, less than 200
grams.

439

896.101(5)(a) 3rd Money laundering, financial
transactions exceeding \$300 but

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less than \$20,000.

440

896.104(4)(a)1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

441

943.0435(4)(c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting requirements.

442

943.0435(8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

443

943.0435(9)(a) 3rd Sexual offender; failure to comply with reporting requirements.

444

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

445

944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

446

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447 Section 9. Paragraph (o) is added to subsection (5) of
448 section 921.141, Florida Statutes, to read:

449 921.141 Sentence of death or life imprisonment for capital
450 felonies; further proceedings to determine sentence.--

451 (5) AGGRAVATING CIRCUMSTANCES.--Aggravating circumstances
452 shall be limited to the following:

453 (o) The capital felony was committed by a person
454 designated a sexual predator under s. 775.21 or a person
455 previously designated a sexual predator whose sexual predator
456 designation had been removed.

457 Section 10. Subsection (5) is added to section 943.043,
458 Florida Statutes, to read:

459 943.043 Toll-free telephone number; Internet notification;
460 sexual predator and sexual offender information.--

461 (5) The department shall share information with local law
462 enforcement agencies to assist local law enforcement agencies in
463 determining the potential whereabouts of any sexual predator or
464 sexual offender who fails to respond to address-verification
465 attempts or otherwise absconds from registration.

466 Section 11. Subsection (13) is added to section 943.0435,
467 Florida Statutes, to read:

468 943.0435 Sexual offenders required to register with the
469 department; penalty.--

470 (13)(a) A sexual offender must report in person each year
471 during the month of the sexual offender's date of birth and
472 during the 6 month following the sexual offender's birth month
473 to the sheriff's office in the county in which he or she resides
474 or is otherwise located to reregister. The sheriff's office may

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475 determine the appropriate times and days for reporting by the
476 sexual offender, which shall be consistent with the reporting
477 requirements of this paragraph. Reregistration shall include any
478 changes to the information provided in subsection (2). Any
479 sexual offender who fails to report in person as required at the
480 sheriff's office, or who fails to respond to any address
481 verification correspondence from the department within 3 weeks
482 after the date of the correspondence, commits a felony of the
483 third degree, punishable as provided in s. 775.082, s. 775.083,
484 or s. 775.084.

485 (b) The sheriff's office shall, within 2 working days,
486 electronically submit and update all information provided by the
487 sexual offender to the department in a manner prescribed by the
488 department. This procedure shall be implemented by December 1,
489 2005.

490 Section 12. Section 943.04352, Florida Statutes, is
491 created to read:

492 943.04352 Search of registration information regarding
493 sexual predators and sexual offenders required for misdemeanor
494 probation placement.--When the court places a defendant on
495 misdemeanor probation pursuant to ss. 948.01 and 948.15, the
496 public or private entity providing probation services must
497 conduct a search of the probationer's name or other identifying
498 information against the registration information regarding
499 sexual predators and sexual offenders maintained by the
500 Department of Law Enforcement under s. 943.043. The probation
501 services provider may conduct the search using the Internet site
502 maintained by the Department of Law Enforcement.

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503 Section 13. Paragraph (a) of subsection (3) of section
504 944.606, Florida Statutes, is amended to read:

505 944.606 Sexual offenders; notification upon release.--

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

509 1. The department must provide: the sexual offender's
510 name, any change in the offender's name by reason of marriage or
511 other legal process, and any alias, if known; the correctional
512 facility from which the sexual offender is released; the sexual
513 offender's social security number, race, sex, date of birth,
514 height, weight, and hair and eye color; date and county of
515 sentence and each crime for which the offender was sentenced; a
516 copy of the offender's fingerprints and a digitized photograph
517 taken within 60 days before release; the date of release of the
518 sexual offender; and the offender's intended residence address,
519 if known. The department shall notify the Department of Law
520 Enforcement if the sexual offender escapes, absconds, or dies.
521 In addition, for any sexual offender sentenced to electronic
522 monitoring provided in s. 775.082(3)(a)4.b., s. 947.1406, or s.
523 948.11(6), the department must provide that information to the
524 Department of Law Enforcement. If the sexual offender is in the
525 custody of a private correctional facility, the facility shall
526 take the digitized photograph of the sexual offender within 60
527 days before the sexual offender's release and provide this
528 photograph to the Department of Corrections and also place it in
529 the sexual offender's file. If the sexual offender is in the
530 custody of a local jail, the custodian of the local jail shall

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531 | notify the Department of Law Enforcement of the sexual
532 | offender's release and provide to the Department of Law
533 | Enforcement the information specified in this paragraph and any
534 | information specified in subparagraph 2. that the Department of
535 | Law Enforcement requests.

