



2024 Sexual Offender/Predator Legislative Updates

Several bills passed in the 2024 Legislative Session that impact Florida's sexual offender/predator registration laws. The bill with the largest impact, HB 1235, amends or clarifies several aspects of Florida's sexual offender/predator registration laws, sections 943.0435 and 775.21, Florida Statutes.

HB 1235 – Sexual Offenders or Sexual Predators

Effective October 1, 2024

Highlighted below are the significant changes to Florida's sexual offender/predator registration laws under this bill. Please review the text of HB 1235 (attached) to see minor changes that are not included here.

❖ Amended Definitions

- "Permanent residence" means a place where the person abides, lodges, or resides for 3 or more consecutive days. For the purpose of calculating a permanent residence under this paragraph, the first day that a person abides, lodges, or resides at a place is excluded and each subsequent day is counted. A day includes any part of a calendar day.
- "Temporary residence" means a place where the person abides, lodges, or resides, including, but not limited to, vacation, business, or personal travel destinations in or out of this state, for a period of 3 or more days in the aggregate during any calendar year and which is not the person's permanent address or, for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any period of time in this state. For the purpose of calculating a temporary residence under this paragraph, the first day that a person abides, lodges, or resides at a place is excluded and each subsequent day is counted. A day includes any part of a calendar day.
- "Transient residence" means a county where the person lives, remains, or is located for the purpose of abiding, lodging, or residing for a period of 3 or more days in the aggregate during a calendar year and which is not the person's permanent or temporary address. The term includes, but is not limited to, a place where the person sleeps or seeks shelter and a location that has no specific street address. For the purpose of calculating a transient residence under this paragraph, the first day that a person lives, remains, or is located in a county for the purpose of abiding, lodging, or residing is excluded and each subsequent day is counted. A day includes any part of a calendar day.
- Removes references to sanctions in the definitions of "conviction" and "convicted," ensuring those with an out-of-state offense can be found to have a similar offense in Florida and thus qualify for sexual offender or sexual predator registration, even if they did not receive a sanction for the offense.



❖ **Amended Reporting Requirements for Registrants**

- Allows registrants not under supervision with the Department of Corrections (DOC) or Department of Juvenile Justice (DJJ) to update any changes to “vehicles owned” with the Florida Department of Law Enforcement (FDLE) through FDLE’s Cyber Communication System (CCS) in lieu of reporting this information in person to the sheriff’s office. Registrants may still choose to report vehicles in person at the sheriff’s office.
- Requires a registrant establishing a residence in another state to report at least 48 hours before the date they are leaving Florida (rather than “within” 48 hours). Travel not known 48 hours before must be reported as soon as possible.
- Requires ANY travel outside of the United States be reported, regardless of length.
- Requires registrants to respond to any address verification (AV) correspondence from the department or from county or local law enforcement agencies within 3 weeks. Currently, registrants are only required to respond to AV correspondence issued by FDLE. The amended language gives local agencies the option to mail their own AV correspondence to registrants.
- Clarifies that each instance of failure to register or report changes to required information constitutes a separate offense.

❖ **Amended Reporting Requirements for Law Enforcement**

- Adds language requiring the local jail to register sexual offenders in their custody within 3 business days after intake and upon the sexual offender’s release. This language has always existed in the sexual predator statute and in s. 944.606 relating to sexual offenders. Copying this language to s. 943.0435 makes this existing requirement more apparent.
- Establishes that transient check-in information shall be gathered in a manner prescribed by FDLE, rather than each sheriff’s office determining how to conduct check-ins. Transient check-in forms are provided within the Sexual Offender/Predator System (SOPS) and on CJNet, and FDLE will continue to prescribe this method.

❖ **Amended Relief Provisions**

- Requires FDLE be notified of a petition for relief under s. 943.0435(11)(a) (relief 25 years after release from sanctions for the qualifying offense). This makes FDLE a party to such petitions.
- Clarifies that a person requesting relief from registration under s. 943.0435(11)(b) (those registering due to another state’s requirement to register) must show that they do not meet any of the other qualifying criteria to have their requirement terminated.



Several other bills make minor changes to Florida's sexual offender/predator registration laws:

Effective July 1, 2024

HB 305 – Offenses Involving Children

- Adds a new qualifying offense to the single strike provision of the Sexual Predators Act. A person can meet the criteria as a sexual predator if they were convicted of a single capital, life, or first-degree felony violation (or an attempt) of Human Trafficking, s. 787.06(3)(f) or (3)(g), where the victim is a minor.

HB 1181 – Juvenile Justice

- Amends the sexual offender registration statute s. 985.4815 (pertaining to juvenile registrants under DJJ supervision or custody) by removing references to “postcommitment probation.”

HB 1337 – Department of Corrections

- Amends the sexual offender, sexual predator, and career offender registration statutes by changing all instances of “private correctional facility” instead to “contractor-operated correctional facility.”

Effective October 1, 2024

HB 1389 – Digital Voyeurism

- Amends the qualifying offense of s. 810.145(8) from “Video Voyeurism” to “Digital Voyeurism.” No other changes were made to the content of subsection (8).

For questions, please contact Enforcement & Investigative Support at 1-888-357-7332 or sexpred@fdle.state.fl.us. Please note that FDLE cannot provide legal advice. For legal questions, please contact your agency's legal counsel.

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CS/CS/HB 1235

2024 Legislature

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2 An act relating to sexual predators and sexual
3 offenders; amending s. 775.21, F.S.; revising the
4 definitions of the terms "conviction," "permanent
5 residence," "temporary residence," and "transient
6 residence"; specifying that, in order to qualify for
7 removal of certain registration requirements, certain
8 sexual offenders must meet specified criteria;
9 authorizing sexual predators to report to the
10 Department of Law Enforcement through the department's
11 online system within a specified timeframe required
12 vehicle information changes after any change in
13 vehicles owned; requiring sheriffs' offices to report
14 to the department transient residence information in a
15 manner prescribed by the department; requiring
16 sheriffs' offices to electronically submit to and
17 update with the department specified information
18 within a specified timeframe after the sexual predator
19 provides it to the sheriff's office; requiring sexual
20 predators to register all changes to vehicles owned
21 through the department's online system; requiring the
22 department to establish an online system through which
23 sexual predators may securely access, submit, and
24 update all vehicles owned; revising the reporting
25 requirements and applicable timeframes with which a

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2024 Legislature

sexual predator must comply if he or she intends to establish a certain permanent, temporary, or transient residence or to travel; requiring sheriffs' offices to electronically submit to and update with the department, in a manner specified by the department, specified information within a specified timeframe after the sexual predator provides it to the sheriff's office; revising the list of requirements for which a sexual predator's failure to comply constitutes a criminal offense; specifying that each instance of a failure to register or report changes to specified required information constitutes a separate offense; conforming provisions to changes made by the act; making technical changes; amending s. 943.0435, F.S.; revising the definition of the term "convicted"; authorizing sexual offenders to report to the department through the department's online system within a specified timeframe required vehicle information changes after any change in vehicles owned; requiring sheriffs' offices to report to the department transient residence information in a manner prescribed by the department; requiring sheriffs' offices to electronically submit to and update with the department specified information within a specified timeframe after the sexual offender provides

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CS/CS/HB 1235

2024 Legislature

51 it to the sheriff's office; requiring sexual offenders
52 to register all changes to vehicles owned through the
53 department's online system; requiring the department
54 to establish an online system through which sexual
55 offenders may securely access, submit, and update all
56 vehicles owned; requiring that, if a sexual offender
57 is in the custody of a local jail, the custodian of
58 the local jail register a sexual offender within a
59 specified timeframe after intake of the sexual
60 offender for any reason and upon release; requiring
61 the custodian to take a digitized photograph of the
62 sexual offender and forward the photograph and such
63 registration information to the department; revising
64 the reporting requirements and applicable timeframes
65 with which a sexual offender must comply if he or she
66 intends to establish a certain permanent, temporary,
67 or transient residence or to travel; revising the list
68 of requirements for which a sexual offender's failure
69 to comply constitutes a criminal offense; specifying
70 that each instance of a failure to register or report
71 changes to specified required information constitutes
72 a separate offense; specifying that, in order to
73 qualify for removal of certain registration
74 requirements, certain sexual offenders must meet
75 specified criteria; requiring sheriffs' offices to

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CS/CS/HB 1235

2024 Legislature

electronically submit to and update with the department, in a manner specified by the department, specified information within a specified timeframe after the sexual offender provides it to the sheriff's office; conforming provisions to changes made by the act; making technical changes; reenacting s. 944.606(1)(d), F.S., relating to the definitions of the terms "permanent residence," "temporary residence," and "transient residence," to incorporate the amendment made to s. 775.21, F.S., in a reference thereto; reenacting s. 1012.467(1)(b), F.S., relating to the definition of the term "convicted," to incorporate the amendment made to s. 943.0435, F.S., in a reference thereto; reenacting ss. 320.02(4), 775.25, 938.10(1), 944.607(4)(a) and (9), 985.481(1)(a) and (d), and 985.4815(1)(b) and (f) and (9), F.S., relating to registration required, application for registration, and forms; prosecutions for acts or omissions; additional court cost imposed in cases of certain crimes; notification to department of information on sexual offenders; sexual offenders adjudicated delinquent and notification upon release; and notification to department of information on juvenile sexual offenders, respectively, to incorporate the amendments by to ss. 775.21 and

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CS/CS/HB 1235

2024 Legislature

943.0435, F.S., in references thereto; providing an effective date.

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

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

775.21 The Florida Sexual Predators Act.—

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

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

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

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

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

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

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CS/CS/HB 1235

2024 Legislature

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

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

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

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

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

(j) "Internet identifier" means any designation, moniker, screen name, username, or other name used for self-

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CS/CS/HB 1235

2024 Legislature

151 identification to send or receive social Internet communication.
152 Internet identifier does not include a date of birth, social
153 security number, personal identification number (PIN), or
154 password. A sexual offender's or sexual predator's use of an
155 Internet identifier that discloses his or her date of birth,
156 social security number, PIN ~~personal identification number~~
157 ~~(PIN)~~, password, or other information that would reveal the
158 identity of the sexual offender or sexual predator waives the
159 disclosure exemption in this paragraph for such personal
160 information.

161 (k) "Permanent residence" means a place where the person
162 abides, lodges, or resides for 3 or more consecutive days. For
163 the purpose of calculating a permanent residence under this
164 paragraph, the first day that a person abides, lodges, or
165 resides at a place is excluded and each subsequent day is
166 counted. A day includes any part of a calendar day.

167 (l) "Professional license" means the document of
168 authorization or certification issued by an agency of this state
169 for a regulatory purpose, or by any similar agency in another
170 jurisdiction for a regulatory purpose, to a person to engage in
171 an occupation or to carry out a trade or business.

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

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CS/CS/HB 1235

2024 Legislature

176 1. Communication for which the primary purpose is the
177 facilitation of commercial transactions involving goods or
178 services;

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

181 3. Communication with a governmental entity.
182

183 As used in ~~For purposes of~~ this paragraph, the term "application
184 software" means any computer program designed to run on a mobile
185 device such as a smartphone or tablet computer, that allows
186 users to create web pages or profiles that provide information
187 about themselves and are available publicly or to other users,
188 and that offers a mechanism for communication with other users
189 through a forum, a chatroom, electronic mail, or an instant
190 messenger.

191 (n) "Temporary residence" means a place where the person
192 abides, lodges, or resides, including, but not limited to,
193 vacation, business, or personal travel destinations in or out of
194 this state, for a period of 3 or more days in the aggregate
195 during any calendar year and which is not the person's permanent
196 address or, for a person whose permanent residence is not in
197 this state, a place where the person is employed, practices a
198 vocation, or is enrolled as a student for any period of time in
199 this state. For the purpose of calculating a temporary residence
200 under this paragraph, the first day that a person abides,

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CS/CS/HB 1235

2024 Legislature

201 lodges, or resides at a place is excluded and each subsequent
202 day is counted. A day includes any part of a calendar day.

203 (o) "Transient residence" means a county where the a
204 person lives, remains, or is located for the purpose of abiding,
205 lodging, or residing for a period of 3 or more days in the
206 aggregate during a calendar year and which is not the person's
207 permanent or temporary address. The term includes, but is not
208 limited to, a place where the person sleeps or seeks shelter and
209 a location that has no specific street address. For the purpose
210 of calculating a transient residence under this paragraph, the
211 first day that a person lives, remains, or is located in a
212 county for the purpose of abiding, lodging, or residing is
213 excluded and each subsequent day is counted. A day includes any
214 part of a calendar day.

215 (p) "Vehicles owned" means any motor vehicle as defined in
216 s. 320.01, which is registered, coregistered, leased, titled, or
217 rented by a sexual predator or sexual offender; a rented vehicle
218 that a sexual predator or sexual offender is authorized to
219 drive; or a vehicle for which a sexual predator or sexual
220 offender is insured as a driver. The term also includes any
221 motor vehicle as defined in s. 320.01, which is registered,
222 coregistered, leased, titled, or rented by a person or persons
223 residing at a sexual predator's or sexual offender's permanent
224 residence for 5 or more consecutive days.

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

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CS/CS/HB 1235

2024 Legislature

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

(b) The high level of threat that a sexual predator presents to the public safety, and the long-term effects suffered by victims of sex offenses, provide the state with sufficient justification to implement a strategy that includes:

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

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

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CS/CS/HB 1235

2024 Legislature

251 3. Requiring the registration of sexual predators, with a
252 requirement that complete and accurate information be maintained
253 and accessible for use by law enforcement authorities,
254 communities, and the public.

255 4. Providing for community and public notification
256 concerning the presence of sexual predators.

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

259 (c) The state has a compelling interest in protecting the
260 public from sexual predators and in protecting children from
261 predatory sexual activity, and there is sufficient justification
262 for requiring sexual predators to register and for requiring
263 community and public notification of the presence of sexual
264 predators.

265 (d) It is the purpose of the Legislature that, upon the
266 court's written finding that an offender is a sexual predator,
267 in order to protect the public, it is necessary that the sexual
268 predator be registered with the department and that members of
269 the community and the public be notified of the sexual
270 predator's presence. The designation of a person as a sexual
271 predator is neither a sentence nor a punishment but simply a
272 status resulting from the conviction of certain crimes.

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

275 1. Requiring sexual predators supervised in the community

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CS/CS/HB 1235

2024 Legislature

to have special conditions of supervision and to be supervised by probation officers with low caseloads;

2. Requiring sexual predators to register with the ~~Florida~~ department ~~of Law Enforcement~~, as provided in this section; and

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

(4) SEXUAL PREDATOR CRITERIA.—

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

1. The felony is:

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

b. Any felony violation, or any attempt thereof, of s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b), (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025; s. 827.071; s. 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 895.03, if the court makes a written finding that the racketeering activity

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CS/CS/HB 1235

2024 Legislature

involved at least one sexual offense listed in this sub-subparagraph or at least one offense listed in this sub-subparagraph with sexual intent or motive; s. 916.1075(2); or s. 985.701(1); or a violation of a similar law of another jurisdiction, and the offender has previously been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b), (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 895.03, if the court makes a written finding that the racketeering activity involved at least one sexual offense listed in this sub-subparagraph or at least one offense listed in this sub-subparagraph with sexual intent or motive; s. 916.1075(2); or s. 985.701(1); or a violation of a similar law of another jurisdiction;

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

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

(b) In order to be counted as a prior felony for purposes

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CS/CS/HB 1235

2024 Legislature

of this subsection, the felony must have resulted in a conviction sentenced separately, or an adjudication of delinquency entered separately, prior to the current offense and sentenced or adjudicated separately from any other felony conviction that is to be counted as a prior felony regardless of the date of offense of the prior felony.

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

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

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

the department shall remove that offender from the department's list of sexual predators and, for an offender described under subparagraph 1., shall notify the state attorney who prosecuted the offense that met the criteria for administrative designation as a sexual predator, and, for an offender described under this paragraph, shall notify the state attorney of the county where

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CS/CS/HB 1235

2024 Legislature

the offender establishes or maintains a permanent, temporary, or transient residence. The state attorney shall bring the matter to the court's attention in order to establish that the offender meets the criteria for designation as a sexual predator. If the court makes a written finding that the offender is a sexual predator, the offender must be designated as a sexual predator, must register or be registered as a sexual predator with the department as provided in subsection (6), and is subject to the community and public notification as provided in subsection (7). If the court does not make a written finding that the offender is a sexual predator, the offender may not be designated as a sexual predator with respect to that offense and is not required to register or be registered as a sexual predator with the department.

(d) An offender who has been determined to be a sexually violent predator pursuant to a civil commitment proceeding under chapter 394 shall be designated as a "sexual predator" under subsection (5) and subject to registration under subsection (6) and community and public notification under subsection (7).

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

(a)1. An offender who meets the sexual predator criteria described in paragraph (4)(d) is a sexual predator, and the court shall make a written finding at the time such offender is determined to be a sexually violent predator under chapter 394

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CS/CS/HB 1235

2024 Legislature

376 that such person meets the criteria for designation as a sexual
377 predator for purposes of this section. The clerk shall transmit
378 a copy of the order containing the written finding to the
379 department within 48 hours after the entry of the order;

380 2. An offender who meets the sexual predator criteria
381 described in paragraph (4)(a) who is before the court for
382 sentencing for a current offense committed on or after October
383 1, 1993, is a sexual predator, and the sentencing court must
384 make a written finding at the time of sentencing that the
385 offender is a sexual predator, and the clerk of the court shall
386 transmit a copy of the order containing the written finding to
387 the department within 48 hours after the entry of the order; or

388 3. If the Department of Corrections, the department, or
389 any other law enforcement agency obtains information which
390 indicates that an offender who establishes or maintains a
391 permanent, temporary, or transient residence in this state meets
392 the sexual predator criteria described in paragraph (4)(a) or
393 paragraph (4)(d) because the offender was civilly committed or
394 committed a similar violation in another jurisdiction on or
395 after October 1, 1993, the Department of Corrections, the
396 department, or the law enforcement agency shall notify the state
397 attorney of the county where the offender establishes or
398 maintains a permanent, temporary, or transient residence of the
399 offender's presence in the community. The state attorney shall
400 file a petition with the criminal division of the circuit court

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CS/CS/HB 1235

2024 Legislature

401 for the purpose of holding a hearing to determine if the
402 offender's criminal record or record of civil commitment from
403 another jurisdiction meets the sexual predator criteria. If the
404 court finds that the offender meets the sexual predator criteria
405 because the offender has violated a similar law or similar laws
406 in another jurisdiction, the court shall make a written finding
407 that the offender is a sexual predator.

408
409 When the court makes a written finding that an offender is a
410 sexual predator, the court shall inform the sexual predator of
411 the registration and community and public notification
412 requirements described in this section. Within 48 hours after
413 the court designates ~~designating~~ an offender as a sexual
414 predator, the clerk of the circuit court shall transmit a copy
415 of the court's written sexual predator finding to the
416 department. If the offender is sentenced to a term of
417 imprisonment or supervision, a copy of the court's written
418 sexual predator finding must be submitted to the Department of
419 Corrections.

420 (b) If a sexual predator is not sentenced to a term of
421 imprisonment, the clerk of the court shall ensure that the
422 sexual predator's fingerprints are taken and forwarded to the
423 department within 48 hours after the court renders its written
424 sexual predator finding. The fingerprints shall be clearly
425 marked, "Sexual Predator Registration." The clerk of the court

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CS/CS/HB 1235

2024 Legislature

426 that convicts and sentences the sexual predator for the offense
427 or offenses described in subsection (4) shall forward to the
428 department and to the Department of Corrections a certified copy
429 of any order entered by the court imposing any special condition
430 or restriction on the sexual predator that restricts or
431 prohibits access to the victim, if the victim is a minor, or to
432 other minors.