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

539 | Section 14. Paragraph (a) of subsection (4) of section
540 | 944.607, Florida Statutes, is amended, and paragraph (h) is
541 | added to subsection (6) of said section, to read:

542 | 944.607 Notification to Department of Law Enforcement of
543 | information on sexual offenders.--

544 | (4) A sexual offender, as described in this section, who
545 | is under the supervision of the Department of Corrections but is
546 | not incarcerated must register with the Department of
547 | Corrections and provide information as required by this
548 | subsection.

549 | (a) The sexual offender shall provide his or her name;
550 | date of birth; social security number; race; sex; height;
551 | weight; hair and eye color; tattoos or other identifying marks;
552 | and permanent or legal residence and address of temporary
553 | residence within the state or out of state while the sexual
554 | offender is under supervision in this state, including any rural
555 | route address or post office box. In addition, any sexual
556 | offender sentenced to electronic monitoring provided in s.
557 | 775.082(3)(a)4.b., s. 947.1406, or s. 948.11(6) must provide
558 | that information to the Department of Corrections. The

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559 Department of Corrections shall verify the address of each
560 sexual offender in the manner described in ss. 775.21 and
561 943.0435.

562 (6) The information provided to the Department of Law
563 Enforcement must include:

564 (h) Information obtained from the Department of
565 Corrections that a sexual offender has been sentenced to
566 electronic monitoring provided in s. 775.082(3)(a)4.b., s.
567 947.1406, or s. 948.11(6).

568
569 If any information provided by the department changes during the
570 time the sexual offender is under the department's control,
571 custody, or supervision, including any change in the offender's
572 name by reason of marriage or other legal process, the
573 department shall, in a timely manner, update the information and
574 provide it to the Department of Law Enforcement in the manner
575 prescribed in subsection (2).

576 Section 15. Paragraph (b) of subsection (7) of section
577 947.1405, Florida Statutes, is amended, paragraph (c) is added
578 to said subsection, subsection (9) is renumbered as subsection
579 (10), and a new subsection (9) is added to said section, to
580 read:

581 947.1405 Conditional release program.--

582 (7)

583 (b) For a releasee whose crime was committed on or after
584 October 1, 1997, in violation of chapter 794, s. 800.04, s.
585 827.071, or s. 847.0145, and who is subject to conditional
586 release supervision, in addition to any other provision of this

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587 section subsection, the commission shall impose the following
588 additional conditions of conditional release supervision:

589 1. As part of a treatment program, participation in a
590 minimum of one annual polygraph examination to obtain
591 information necessary for risk management and treatment and to
592 reduce the sex offender's denial mechanisms. The polygraph
593 examination must be conducted by a polygrapher trained
594 specifically in the use of the polygraph for the monitoring of
595 sex offenders, where available, and at the expense of the sex
596 offender. The results of the polygraph examination shall not be
597 used as evidence in a hearing to prove that a violation of
598 supervision has occurred.

599 2. Maintenance of a driving log and a prohibition against
600 driving a motor vehicle alone without the prior approval of the
601 supervising officer.

602 3. A prohibition against obtaining or using a post office
603 box without the prior approval of the supervising officer.

604 4. If there was sexual contact, a submission to, at the
605 probationer's or community controllee's expense, an HIV test
606 with the results to be released to the victim or the victim's
607 parent or guardian.

608 5. Electronic monitoring of any form when ordered by the
609 commission.

610 (c) Effective for a releasee whose crime was committed on
611 or after September 1, 2005, in violation of chapter 794, s.
612 800.04, s. 827.071, or s. 847.0145, and the unlawful activity
613 involved a victim who was 12 years of age or younger, or for a
614 releasee who is designated as a sexual predator pursuant to s.

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615 775.21, in addition to any other provision of this section, the
616 commission must order electronic monitoring for the duration of
617 the releasee's supervision.

618 (9) For a releasee placed on electronic monitoring under
619 paragraph (7)(c) who the commission determines is in violation
620 of any material condition of supervision, the commission shall
621 order the releasee returned to prison until the expiration of
622 the sentence of imprisonment.