433 (c) If the Department of Corrections, the department, or
434 any other law enforcement agency obtains information which
435 indicates that an offender meets the sexual predator criteria
436 but the court did not make a written finding that the offender
437 is a sexual predator as required in paragraph (a), the
438 Department of Corrections, the department, or the law
439 enforcement agency shall notify the state attorney who
440 prosecuted the offense for offenders described in subparagraph
441 (a)1., or the state attorney of the county where the offender
442 establishes or maintains a residence upon first entering the
443 state for offenders described in subparagraph (a)3. The state
444 attorney shall bring the matter to the court's attention in
445 order to establish that the offender meets the sexual predator
446 criteria. If the state attorney fails to establish that an
447 offender meets the sexual predator criteria and the court does
448 not make a written finding that an offender is a sexual
449 predator, the offender is not required to register with the
450 department as a sexual predator. The Department of Corrections,

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CS/CS/HB 1235

2024 Legislature

451 the department, or any other law enforcement agency shall not
452 administratively designate an offender as a sexual predator
453 without a written finding from the court that the offender is a
454 sexual predator.

455 (d) A person who establishes or maintains a residence in
456 this state and who has not been designated as a sexual predator
457 by a court of this state but who has been designated as a sexual
458 predator, as a sexually violent predator, or any other ~~by~~
459 ~~another~~ sexual offender designation in another state or
460 jurisdiction and was, as a result of such designation, subjected
461 to registration or community or public notification, or both, or
462 would be if the person was a resident of that state or
463 jurisdiction, without regard to whether the person otherwise
464 meets the criteria for registration as a sexual offender, shall
465 register in the manner provided in s. 943.0435 or s. 944.607 and
466 shall be subject to community and public notification as
467 provided in s. 943.0435 or s. 944.607. A person who meets the
468 criteria of this section is subject to the requirements and
469 penalty provisions of s. 943.0435 or s. 944.607 until the person
470 provides the department with an order issued by the court that
471 designated the person as a sexual predator, as a sexually
472 violent predator, or any other ~~by another~~ sexual offender
473 designation in the state or jurisdiction in which the order was
474 issued which states that such designation has been removed or
475 demonstrates to the department that such designation, if not

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CS/CS/HB 1235

2024 Legislature

imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, ~~and~~ provided that such person no longer meets the criteria for registration as a sexual offender under the laws of this state. To qualify for removal of the registration requirements under this paragraph, a sexual offender described in this paragraph must meet the criteria for removal under s. 943.0435.

(6) REGISTRATION.—

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

1. Name; social security number; age; race; sex; date of birth; height; weight; tattoos or other identifying marks; hair and eye color; photograph; address of legal residence and address of any current temporary residence, within this ~~the~~ state or out of state, including a rural route address and a post office box; if he or she has no permanent or temporary address, any transient residence within this ~~the~~ state; address, location or description, and dates of any current or known future temporary residence within this ~~the~~ state or out of state; electronic mail addresses; Internet identifiers and each Internet identifier's corresponding website homepage or application software name; home telephone numbers and cellular telephone numbers; employment information; the make, model,

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CS/CS/HB 1235

2024 Legislature

501 color, vehicle identification number (VIN), and license tag
502 number of all vehicles owned; date and place of each conviction;
503 fingerprints; palm prints; and a brief description of the crime
504 or crimes committed by the offender. A post office box may not
505 be provided in lieu of a physical residential address. The
506 sexual predator shall produce his or her passport, if he or she
507 has a passport, and, if he or she is an alien, shall produce or
508 provide information about documents establishing his or her
509 immigration status. The sexual predator shall also provide
510 information about any professional licenses he or she has.

511 a. Any change that occurs after the sexual predator
512 registers in person at the sheriff's office as provided in this
513 subparagraph in any of the following information related to the
514 sexual predator must be reported as provided in paragraphs (g),
515 (i), and (j): permanent, temporary, or transient residence;
516 name; electronic mail addresses; Internet identifiers and each
517 Internet identifier's corresponding website homepage or
518 application software name; home and cellular telephone numbers;
519 employment information; and status at an institution of higher
520 education.

521 b. If the sexual predator's place of residence is a motor
522 vehicle, trailer, mobile home, or manufactured home, as those
523 terms are defined in chapter 320, the sexual predator shall also
524 provide to the department written notice of the vehicle
525 identification number (VIN); the license tag number; the

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CS/CS/HB 1235

2024 Legislature

526 registration number; and a description, including color scheme,
527 of the motor vehicle, trailer, mobile home, or manufactured
528 home. If a sexual predator's place of residence is a vessel,
529 live-aboard vessel, or houseboat, as those terms are defined in
530 chapter 327, the sexual predator shall also provide to the
531 department written notice of the hull identification number; the
532 manufacturer's serial number; the name of the vessel, live-
533 aboard vessel, or houseboat; the registration number of the
534 vessel, live-aboard vessel, or houseboat; and a description,
535 including color scheme, of the vessel, live-aboard vessel, or
536 houseboat.

537 c. If the sexual predator is enrolled or employed, whether
538 for compensation or as a volunteer, at an institution of higher
539 education in this state, the sexual predator shall also provide
540 to the department the name, address, and county of each
541 institution, including each campus attended, and the sexual
542 predator's enrollment, volunteer, or employment status. The
543 sheriff, the Department of Corrections, or the Department of
544 Juvenile Justice shall promptly notify each institution of
545 higher education of the sexual predator's presence and any
546 change in the sexual predator's enrollment, volunteer, or
547 employment status.

548 d. A sexual predator shall report to the department
549 through the department's online system or in person to the
550 sheriff's office within 48 hours after any change in vehicles

ENROLLED

CS/CS/HB 1235

2024 Legislature

owned to report those vehicle information changes.

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

(b) If the sexual predator is in the custody or control of, or under the supervision of, the Department of Corrections, or is in the custody of a private correctional facility, the sexual predator shall register with the Department of Corrections. A sexual predator who is under the supervision of the Department of Corrections but who is not incarcerated shall register with the Department of Corrections within 3 business days after the court finds the offender to be a sexual predator. The Department of Corrections shall provide to the department registration information and the location of, and local telephone number for, any Department of Corrections office that is responsible for supervising the sexual predator. In addition, the Department of Corrections shall notify the department if the sexual predator escapes or absconds from custody or supervision or if the sexual predator dies.

(c) If the sexual predator is in the custody of a local jail, the custodian of the local jail shall register the sexual predator within 3 business days after intake of the sexual predator for any reason and upon release, and shall forward the registration information to the department. The custodian of the

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CS/CS/HB 1235

2024 Legislature

576 local jail shall also take a digitized photograph of the sexual
577 predator while the sexual predator remains in custody and shall
578 provide the digitized photograph to the department. The
579 custodian shall notify the department if the sexual predator
580 escapes from custody or dies.

581 (d) If the sexual predator is under federal supervision,
582 the federal agency responsible for supervising the sexual
583 predator may forward to the department any information regarding
584 the sexual predator which is consistent with the information
585 provided by the Department of Corrections under this section,
586 and may indicate whether use of the information is restricted to
587 law enforcement purposes only or may be used by the department
588 for purposes of public notification.

589 (e)1. If the sexual predator is not in the custody or
590 control of, or under the supervision of, the Department of
591 Corrections or is not in the custody of a private correctional
592 facility, the sexual predator shall register in person:

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

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

599 2. Any change that occurs after the sexual predator
600 registers in person at the sheriff's office as provided in

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CS/CS/HB 1235

2024 Legislature

subparagraph 1. in any of the following information related to the sexual predator must be reported as provided in paragraphs (g), (i), and (j): permanent, temporary, or transient residence; name; vehicles owned; electronic mail addresses; Internet identifiers and each Internet identifier's corresponding website homepage or application software name; home and cellular telephone numbers; employment information; and change in status at an institution of higher education. When a sexual predator registers with the sheriff's office, the sheriff shall take a photograph, a set of fingerprints, and palm prints of the sexual predator and forward the photographs, palm prints, and fingerprints to the department, along with the information that the sexual predator is required to provide pursuant to this section.

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

1. If otherwise qualified, secure a Florida driver

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CS/CS/HB 1235

2024 Legislature

626 license, renew a Florida driver license, or secure an
627 identification card. The sexual predator shall identify himself
628 or herself as a sexual predator who is required to comply with
629 this section, provide his or her place of permanent, temporary,
630 or transient residence, including a rural route address and a
631 post office box, and submit to the taking of a photograph for
632 use in issuing a driver license, a renewed license, or an
633 identification card, and for use by the department in
634 maintaining current records of sexual predators. A post office
635 box may not be provided in lieu of a physical residential
636 address. If the sexual predator's place of residence is a motor
637 vehicle, trailer, mobile home, or manufactured home, as those
638 terms are defined in chapter 320, the sexual predator shall also
639 provide to the Department of Highway Safety and Motor Vehicles
640 the vehicle identification number (VIN); the license tag number;
641 the registration number; and a description, including color
642 scheme, of the motor vehicle, trailer, mobile home, or
643 manufactured home. If a sexual predator's place of residence is
644 a vessel, live-aboard vessel, or houseboat, as those terms are
645 defined in chapter 327, the sexual predator shall also provide
646 to the Department of Highway Safety and Motor Vehicles the hull
647 identification number; the manufacturer's serial number; the
648 name of the vessel, live-aboard vessel, or houseboat; the
649 registration number of the vessel, live-aboard vessel, or
650 houseboat; and a description, including color scheme, of the

ENROLLED

CS/CS/HB 1235

2024 Legislature

vessel, live-aboard vessel, or houseboat.

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

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

(g)1. Each time a sexual predator's driver license or identification card is subject to renewal, and, without regard to the status of the sexual predator's driver license or identification card, within 48 hours after any change of the sexual predator's residence or change in the sexual predator's name by reason of marriage or other legal process, the sexual predator shall report in person to a driver license office and is subject to the requirements specified in paragraph (f). The Department of Highway Safety and Motor Vehicles shall forward to the department and to the Department of Corrections all photographs and information provided by sexual predators. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles may release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual predators as provided in this section. A

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CS/CS/HB 1235

2024 Legislature

sexual predator who is unable to secure or update a driver license or an identification card with the Department of Highway Safety and Motor Vehicles as provided in paragraph (f) and this paragraph shall also report any change in ~~of~~ the sexual predator's permanent, temporary, or transient residence or change in the sexual predator's name by reason of marriage or other legal process within 48 hours after the change to the sheriff's office in the county where the sexual predator resides or is located and provide confirmation that he or she reported such information to the Department of Highway Safety and Motor Vehicles. The reporting requirements under this subparagraph do not negate the requirement for a sexual predator to obtain a Florida driver license or identification card as required by this section.

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

ENROLLED

CS/CS/HB 1235

2024 Legislature

701 located during the time in which he or she fails to establish or
702 maintain a permanent or temporary residence.

703 b. A sexual predator shall report in person at the
704 sheriff's office in the county in which he or she is located
705 within 48 hours after establishing a transient residence and
706 thereafter must report in person every 30 days to the sheriff's
707 office in the county in which he or she is located while
708 maintaining a transient residence. The sexual predator must
709 provide the addresses and locations where he or she maintains a
710 transient residence. Each sheriff's office shall report
711 ~~establish procedures for reporting~~ transient residence
712 information in a manner prescribed by the department and provide
713 notice to transient registrants to report transient residence
714 information as required in this sub-subparagraph. Reporting to
715 the sheriff's office as required by this sub-subparagraph does
716 not exempt registrants from any reregistration requirement. The
717 sheriff may coordinate and enter into agreements with police
718 departments and other governmental entities to facilitate
719 additional reporting sites for transient residence registration
720 required in this sub-subparagraph. The sheriff's office shall ~~7~~
721 ~~within 2 business days,~~ electronically submit to and update with
722 the department all such information within 2 business days after
723 ~~provided by~~ the sexual predator provides it to the sheriff's
724 office department.

725 3. A sexual predator who remains at a permanent,

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CS/CS/HB 1235

2024 Legislature

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

4. The failure of a sexual predator who maintains a transient residence to report in person to the sheriff's office every 30 days as required by sub-subparagraph 2.b. is punishable as provided in subsection (10).

5.a. A sexual predator shall register all electronic mail addresses and Internet identifiers, and each Internet identifier's corresponding website homepage or application software name, with the department through the department's online system or in person at the sheriff's office within 48 hours after using such electronic mail addresses or ~~and~~ Internet identifiers. If the sexual predator is in the custody or control, or under the supervision, of the Department of Corrections, he or she must report all electronic mail addresses

ENROLLED

CS/CS/HB 1235

2024 Legislature

751 and Internet identifiers, and each Internet identifier's
752 corresponding website homepage or application software name, to
753 the Department of Corrections before using such electronic mail
754 addresses or Internet identifiers. If the sexual predator is in
755 the custody or control, or under the supervision, of the
756 Department of Juvenile Justice, he or she must report all
757 electronic mail addresses and Internet identifiers, and each
758 Internet identifier's corresponding website homepage or
759 application software name, to the Department of Juvenile Justice
760 before using such electronic mail addresses or Internet
761 identifiers.

762 b. A sexual predator shall register all changes to
763 vehicles owned, all changes to home telephone numbers and
764 cellular telephone numbers, including added and deleted numbers,
765 all changes to employment information, and all changes in status
766 related to enrollment, volunteering, or employment at
767 institutions of higher education, through the department's
768 online system; in person at the sheriff's office; in person at
769 the Department of Corrections if the sexual predator is in the
770 custody or control, or under the supervision, of the Department
771 of Corrections; or in person at the Department of Juvenile
772 Justice if the sexual predator is in the custody or control, or
773 under the supervision, of the Department of Juvenile Justice.
774 All changes required to be reported in this sub-subparagraph
775 shall be reported within 48 hours after the change.

ENROLLED

CS/CS/HB 1235

2024 Legislature

776 c. The department shall establish an online system through
777 which sexual predators may securely access, submit, and update
778 all vehicles owned; electronic mail addresses; Internet
779 identifiers and each Internet identifier's corresponding website
780 homepage or application software name; home telephone numbers
781 and cellular telephone numbers; employment information; and
782 institution of higher education information.

783 (h) The department shall notify the sheriff and the state
784 attorney of the county and, if applicable, the police chief of
785 the municipality, where the sexual predator maintains a
786 residence.

787 (i) A sexual predator who intends to establish a
788 permanent, temporary, or transient residence in another state or
789 jurisdiction other than the State of Florida shall report in
790 person to the sheriff of the county of current residence at
791 least ~~within~~ 48 hours before the date he or she intends to leave
792 this state to establish residence in another state or
793 jurisdiction or at least 21 days before the date he or she
794 intends to travel ~~if the intended residence of 5 days or more is~~
795 outside of the United States. Any travel that is not known by
796 the sexual predator 48 hours before he or she intends to
797 establish a residence in another state or jurisdiction, or 21
798 days before the departure date for travel outside of the United
799 States, must be reported to the sheriff's office as soon as
800 possible before departure. The sexual predator shall provide to

ENROLLED

CS/CS/HB 1235

2024 Legislature

the sheriff the address, municipality, county, state, and country of intended residence. For international travel, the sexual predator shall also provide travel information, including, but not limited to, expected departure and return dates, flight number, airport of departure, cruise port of departure, or any other means of intended travel. The sheriff shall promptly provide to the department the information received from the sexual predator. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state, jurisdiction, or country of residence or the intended country of travel of the sexual predator's intended residence or intended travel. The failure of a sexual predator to provide his or her intended place of residence or intended travel is punishable as provided in subsection (10).

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

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CS/CS/HB 1235

2024 Legislature

sheriff shall promptly report this information to the department. A sexual predator who reports his or her intent to establish a permanent, temporary, or transient residence in another state, a jurisdiction other than the State of Florida, or intent to travel to another country, but who remains in this state without reporting to the sheriff in the manner required by this paragraph, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

2. The department's sexual predator registration list, containing the information described in subparagraph (a)1., is a public record, unless otherwise made exempt or confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. The department may disseminate this public information by any means deemed appropriate, including operating a toll-free telephone number for this purpose. When the department provides information regarding a registered sexual

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CS/CS/HB 1235

2024 Legislature

851 predator to the public, department personnel shall advise the
852 person making the inquiry that positive identification of a
853 person believed to be a sexual predator cannot be established
854 unless a fingerprint comparison is made, and that it is illegal
855 to use public information regarding a registered sexual predator
856 to facilitate the commission of a crime.

857 3. The department shall adopt guidelines as necessary
858 regarding the registration of sexual predators and the
859 dissemination of information regarding sexual predators as
860 required by this section.

861 (1) A sexual predator shall maintain registration with the
862 department for the duration of his or her life, unless the
863 sexual predator has received a full pardon or has had a
864 conviction set aside in a postconviction proceeding for any
865 offense that met the criteria for the sexual predator
866 designation.

867 (7) COMMUNITY AND PUBLIC NOTIFICATION.—

868 (a) Law enforcement agencies must inform members of the
869 community and the public of a sexual predator's presence. Upon
870 notification of the presence of a sexual predator, the sheriff
871 of the county or the chief of police of the municipality where
872 the sexual predator establishes or maintains a permanent or
873 temporary residence shall notify members of the community and
874 the public of the presence of the sexual predator in a manner
875 deemed appropriate by the sheriff or the chief of police. Within

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CS/CS/HB 1235

2024 Legislature

48 hours after receiving notification of the presence of a sexual predator, the sheriff of the county or the chief of police of the municipality where the sexual predator temporarily or permanently resides shall notify each licensed child care facility, elementary school, middle school, and high school within a 1-mile radius of the temporary or permanent residence of the sexual predator of the presence of the sexual predator. Information provided to members of the community and the public regarding a sexual predator must include:

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

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

(b) The sheriff or the police chief may coordinate the community and public notification efforts with the department.

ENROLLED

CS/CS/HB 1235

2024 Legislature

901 Statewide notification to the public is authorized, as deemed
902 appropriate by local law enforcement personnel and the
903 department.

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

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

910 (8) VERIFICATION.—The department and the Department of
911 Corrections shall implement a system for verifying the addresses
912 of sexual predators. The system must be consistent with the
913 federal Adam Walsh Child Protection and Safety Act of 2006 and
914 any other federal standards applicable to such verification or
915 required to be met as a condition for the receipt of federal
916 funds by the state. The Department of Corrections shall verify
917 the addresses of sexual predators who are not incarcerated but
918 who reside in the community under the supervision of the
919 Department of Corrections and shall report to the department any
920 failure by a sexual predator to comply with registration
921 requirements. County and local law enforcement agencies, in
922 conjunction with the department, shall verify the addresses of
923 sexual predators who are not under the care, custody, control,
924 or supervision of the Department of Corrections, and may verify
925 the addresses of sexual predators who are under the care,

ENROLLED

CS/CS/HB 1235

2024 Legislature

926 custody, control, or supervision of the Department of
927 Corrections. Local law enforcement agencies shall report to the
928 department any failure by a sexual predator to comply with
929 registration requirements.

930 (a) A sexual predator shall report in person each year
931 during the month of the sexual predator's birthday and during
932 every third month thereafter to the sheriff's office in the
933 county in which he or she resides or is otherwise located to
934 reregister. The sheriff's office may determine the appropriate
935 times and days for reporting by the sexual predator, which must
936 be consistent with the reporting requirements of this paragraph.
937 Reregistration must include any changes to the following
938 information:

939 1. Name; social security number; age; race; sex; date of
940 birth; height; weight; tattoos or other identifying marks; hair
941 and eye color; address of any permanent residence and address of
942 any current temporary residence, within this ~~the~~ state or out of
943 state, including a rural route address and a post office box; if
944 he or she has no permanent or temporary address, any transient
945 residence within this ~~the~~ state including the address, location
946 or description of the transient residences, and dates of any
947 current or known future temporary residence within this ~~the~~
948 state or out of state; all electronic mail addresses; all
949 Internet identifiers and each Internet identifier's
950 corresponding website homepage or application software name; all

ENROLLED

CS/CS/HB 1235

2024 Legislature

951 home telephone numbers and cellular telephone numbers; date and
952 place of any employment; the make, model, color, vehicle
953 identification number (VIN), and license tag number of all
954 vehicles owned; fingerprints; palm prints; and photograph. A
955 post office box may not be provided in lieu of a physical
956 residential address. The sexual predator shall also produce his
957 or her passport, if he or she has a passport, and, if he or she
958 is an alien, shall produce or provide information about
959 documents establishing his or her immigration status. The sexual
960 predator shall also provide information about any professional
961 licenses he or she has.