623 Section 16. Section 947.1406, Florida Statutes, is created
624 to read:

625 947.1406 Electronic monitoring for certain sex offenders
626 and sexual predators.--For any conditional releasee placed on
627 electronic monitoring under s. 947.1405(9), the department shall
628 use a system of active electronic monitoring that identifies the
629 location of a monitored offender and that can produce upon
630 request reports or records of the offender's presence near or
631 within a crime scene or prohibited area or the offender's
632 departure from a specified geographic location.

633 Section 17. Subsection (8) is added to section 948.06,
634 Florida Statutes, to read:

635 948.06 Violation of probation or community control;
636 revocation; modification; continuance; failure to pay
637 restitution or cost of supervision.--

638 (8) This subsection shall apply to any probationer or
639 community controllee under supervision for a violation of s.
640 787.01, s. 787.02, s. 787.025, s. 794.011, s. 800.04, s.
641 827.071, or s. 847.0145, or who is designated a sexual predator
642 under s. 775.21, regardless of when his or her crime was

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643 committed. In any case, when a violation of supervision is
644 admitted or determined by the court to be proven, and the court
645 returns the violator to probation or community control
646 supervision, the court must, in addition to any other condition
647 of supervision, order electronic monitoring as described in s.
648 948.11(6).

649 Section 18. Section 948.061, Florida Statutes, is created
650 to read:

651 948.061 Identifying, assessing, and monitoring high-risk
652 sex offenders on community supervision; providing cumulative
653 criminal and supervision histories on the Internet.--

654 (1) By December 1, 2005, the department shall develop a
655 graduated risk assessment that identifies, assesses, and closely
656 monitors a high-risk sex offender who is placed on probation or
657 in community control and who:

658 (a) Has previously been placed on probation or in
659 community control and has a history of committing multiple
660 violations of community supervision in this state or in any
661 other jurisdiction or has previously been incarcerated in this
662 state or in any other jurisdiction; and

663 (b) Has experienced more than one of the following risk
664 factors that could potentially make the offender more likely to
665 pose a danger to others:

- 666 1. Previous conviction for domestic violence;
667 2. History of substance abuse;
668 3. Unemployment or substantial financial difficulties;
669 4. Previous conviction for violence or sex acts against
670 children, particularly involving strangers; or

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671 5. Any other risk factor identified by the department.
672 (2) In providing criminal history and background
673 information to the court for these high-risk offenders, the
674 correctional probation officer shall provide in each report
675 submitted to the court and at each hearing before the court a
676 cumulative chronology of the offender's criminal history and
677 prior terms of state probation or community control, including
678 all substantive or technical violations of state probation or
679 community control. The department may adopt rules as necessary
680 to administer this section. The booking agency shall ensure that
681 state and national criminal history information, and all
682 criminal justice information available in the Florida Crime
683 Information Center and the National Crime Information Center is
684 provided to the court at the time of first appearance.

685 (3) In monitoring the location of high-risk offenders, the
686 department, shall, no later than October 1, 2006, have
687 fingerprint-reading equipment and capability that will
688 immediately identify probationers or community controllees when
689 they report to their designated probation officers and alert
690 department probation officials when probationers and community
691 controllees are subsequently rearrested.

692 Section 19. Subsection (6) is added to section 948.11,
693 Florida Statutes, to read:

694 948.11 Electronic monitoring devices.--

695 (6) For any probationer or community controllee placed on
696 electronic monitoring under s. 948.30(3), the Department of
697 Corrections shall use a system of active electronic monitoring
698 that identifies the location of a monitored offender and that

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699 can produce, upon request, reports or records of the offender's
700 presence near or within a crime scene or prohibited area or the
701 offender's departure from a specified geographic location.

702 Section 21. Paragraph (k) is added to subsection (3) of
703 section 948.15, Florida Statutes, to read:

704 948.15 Misdemeanor probation services.--

705 (3) Any private entity providing services for the
706 supervision of misdemeanor probationers must contract with the
707 county in which the services are to be rendered. In a county
708 with a population of less than 70,000, the county court judge,
709 or the administrative judge of the county court in a county that
710 has more than one county court judge, must approve the contract.

711 Terms of the contract must state, but are not limited to:

712 (k) Procedures for accessing criminal history records of
713 probationers.

714

715 In addition, the entity shall supply the chief judge's office
716 with a quarterly report summarizing the number of offenders
717 supervised by the private entity, payment of the required
718 contribution under supervision or rehabilitation, and the number
719 of offenders for whom supervision or rehabilitation will be
720 terminated. All records of the entity must be open to inspection
721 upon the request of the county, the court, the Auditor General,
722 the Office of Program Policy Analysis and Government
723 Accountability, or agents thereof.