962 2. If the sexual predator is enrolled or employed, whether
963 for compensation or as a volunteer, at an institution of higher
964 education in this state, the sexual predator shall also provide
965 to the department the name, address, and county of each
966 institution, including each campus attended, and the sexual
967 predator's enrollment, volunteer, or employment status.

968 3. If the sexual predator's place of residence is a motor
969 vehicle, trailer, mobile home, or manufactured home, as those
970 terms are defined in chapter 320, the sexual predator shall also
971 provide the vehicle identification number (VIN); the license tag
972 number; the registration number; and a description, including
973 color scheme, of the motor vehicle, trailer, mobile home, or
974 manufactured home. If the sexual predator's place of residence
975 is a vessel, live-aboard vessel, or houseboat, as those terms

ENROLLED

CS/CS/HB 1235

2024 Legislature

976 are defined in chapter 327, the sexual predator shall also
977 provide the hull identification number; the manufacturer's
978 serial number; the name of the vessel, live-aboard vessel, or
979 houseboat; the registration number of the vessel, live-aboard
980 vessel, or houseboat; and a description, including color scheme,
981 of the vessel, live-aboard vessel, or houseboat.

982 (b) The sheriff's office shall, ~~within 2 working days,~~
983 electronically submit to and update with the department, in a
984 manner prescribed by the department, all such information within
985 2 business days after ~~provided by~~ the sexual predator provides
986 it to the sheriff's office ~~department in a manner prescribed by~~
987 ~~the department.~~

988 (9) IMMUNITY.—The department, the Department of Highway
989 Safety and Motor Vehicles, the Department of Corrections, the
990 Department of Juvenile Justice, any law enforcement agency in
991 this state, and the personnel of those departments; an elected
992 or appointed official, public employee, or school administrator;
993 or an employee, agency, or any individual or entity acting at
994 the request or upon the direction of any law enforcement agency
995 is immune from civil liability for damages for good faith
996 compliance with the requirements of this section or for the
997 release of information under this section, and shall be presumed
998 to have acted in good faith in compiling, recording, reporting,
999 or releasing the information. The presumption of good faith is
1000 not overcome if a technical or clerical error is made by the

ENROLLED

CS/CS/HB 1235

2024 Legislature

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

(10) PENALTIES.—

(a) Except as otherwise specifically provided, a sexual predator who fails to register; who fails, after registration, to maintain, acquire, or renew a driver license or an identification card; who fails to provide required location information or change-of-name information; who fails to provide electronic mail addresses, Internet identifiers, and each Internet identifier's corresponding website homepage or application software name; who fails to provide all home telephone numbers and cellular telephone numbers; who fails to report any changes to, employment information or changes, ~~change~~ in status at an institution of higher education, ~~or change-of-name information~~; who fails to report any changes to vehicles owned, including the addition of new vehicles and changes to the make, model, color, vehicle identification number (VIN), and license tag numbers of previously reported vehicles; who fails to make a required report in connection with vacating a

ENROLLED

CS/CS/HB 1235

2024 Legislature

1026 permanent residence; who fails to reregister as required; who
1027 fails to respond to any address verification correspondence from
1028 the department or from county or local law enforcement agencies
1029 within 3 weeks after ~~of~~ the date of the correspondence; who
1030 knowingly provides false registration information by act or
1031 omission; or who otherwise fails, by act or omission, to comply
1032 with the requirements of this section commits a felony of the
1033 third degree, punishable as provided in s. 775.082, s. 775.083,
1034 or s. 775.084. Each instance of a failure to register or report
1035 changes to the required information specified in this paragraph
1036 constitutes a separate offense.

1037 (b) A sexual predator who has been convicted of or found
1038 to have committed, or has pled nolo contendere or guilty to,
1039 regardless of adjudication, any violation, or attempted
1040 violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where
1041 the victim is a minor; s. 794.011, excluding s. 794.011(10); s.
1042 794.05; former s. 796.03; former s. 796.035; s. 800.04; s.
1043 827.071; s. 847.0133; s. 847.0135(5); s. 847.0145; or s.
1044 985.701(1); or a violation of a similar law of another
1045 jurisdiction when the victim of the offense was a minor, and who
1046 works, whether for compensation or as a volunteer, at any
1047 business, school, child care facility, park, playground, or
1048 other place where children regularly congregate, commits a
1049 felony of the third degree, punishable as provided in s.
1050 775.082, s. 775.083, or s. 775.084.

ENROLLED

CS/CS/HB 1235

2024 Legislature

1051 (c) For a felony violation of this section, excluding
1052 paragraph (g), committed on or after July 1, 2018, if the court
1053 does not impose a prison sentence, the court shall impose a
1054 mandatory minimum term of community control, as defined in s.
1055 948.001, as follows:

1056 1. For a first offense, a mandatory minimum term of 6
1057 months with electronic monitoring.

1058 2. For a second offense, a mandatory minimum term of 1
1059 year with electronic monitoring.

1060 3. For a third or subsequent offense, a mandatory minimum
1061 term of 2 years with electronic monitoring.

1062 (d) Any person who misuses public records information
1063 relating to a sexual predator, as defined in this section, or a
1064 sexual offender, as defined in s. 943.0435 or s. 944.607, to
1065 secure a payment from such a predator or offender; who knowingly
1066 distributes or publishes false information relating to such a
1067 predator or offender which the person misrepresents as being
1068 public records information; or who materially alters public
1069 records information with the intent to misrepresent the
1070 information, including documents, summaries of public records
1071 information provided by law enforcement agencies, or public
1072 records information displayed by law enforcement agencies on
1073 websites or provided through other means of communication,
1074 commits a misdemeanor of the first degree, punishable as
1075 provided in s. 775.082 or s. 775.083.

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CS/CS/HB 1235

2024 Legislature

1076 (e) A sexual predator who commits any act or omission in
1077 violation of this section may be prosecuted for the act or
1078 omission in the county in which the act or omission was
1079 committed, in the county of the last registered address of the
1080 sexual predator, in the county in which the conviction occurred
1081 for the offense or offenses that meet the criteria for
1082 designating a person as a sexual predator, in the county where
1083 the sexual predator was released from incarceration, or in the
1084 county of the intended address of the sexual predator as
1085 reported by the sexual predator prior to his or her release from
1086 incarceration. In addition, a sexual predator may be prosecuted
1087 for any such act or omission in the county in which he or she
1088 was designated a sexual predator.

1089 (f) An arrest on charges of failure to register, the
1090 service of an information or a complaint for a violation of this
1091 section, or an arraignment on charges for a violation of this
1092 section constitutes actual notice of the duty to register when
1093 the predator has been provided and advised of his or her
1094 statutory obligation to register under subsection (6). A sexual
1095 predator's failure to immediately register as required by this
1096 section following such arrest, service, or arraignment
1097 constitutes grounds for a subsequent charge of failure to
1098 register. A sexual predator charged with the crime of failure to
1099 register who asserts, or intends to assert, a lack of notice of
1100 the duty to register as a defense to a charge of failure to

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CS/CS/HB 1235

2024 Legislature

1101 register shall immediately register as required by this section.
1102 A sexual predator who is charged with a subsequent failure to
1103 register may not assert the defense of a lack of notice of the
1104 duty to register. Registration following such arrest, service,
1105 or arraignment is not a defense and does not relieve the sexual
1106 predator of criminal liability for the failure to register.

1107 (g) Any person who has reason to believe that a sexual
1108 predator is not complying, or has not complied, with the
1109 requirements of this section and who, with the intent to assist
1110 the sexual predator in eluding a law enforcement agency that is
1111 seeking to find the sexual predator to question the sexual
1112 predator about, or to arrest the sexual predator for, his or her
1113 noncompliance with the requirements of this section:

1114 1. Withholds information from, or does not notify, the law
1115 enforcement agency about the sexual predator's noncompliance
1116 with the requirements of this section, and, if known, the
1117 whereabouts of the sexual predator;

1118 2. Harbors, or attempts to harbor, or assists another
1119 person in harboring or attempting to harbor, the sexual
1120 predator;

1121 3. Conceals or attempts to conceal, or assists another
1122 person in concealing or attempting to conceal, the sexual
1123 predator; or

1124 4. Provides information to the law enforcement agency
1125 regarding the sexual predator which the person knows to be false

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CS/CS/HB 1235

2024 Legislature

information,

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

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

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

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

(a) "Change in status at an institution of higher education" has the same meaning as provided in s. 775.21.

(b) "Convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in this section. Conviction of a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere ~~resulting in a sanction~~ in any state of the United States or other jurisdiction. ~~A sanction includes, but is not limited to,~~

ENROLLED

CS/CS/HB 1235

2024 Legislature

~~a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility.~~

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

(d) "Institution of higher education" has the same meaning as provided in s. 775.21.

(e) "Internet identifier" has the same meaning as provided in s. 775.21.

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

(g) "Professional license" has the same meaning as provided in s. 775.21.

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

a.(I) Has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b), (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding s. 794.011(10); s.

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CS/CS/HB 1235

2024 Legislature

794.05; former s. 796.03; former s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 895.03, if the court makes a written finding that the racketeering activity involved at least one sexual offense listed in this sub-sub-subparagraph or at least one offense listed in this sub-sub-subparagraph with sexual intent or motive; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-subparagraph; and

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

b. Establishes or maintains a residence in this state and who has not been designated as a sexual predator by a court of this state but who has been designated as a sexual predator, as

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CS/CS/HB 1235

2024 Legislature

1201 a sexually violent predator, or any other ~~by another~~ sexual
1202 offender designation in another state or jurisdiction and was,
1203 as a result of such designation, subjected to registration or
1204 community or public notification, or both, or would be if the
1205 person were a resident of that state or jurisdiction, without
1206 regard to whether the person otherwise meets the criteria for
1207 registration as a sexual offender;

1208 c. Establishes or maintains a residence in this state who
1209 is in the custody or control of, or under the supervision of,
1210 any other state or jurisdiction as a result of a conviction for
1211 committing, or attempting, soliciting, or conspiring to commit,
1212 any of the criminal offenses proscribed in the following
1213 statutes or similar offense in another jurisdiction: s.
1214 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s.
1215 787.025(2)(c), where the victim is a minor; s. 787.06(3)(b),
1216 (d), (f), or (g); former s. 787.06(3)(h); s. 794.011, excluding
1217 s. 794.011(10); s. 794.05; former s. 796.03; former s. 796.035;
1218 s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133;
1219 s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138;
1220 s. 847.0145; s. 895.03, if the court makes a written finding
1221 that the racketeering activity involved at least one sexual
1222 offense listed in this sub-subparagraph or at least one offense
1223 listed in this sub-subparagraph with sexual intent or motive; s.
1224 916.1075(2); or s. 985.701(1); or any similar offense committed
1225 in this state which has been redesignated from a former statute

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CS/CS/HB 1235

2024 Legislature

number to one of those listed in this sub-subparagraph; or

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

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

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

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

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

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

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

For each violation of a qualifying offense listed in this subsection, except for a violation of s. 794.011, the court shall make a written finding of the age of the victim at the

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CS/CS/HB 1235

2024 Legislature

time of the offense. For a violation of s. 800.04(4), the court shall also make a written finding indicating whether the offense involved sexual activity and indicating whether the offense involved force or coercion. For a violation of s. 800.04(5), the court shall also make a written finding that the offense did or did not involve unclothed genitals or genital area and that the offense did or did not involve the use of force or coercion.

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

(2) Upon initial registration, a sexual offender shall:

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

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

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

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

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

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CS/CS/HB 1235

2024 Legislature

1276
1277 Any change in the information required to be provided pursuant
1278 to paragraph (b), including, but not limited to, any change in
1279 the sexual offender's permanent, temporary, or transient
1280 residence; name; electronic mail addresses; Internet identifiers
1281 and each Internet identifier's corresponding website homepage or
1282 application software name; home telephone numbers and cellular
1283 telephone numbers; employment information; and any change in
1284 status at an institution of higher education after the sexual
1285 offender reports in person at the sheriff's office must be
1286 reported in the manner provided in subsections (4), (7), and
1287 (8).

1288 (b) Provide his or her name; date of birth; social
1289 security number; race; sex; height; weight; tattoos or other
1290 identifying marks; hair and eye color; ~~tattoos or other~~
1291 ~~identifying marks~~; fingerprints; palm prints; photograph;
1292 employment information; address of permanent or legal residence
1293 or address of any current temporary residence, within this ~~the~~
1294 state or out of state, including a rural route address and a
1295 post office box; if he or she has no permanent or temporary
1296 address, any transient residence within this ~~the~~ state; if
1297 address, location or description, and dates of any current or
1298 known future temporary residence within this ~~the~~ state or out of
1299 state; the make, model, color, vehicle identification number
1300 (VIN), and license tag number of all vehicles owned; home

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CS/CS/HB 1235

2024 Legislature

1301 telephone numbers and cellular telephone numbers; electronic
1302 mail addresses; Internet identifiers and each Internet
1303 identifier's corresponding website homepage or application
1304 software name; date and place of each conviction; and a brief
1305 description of the crime or crimes committed by the offender. A
1306 post office box may not be provided in lieu of a physical
1307 residential address. The sexual offender shall also produce his
1308 or her passport, if he or she has a passport, and, if he or she
1309 is an alien, shall produce or provide information about
1310 documents establishing his or her immigration status. The sexual
1311 offender shall also provide information about any professional
1312 licenses he or she has.

1313 1. If the sexual offender's place of residence is a motor
1314 vehicle, trailer, mobile home, or manufactured home, as those
1315 terms are defined in chapter 320, the sexual offender shall also
1316 provide to the department through the sheriff's office written
1317 notice of the vehicle identification number (VIN); the license
1318 tag number; the registration number; and a description,
1319 including color scheme, of the motor vehicle, trailer, mobile
1320 home, or manufactured home. If the sexual offender's place of
1321 residence is a vessel, live-aboard vessel, or houseboat, as
1322 those terms are defined in chapter 327, the sexual offender
1323 shall also provide to the department written notice of the hull
1324 identification number; the manufacturer's serial number; the
1325 name of the vessel, live-aboard vessel, or houseboat; the

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CS/CS/HB 1235

2024 Legislature

1326 registration number of the vessel, live-aboard vessel, or
1327 houseboat; and a description, including color scheme, of the
1328 vessel, live-aboard vessel, or houseboat.

1329 2. If the sexual offender is enrolled or employed, whether
1330 for compensation or as a volunteer, at an institution of higher
1331 education in this state, the sexual offender shall also provide
1332 to the department the name, address, and county of each
1333 institution, including each campus attended, and the sexual
1334 offender's enrollment, volunteer, or employment status. The
1335 sheriff, the Department of Corrections, or the Department of
1336 Juvenile Justice shall promptly notify each institution of
1337 higher education of the sexual offender's presence and any
1338 change in the sexual offender's enrollment, volunteer, or
1339 employment status.

1340 3. A sexual offender shall report with the department
1341 through the department's online system or in person to the
1342 sheriff's office within 48 hours after any change in vehicles
1343 owned to report those vehicle information changes.

1344 (c) Provide any other information determined necessary by
1345 the department, including criminal and corrections records;
1346 nonprivileged personnel and treatment records; and evidentiary
1347 genetic markers, when available.

1348
1349 When a sexual offender reports at the sheriff's office, the
1350 sheriff shall take a photograph, a set of fingerprints, and palm

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CS/CS/HB 1235

2024 Legislature

1351 prints of the offender and forward the photographs, palm prints,
1352 and fingerprints to the department, along with the information
1353 ~~provided by~~ the sexual offender is required to provide pursuant
1354 to this section. The sheriff shall promptly provide to the
1355 department the information received from the sexual offender.

1356 (3) Within 48 hours after the report required under
1357 subsection (2), a sexual offender shall report in person at a
1358 driver license office of the Department of Highway Safety and
1359 Motor Vehicles, unless a driver license or identification card
1360 that complies with the requirements of s. 322.141(3) was
1361 previously secured or updated under s. 944.607. At the driver
1362 license office the sexual offender shall:

1363 (a) If otherwise qualified, secure a Florida driver
1364 license, renew a Florida driver license, or secure an
1365 identification card. The sexual offender shall identify himself
1366 or herself as a sexual offender who is required to comply with
1367 this section and shall provide proof that the sexual offender
1368 reported as required in subsection (2). The sexual offender
1369 shall provide any of the information specified in subsection
1370 (2), if requested. The sexual offender shall submit to the
1371 taking of a photograph for use in issuing a driver license,
1372 renewed license, or identification card, and for use by the
1373 department in maintaining current records of sexual offenders.

1374 (b) Pay the costs assessed by the Department of Highway
1375 Safety and Motor Vehicles for issuing or renewing a driver

ENROLLED

CS/CS/HB 1235

2024 Legislature

license or identification card as required by this section. The driver license or identification card issued must be in compliance with s. 322.141(3).

(c) Provide, upon request, any additional information necessary to confirm the identity of the sexual offender, including a set of fingerprints.

(4)(a) Each time a sexual offender's driver license or identification card is subject to renewal, and, without regard to the status of the offender's driver license or identification card, within 48 hours after any change in the offender's permanent, temporary, or transient residence or change in the offender's name by reason of marriage or other legal process, the offender shall report in person to a driver license office, and is subject to the requirements specified in subsection (3). The Department of Highway Safety and Motor Vehicles shall forward to the department all photographs and information provided by sexual offenders. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles may release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual offenders as provided in this section and ss. 943.043 and 944.606. A sexual offender who is unable to secure or update a driver license or an identification card with the Department of Highway Safety and Motor Vehicles as provided in subsection (3) and this subsection

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CS/CS/HB 1235

2024 Legislature

1401 shall also report any change in the sexual offender's permanent,
1402 temporary, or transient residence or change in the offender's
1403 name by reason of marriage or other legal process within 48
1404 hours after the change to the sheriff's office in the county
1405 where the offender resides or is located and provide
1406 confirmation that he or she reported such information to the
1407 Department of Highway Safety and Motor Vehicles. The reporting
1408 requirements under this paragraph do not negate the requirement
1409 for a sexual offender to obtain a Florida driver license or an
1410 identification card as required in this section.

1411 (b)1. A sexual offender who vacates a permanent,
1412 temporary, or transient residence and fails to establish or
1413 maintain another permanent, temporary, or transient residence
1414 shall, within 48 hours after vacating the permanent, temporary,
1415 or transient residence, report in person to the sheriff's office
1416 of the county in which he or she is located. The sexual offender
1417 shall specify the date upon which he or she intends to or did
1418 vacate such residence. The sexual offender must provide or
1419 update all of the registration information required under
1420 paragraph (2)(b). The sexual offender must provide an address
1421 for the residence or other place where ~~that~~ he or she is or will
1422 be located during the time in which he or she fails to establish
1423 or maintain a permanent or temporary residence.

1424 2. A sexual offender shall report in person at the
1425 sheriff's office in the county in which he or she is located

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CS/CS/HB 1235

2024 Legislature

1426 within 48 hours after establishing a transient residence and
1427 thereafter must report in person every 30 days to the sheriff's
1428 office in the county in which he or she is located while
1429 maintaining a transient residence. The sexual offender must
1430 provide the addresses and locations where he or she maintains a
1431 transient residence. Each sheriff's office shall report
1432 ~~establish procedures for reporting~~ transient residence
1433 information in a manner prescribed by the department and provide
1434 notice to transient registrants to report transient residence
1435 information as required in this subparagraph. Reporting to the
1436 sheriff's office as required by this subparagraph does not
1437 exempt registrants from any reregistration requirement. The
1438 sheriff may coordinate and enter into agreements with police
1439 departments and other governmental entities to facilitate
1440 additional reporting sites for transient residence registration
1441 required in this subparagraph. The sheriff's office shall,
1442 ~~within 2 business days,~~ electronically submit to and update with
1443 the department all such information within 2 business days after
1444 ~~provided by~~ the sexual offender provides it to the sheriff's
1445 office ~~department~~.