724 Section 22. Subsection (2) of section 948.30, Florida
725 Statutes, is amended, and subsection (3) is added to said
726 section, to read:

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727 948.30 Additional terms and conditions of probation or
728 community control for certain sex offenses.--Conditions imposed
729 pursuant to this section do not require oral pronouncement at
730 the time of sentencing and shall be considered standard
731 conditions of probation or community control for offenders
732 specified in this section.

733 (2) Effective for a probationer or community controllee
734 whose crime was committed on or after October 1, 1997, and who
735 is placed on community control or sex offender probation for a
736 violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145,
737 in addition to any other provision of this section ~~subsection~~,
738 the court must impose the following conditions of probation or
739 community control:

740 (a) As part of a treatment program, participation at least
741 annually in polygraph examinations to obtain information
742 necessary for risk management and treatment and to reduce the
743 sex offender's denial mechanisms. A polygraph examination must
744 be conducted by a polygrapher trained specifically in the use of
745 the polygraph for the monitoring of sex offenders, where
746 available, and shall be paid for by the sex offender. The
747 results of the polygraph examination shall not be used as
748 evidence in court to prove that a violation of community
749 supervision has occurred.

750 (b) Maintenance of a driving log and a prohibition against
751 driving a motor vehicle alone without the prior approval of the
752 supervising officer.

753 (c) A prohibition against obtaining or using a post office
754 box without the prior approval of the supervising officer.

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755 (d) If there was sexual contact, a submission to, at the
756 probationer's or community controllee's expense, an HIV test
757 with the results to be released to the victim or the victim's
758 parent or guardian.

759 (e) Electronic monitoring when deemed necessary by the
760 community control or probation officer and his or her
761 supervisor, and ordered by the court at the recommendation of
762 the Department of Corrections.

763 (3) Effective for a probationer or community controllee
764 whose crime was committed on or after September 1, 2005, and who
765 is on community control or sex offender probation for a
766 violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145,
767 or who is designated a sexual predator under s. 775.21, in
768 addition to any other provision of this section, the court shall
769 order electronic monitoring as provided in s. 948.11(6).

770 Section 23. Subsection (1) of section 1012.465, Florida
771 Statutes, is amended to read:

772 1012.465 Background screening requirements for certain
773 noninstructional school district employees and contractors.--

774 (1) Noninstructional school district employees or
775 contractual personnel who are permitted access on school grounds
776 when students are present, who have direct contact with
777 students, or who have access to or control of school funds must
778 meet level 2 screening requirements as described in s. 1012.32.
779 Contractual personnel shall include any vendor, individual, or
780 entity under contract with the school board.

781 Section 24. The Office of Program Policy Analysis and
782 Governmental Accountability shall perform a study of the

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783 effectiveness of Florida's sexual predator and sexual offender
784 registration process and community and public notification
785 provisions. As part of determining the effectiveness of the
786 registration process, the OPPAGA shall examine the current
787 practices of the Department of Corrections, county probation
788 offices, clerks of court, court administrators, county jails and
789 booking facilities, the Department of Children and Family
790 Services, judges, state attorneys' offices, the Department of
791 Highway Safety and Motor Vehicles, the Department of Law
792 Enforcement, and local law enforcement agencies as they relate
793 to: sharing of offender information regarding registered sexual
794 predators and sexual offenders for purposes of fulfilling the
795 requirements set forth in the registration laws; ensuring the
796 most current and comprehensive information is provided in a
797 timely manner to the registry; ensuring the effective
798 supervision and subsequent monitoring of sexual predators and
799 offenders; and ensuring informed decisions are made at each
800 point of the criminal justice and registration process. In
801 addition to determining the effectiveness of the registration
802 process, the report shall focus on the question of whether the
803 notification provisions are sufficient to apprise communities of
804 the presence of sexual predators and sexual offenders. The
805 report shall examine how local law enforcement agencies collect
806 and disseminate information in an effort to notify the public
807 and communities of the presence of sexual predators and
808 offenders. If the report finds deficiencies in the registration
809 process, the notification provisions, or both, the report shall
810 provide options for correcting those deficiencies and shall

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811 include the projected cost of implementing those options. In
 812 conducting the study, the Office of Program Policy Analysis and
 813 Governmental Accountability shall consult with the Florida
 814 Council Against Sexual Violence and the Florida Association for
 815 the Treatment of Sexual Abusers in addition to other interested
 816 entities that may offer experiences and perspectives unique to
 817 this area of research. The report shall be submitted to the
 818 President of the Senate and the Speaker of the House of
 819 Representatives at 3-year intervals with the initial report
 820 being due on January 1, 2006.