1446 (c) A sexual offender who remains at a permanent,
1447 temporary, or transient residence after reporting his or her
1448 intent to vacate such residence shall, within 48 hours after the
1449 date upon which the offender indicated he or she would or did
1450 vacate such residence, report in person to the agency to which

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CS/CS/HB 1235

2024 Legislature

1451 he or she reported pursuant to paragraph (b) for the purpose of
1452 reporting his or her address at such residence. When the sheriff
1453 receives the report, the sheriff shall promptly convey the
1454 information to the department. A sexual ~~An~~ offender who makes a
1455 report as required under paragraph (b) but fails to make a
1456 report as required under this paragraph commits a felony of the
1457 second degree, punishable as provided in s. 775.082, s. 775.083,
1458 or s. 775.084.

1459 (d) The failure of a sexual offender who maintains a
1460 transient residence to report in person to the sheriff's office
1461 every 30 days as required in subparagraph (b)2. is punishable as
1462 provided in subsection (9).

1463 (e)1. A sexual offender shall register all electronic mail
1464 addresses and Internet identifiers, and each Internet
1465 identifier's corresponding website homepage or application
1466 software name, with the department through the department's
1467 online system or in person at the sheriff's office within 48
1468 hours after using such electronic mail addresses or ~~and~~ Internet
1469 identifiers. If the sexual offender is in the custody or
1470 control, or under the supervision, of the Department of
1471 Corrections, he or she must report all electronic mail addresses
1472 and Internet identifiers, and each Internet identifier's
1473 corresponding website homepage or application software name, to
1474 the Department of Corrections before using such electronic mail
1475 addresses or Internet identifiers. If the sexual offender is in

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CS/CS/HB 1235

2024 Legislature

1476 the custody or control, or under the supervision, of the
1477 Department of Juvenile Justice, he or she must report all
1478 electronic mail addresses and Internet identifiers, and each
1479 Internet identifier's corresponding website homepage or
1480 application software name, to the Department of Juvenile Justice
1481 before using such electronic mail addresses or Internet
1482 identifiers.

1483 2. A sexual offender shall register all changes to
1484 vehicles owned, all changes to home telephone numbers and
1485 cellular telephone numbers, including added and deleted numbers,
1486 all changes to employment information, and all changes in status
1487 related to enrollment, volunteering, or employment at
1488 institutions of higher education, through the department's
1489 online system; in person at the sheriff's office; in person at
1490 the Department of Corrections if the sexual offender is in the
1491 custody or control, or under the supervision, of the Department
1492 of Corrections; or in person at the Department of Juvenile
1493 Justice if the sexual offender is in the custody or control, or
1494 under the supervision, of the Department of Juvenile Justice.
1495 All changes required to be reported under this subparagraph must
1496 be reported within 48 hours after the change.

1497 3. The department shall establish an online system through
1498 which sexual offenders may securely access, submit, and update
1499 all changes in status to vehicles owned; electronic mail
1500 addresses; Internet identifiers and each Internet identifier's

ENROLLED

CS/CS/HB 1235

2024 Legislature

1501 corresponding website homepage or application software name;
1502 home telephone numbers and cellular telephone numbers;
1503 employment information; and institution of higher education
1504 information.

1505 (f) If the sexual offender is in the custody of a local
1506 jail, the custodian of the local jail shall register the sexual
1507 offender within 3 business days after intake of the sexual
1508 offender for any reason and upon release, and shall forward the
1509 registration information to the department. The custodian of the
1510 local jail shall also take a digitized photograph of the sexual
1511 offender while the sexual offender remains in custody and shall
1512 provide the digitized photograph to the department. The
1513 custodian shall notify the department if the sexual offender
1514 escapes from custody or dies.

1515 (5) This section does not apply to a sexual offender who
1516 is also a sexual predator, as defined in s. 775.21. A sexual
1517 predator must register as required under s. 775.21.

1518 (6) County and local law enforcement agencies, in
1519 conjunction with the department, shall verify the addresses of
1520 sexual offenders who are not under the care, custody, control,
1521 or supervision of the Department of Corrections, and may verify
1522 the addresses of sexual offenders who are under the care,
1523 custody, control, or supervision of the Department of
1524 Corrections, in a manner that is consistent with the provisions
1525 of the federal Adam Walsh Child Protection and Safety Act of

ENROLLED

CS/CS/HB 1235

2024 Legislature

2006 and any other federal standards applicable to such verification or required to be met as a condition for the receipt of federal funds by the state. Local law enforcement agencies shall report to the department any failure by a sexual offender to comply with registration requirements.

(7) A sexual offender who intends to establish a permanent, temporary, or transient residence in another state or jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence at least ~~within~~ 48 hours before the date he or she intends to leave this state to establish residence in another state or jurisdiction or at least 21 days before the date he or she intends to travel ~~if the intended residence of 5 days or more is~~ outside of the United States. Any travel that is not known by the sexual offender 48 hours before he or she intends to establish a residence in another state or jurisdiction, or 21 days before the departure date for travel outside of the United States, must be reported in person to the sheriff's office as soon as possible before departure. The sexual offender shall provide to the sheriff the address, municipality, county, state, and country of intended residence. For international travel, the sexual offender shall also provide travel information, including, but not limited to, expected departure and return dates, flight number, airport of departure, cruise port of departure, or any other means of intended travel. The sheriff

ENROLLED

CS/CS/HB 1235

2024 Legislature

shall promptly provide to the department the information received from the sexual offender. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state, jurisdiction, or country of residence or the intended country of travel of the sexual offender's intended residence or intended travel. The failure of a sexual offender to provide his or her intended place of residence or intended travel is punishable as provided in subsection (9).

(8) A sexual offender who indicates his or her intent to establish a permanent, temporary, or transient residence in another state, a jurisdiction other than the State of Florida, or intent to travel to another country and later decides to remain in this state shall, within 48 hours after the date upon which the sexual offender indicated he or she would leave this state, report in person to the sheriff's office ~~sheriff~~ to which the sexual offender reported the intended change of ~~permanent, temporary, or transient~~ residence or intended international travel, and report his or her intent to remain in this state. The sheriff shall promptly report this information to the department. A sexual offender who reports his or her intent to establish a permanent, temporary, or transient residence in another state, a jurisdiction other than the State of Florida, or intent to travel to another country, but who remains in this state without reporting to the sheriff in the manner required by this subsection commits a felony of the second degree,

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CS/CS/HB 1235

2024 Legislature

1576 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1577 (9)(a) Except as otherwise specifically provided, a sexual
1578 offender who fails to register; who fails, after registration,
1579 to maintain, acquire, or renew a driver license or an
1580 identification card; who fails to provide required location
1581 information or change-of-name information; who fails to provide
1582 electronic mail addresses, Internet identifiers, and each
1583 Internet identifier's corresponding website homepage or
1584 application software name; who fails to provide all home
1585 telephone numbers and cellular telephone numbers; who fails to
1586 report any changes to employment information or changes in
1587 status at an institution of higher education; who fails to
1588 report any changes to vehicles owned, including the addition of
1589 new vehicles and changes to the make, model, color, vehicle
1590 identification number (VIN), and license tag numbers of
1591 previously reported vehicles; who fails to make a required
1592 report in connection with vacating a permanent residence; who
1593 fails to reregister as required; who fails to respond to any
1594 address verification correspondence from the department or from
1595 county or local law enforcement agencies within 3 weeks after
1596 the date of the correspondence; who knowingly provides false
1597 registration information by act or omission; or who otherwise
1598 fails, by act or omission, to ~~A sexual offender who does not~~
1599 comply with the requirements of this section commits a felony of
1600 the third degree, punishable as provided in s. 775.082, s.

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CS/CS/HB 1235

2024 Legislature

1601 775.083, or s. 775.084. Each instance of a failure to register
1602 or report changes to the required information specified in this
1603 paragraph constitutes a separate offense.

1604 (b) For a felony violation of this section, excluding
1605 subsection (13), committed on or after July 1, 2018, if the
1606 court does not impose a prison sentence, the court shall impose
1607 a mandatory minimum term of community control, as defined in s.
1608 948.001, as follows:

1609 1. For a first offense, a mandatory minimum term of 6
1610 months with electronic monitoring.

1611 2. For a second offense, a mandatory minimum term of 1
1612 year with electronic monitoring.

1613 3. For a third or subsequent offense, a mandatory minimum
1614 term of 2 years with electronic monitoring.

1615 (c) A sexual offender who commits any act or omission in
1616 violation of this section may be prosecuted for the act or
1617 omission in the county in which the act or omission was
1618 committed, in the county of the last registered address of the
1619 sexual offender, in the county in which the conviction occurred
1620 for the offense or offenses that meet the criteria for
1621 designating a person as a sexual offender, in the county where
1622 the sexual offender was released from incarceration, or in the
1623 county of the intended address of the sexual offender as
1624 reported by the offender prior to his or her release from
1625 incarceration.

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CS/CS/HB 1235

2024 Legislature

(d) An arrest on charges of failure to register when the offender has been provided and advised of his or her statutory obligations to register under subsection (2), the service of an information or a complaint for a violation of this section, or an arraignment on charges for a violation of this section constitutes actual notice of the duty to register. A sexual offender's failure to immediately register as required by this section following such arrest, service, or arraignment constitutes grounds for a subsequent charge of failure to register. A sexual offender charged with the crime of failure to register who asserts, or intends to assert, a lack of notice of the duty to register as a defense to a charge of failure to register shall immediately register as required by this section. A sexual offender who is charged with a subsequent failure to register may not assert the defense of a lack of notice of the duty to register. Registration following such arrest, service, or arraignment is not a defense and does not relieve the sexual offender of criminal liability for the failure to register.

(10) The department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, the Department of Juvenile Justice, any law enforcement agency in this state, and the personnel of those departments; an elected or appointed official, public employee, or school administrator; or an employee, agency, or any individual or entity acting at the request or upon the direction of any law enforcement agency is

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CS/CS/HB 1235

2024 Legislature

immune from civil liability for damages for good faith compliance with the requirements of this section or for the release of information under this section, and shall be presumed to have acted in good faith in compiling, recording, reporting, or releasing the information. The presumption of good faith is not overcome if a technical or clerical error is made by the department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, the Department of Juvenile Justice, the personnel of those departments, or any individual or entity acting at the request or upon the direction of any of those departments in compiling or providing information, or if information is incomplete or incorrect because a sexual offender fails to report or falsely reports his or her current place of permanent, temporary, or transient residence.