821 Section 25. If any provision of this act or its
 822 application to any person or circumstance is held invalid, the
 823 invalidity does not affect other provisions or applications of
 824 the act that can be given effect without the invalid provision
 825 or application, and to this end the provisions of this act are
 826 declared severable.

827 Section 26. This act shall take effect September 1, 2005.

828

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

830 On page 55, line 2, through page 59, line 27, remove all of
 831 said lines and insert:

832 A bill to be entitled
 833 An act relating to sexual predators and sexual offenders;
 834 providing a popular name; amending s. 216.136, F.S.;
 835 assigning an additional responsibility to the Criminal
 836 Justice Estimating Conference; amending s. 775.082, F.S.;
 837 providing for specified sentencing of persons convicted of
 838 the life felony offense in s. 800.04(5)(b), F.S.; creating

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839 s. 775.0821, F.S.; creating a felony offense for removing,
840 altering, or failing to maintain an electronic monitoring
841 device for the purpose of committing a crime; providing
842 criminal penalties; amending s. 775.21, F.S.; revising
843 criteria for sexual predator designation; requiring
844 certain notification of sentence; providing for electronic
845 monitoring; extending period for petition to remove sexual
846 predator designation; creating s. 775.235, F.S.;
847 prohibiting the harboring of a sexual predator or sexual
848 offender; providing criminal penalties; amending s.
849 800.04, F.S.; providing that it is a life felony for an
850 offender 18 years of age or older to commit lewd or
851 lascivious molestation against a victim younger than 12
852 years of age; amending s. 921.0022, F.S.; revising ranking
853 for certain offenses involving sexual predators and sexual
854 offenders failing to comply with registration
855 requirements; ranking offenses involving sexual predators
856 and sexual offenders failing to comply with registration
857 and other requirements; amending s. 921.141, F.S.;
858 creating an aggravating circumstance pertaining to sexual
859 predators for purposes of imposing the death penalty;
860 amending s. 943.043, F.S.; requiring the Department of
861 Corrections to share information with local law
862 enforcement agencies to assist in determining the
863 potential whereabouts of registered sexual predators and
864 sexual offenders; amending s. 943.0435, F.S.; revising
865 provisions relating to sexual offender registration;
866 creating s. 943.04352, F.S.; requiring a search of the

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867 sexual offender and sexual predator registry by entities
868 providing probation services; amending s. 944.606, F.S.;
869 requiring the Department of Corrections to provide
870 information regarding electronic monitoring to the
871 Department of Law Enforcement; amending s. 944.607, F.S.;
872 requiring sexual offenders sentenced to electronic
873 monitoring to provide such information to the Department
874 of Corrections and for such department to provide that
875 information to the Department of Law Enforcement; amending
876 s. 947.1405, F.S.; requiring sexual offenders and sexual
877 predators on conditional release to be placed on
878 electronic monitoring; requiring the Parole Commission to
879 order sexual offenders and sexual predators on conditional
880 release to be returned to prison until expiration of
881 sentence for any material violation of supervision;
882 creating s. 947.1406, F.S.; providing requirements for
883 electronic monitoring of sexual offenders and sexual
884 predators on conditional release; amending s. 948.06,
885 F.S.; requiring electronic monitoring for any violation of
886 probation or community control supervision by certain
887 offenders and sexual predators; creating s. 948.061, F.S.;
888 requiring the Department of Corrections to develop a risk
889 assessment and alert system to monitor certain offenders
890 placed on probation or community control; authorizing the
891 department to adopt rules; requiring the department to
892 have fingerprint-reading equipment and capability by a
893 specified date; amending s. 948.11, F.S.; providing
894 requirements for electronic monitoring of sexual offenders

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895 | and sexual predators on community control or probation;
896 | amending s. 948.30, F.S.; requiring sexual offenders and
897 | sexual predators on community control or probation to be
898 | placed on electronic monitoring; requiring a study by the
899 | Office of Program Policy Analysis and Governmental
900 | Accountability on the effectiveness of Florida's sexual
901 | predator and sexual offender registration process and
902 | community and public notification provisions; providing
903 | for severability; providing an effective date.