(11) Except as provided in s. 943.04354, a sexual offender shall maintain registration with the department for the duration of his or her life unless the sexual offender has received a full pardon or has had a conviction set aside in a postconviction proceeding for any offense that meets the criteria for classifying the person as a sexual offender for purposes of registration. However, a sexual offender shall be considered for removal of the requirement to register as a sexual offender only if the person:

(a)1. Has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 25

ENROLLED

CS/CS/HB 1235

2024 Legislature

years and has not been arrested for any felony or misdemeanor offense since release, provided that the sexual offender's requirement to register was not based upon an adult conviction:

- a. For a violation of s. 787.01 or s. 787.02;
- b. For a violation of s. 794.011, excluding s. 794.011(10);
- c. For a violation of s. 800.04(4)(a)2. where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;
- d. For a violation of s. 800.04(5)(b);
- e. For a violation of s. 800.04(5)(c)2. where the court finds the offense involved the use of force or coercion and unclothed genitals or genital area;
- f. For a violation of s. 825.1025(2)(a);
- g. For any attempt or conspiracy to commit any such offense;
- h. For a violation of similar law of another jurisdiction;

or

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

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

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CS/CS/HB 1235

2024 Legislature

1701 circuit:

1702 a. Where the conviction or adjudication occurred, for a
1703 conviction in this state;

1704 b. Where the sexual offender resides, for a conviction of
1705 a violation of similar law of another jurisdiction; or

1706 c. Where the sexual offender last resided, for a sexual
1707 offender with a conviction of a violation of similar law of
1708 another jurisdiction who no longer resides in this state.

1709 3. The court may grant or deny relief if the offender
1710 demonstrates to the court that he or she has not been arrested
1711 for any crime since release; the requested relief complies with
1712 the federal Adam Walsh Child Protection and Safety Act of 2006
1713 and any other federal standards applicable to the removal of
1714 registration requirements for a sexual offender or required to
1715 be met as a condition for the receipt of federal funds by the
1716 state; and the court is otherwise satisfied that the offender is
1717 not a current or potential threat to public safety. The
1718 department and the state attorney in the circuit in which the
1719 petition is filed must be given notice of the petition at least
1720 3 weeks before the hearing on the matter. The department and the
1721 state attorney may present evidence in opposition to the
1722 requested relief or may otherwise demonstrate the reasons why
1723 the petition should be denied. If the court denies the petition,
1724 the court may set a future date at which the sexual offender may
1725 again petition the court for relief, subject to the standards

ENROLLED

CS/CS/HB 1235

2024 Legislature

for relief provided in this subsection.

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

(b) Maintains ~~As defined in sub-subparagraph (1)(h)1.b.~~ must maintain registration with the department as described in sub-subparagraph (1)(h)1.b. for the duration of his or her life until the person provides the department with an order issued by the court that designated the person as a sexual predator, as a sexually violent predator, or any other ~~by another~~ sexual offender designation in the state or jurisdiction in which the order was issued which states that such designation has been removed or demonstrates to the department that such designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, ~~and~~ provided that such person no longer meets the criteria for registration as a sexual offender under the laws of this state. To qualify for removal of the registration requirements under this paragraph, a sexual offender described in sub-subparagraph (1)(h)1.b. must establish that his or her designation has been removed and establish that he or she does not meet the criteria for registration under any

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CS/CS/HB 1235

2024 Legislature

1751 other sub-subparagraph under subparagraph (1) (h) 1.

1752 (12) The Legislature finds that sexual offenders,
1753 especially those who have committed offenses against minors,
1754 often pose a high risk of engaging in sexual offenses even after
1755 being released from incarceration or commitment and that
1756 protection of the public from sexual offenders is a paramount
1757 government interest. Sexual offenders have a reduced expectation
1758 of privacy because of the public's interest in public safety and
1759 in the effective operation of government. Releasing information
1760 concerning sexual offenders to law enforcement agencies and to
1761 persons who request such information, and the release of such
1762 information to the public by a law enforcement agency or public
1763 agency, will further the governmental interests of public
1764 safety. The designation of a person as a sexual offender is not
1765 a sentence or a punishment but is simply the status of the
1766 offender which is the result of a conviction for having
1767 committed certain crimes.

1768 (13) Any person who has reason to believe that a sexual
1769 offender is not complying, or has not complied, with the
1770 requirements of this section and who, with the intent to assist
1771 the sexual offender in eluding a law enforcement agency that is
1772 seeking to find the sexual offender to question the sexual
1773 offender about, or to arrest the sexual offender for, his or her
1774 noncompliance with the requirements of this section:

1775 (a) Withholds information from, or does not notify, the

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CS/CS/HB 1235

2024 Legislature

law enforcement agency about the sexual offender's noncompliance with the requirements of this section, and, if known, the whereabouts of the sexual offender;

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

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

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

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

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

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

1. Section 787.01 or s. 787.02 where the victim is a minor;

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

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CS/CS/HB 1235

2024 Legislature

1801 3. Section 800.04(4)(a)2. where the court finds the
1802 offense involved a victim under 12 years of age or sexual
1803 activity by the use of force or coercion;

1804 4. Section 800.04(5)(b);

1805 5. Section 800.04(5)(c)1. where the court finds
1806 molestation involving unclothed genitals or genital area;

1807 6. Section 800.04(5)(c)2. where the court finds
1808 molestation involving the use of force or coercion and unclothed
1809 genitals or genital area;

1810 7. Section 800.04(5)(d) where the court finds the use of
1811 force or coercion and unclothed genitals or genital area;

1812 8. Section 825.1025(2)(a);

1813 9. Any attempt or conspiracy to commit such offense;

1814 10. A violation of a similar law of another jurisdiction;
1815 or

1816 11. A violation of a similar offense committed in this
1817 state which has been redesignated from a former statute number
1818 to one of those listed in this paragraph,
1819
1820 must reregister each year during the month of the sexual
1821 offender's birthday and every third month thereafter.

1822 (c) The sheriff's office may determine the appropriate
1823 times and days for reporting by the sexual offender, which must
1824 be consistent with the reporting requirements of this
1825 subsection. Reregistration must include any changes to the

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CS/CS/HB 1235

2024 Legislature

following information:

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

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

ENROLLED

CS/CS/HB 1235

2024 Legislature

1851 education in this state, the sexual offender shall also provide
1852 to the department the name, address, and county of each
1853 institution, including each campus attended, and the sexual
1854 offender's enrollment, volunteer, or employment status.

1855 3. If the sexual offender's place of residence is a motor
1856 vehicle, trailer, mobile home, or manufactured home, as those
1857 terms are defined in chapter 320, the sexual offender shall also
1858 provide the vehicle identification number (VIN); the license tag
1859 number; the registration number; and a description, including
1860 color scheme, of the motor vehicle, trailer, mobile home, or
1861 manufactured home. If the sexual offender's place of residence
1862 is a vessel, live-aboard vessel, or houseboat, as those terms
1863 are defined in chapter 327, the sexual offender shall also
1864 provide the hull identification number; the manufacturer's
1865 serial number; the name of the vessel, live-aboard vessel, or
1866 houseboat; the registration number of the vessel, live-aboard
1867 vessel, or houseboat; and a description, including color scheme,
1868 of the vessel, live-aboard vessel, or houseboat.

1869 ~~4. Any sexual offender who fails to report in person as~~
1870 ~~required at the sheriff's office, who fails to respond to any~~
1871 ~~address verification correspondence from the department within 3~~
1872 ~~weeks of the date of the correspondence, who fails to report all~~
1873 ~~electronic mail addresses and all Internet identifiers, and each~~
1874 ~~Internet identifier's corresponding website homepage or~~
1875 ~~application software name, or who knowingly provides false~~

ENROLLED

CS/CS/HB 1235

2024 Legislature

1876 ~~registration information by act or omission commits a felony of~~
1877 ~~the third degree, punishable as provided in s. 775.082, s.~~
1878 ~~775.083, or s. 775.084.~~

1879 (d) The sheriff's office shall, ~~within 2 working days,~~
1880 electronically submit to and update with the department, in a
1881 manner prescribed by the department, all such information within
1882 2 business days after ~~provided by~~ the sexual offender provides
1883 it to the sheriff's office ~~department in a manner prescribed by~~
1884 ~~the department.~~

1885 Section 3. For the purpose of incorporating the amendment
1886 made by this act to section 775.21, Florida Statutes, in a
1887 reference thereto, paragraph (d) of subsection (1) of section
1888 944.606, Florida Statutes, is reenacted to read:

1889 944.606 Sexual offenders; notification upon release.—

1890 (1) As used in this section, the term:

1891 (d) "Permanent residence," "temporary residence," and
1892 "transient residence" have the same meaning as provided in s.
1893 775.21.

1894 Section 4. For the purpose of incorporating the amendment
1895 made by this act to section 943.0435, Florida Statutes, in a
1896 reference thereto, paragraph (b) of subsection (1) of section
1897 1012.467, Florida Statutes, is reenacted to read:

1898 1012.467 Noninstructional contractors who are permitted
1899 access to school grounds when students are present; background
1900 screening requirements.—

ENROLLED

CS/CS/HB 1235

2024 Legislature

1901 (1) As used in this section, the term:
1902 (b) "Convicted" has the same meaning as in s. 943.0435.
1903 Section 5. For the purpose of incorporating the amendments
1904 made by this act to sections 775.21 and 943.0435, Florida
1905 Statutes, in references thereto, subsection (4) of section
1906 320.02, Florida Statutes, is reenacted to read:
1907 320.02 Registration required; application for
1908 registration; forms.—
1909 (4) Except as provided in ss. 775.21, 775.261, 943.0435,
1910 944.607, and 985.4815, the owner of any motor vehicle registered
1911 in the state shall notify the department in writing of any
1912 change of address within 30 days of such change. The
1913 notification shall include the registration license plate
1914 number, the vehicle identification number (VIN) or title
1915 certificate number, year of vehicle make, and the owner's full
1916 name.
1917 Section 6. For the purpose of incorporating the amendments
1918 made by this act to sections 775.21 and 943.0435, Florida
1919 Statutes, in references thereto, section 775.25, Florida
1920 Statutes, is reenacted to read:
1921 775.25 Prosecutions for acts or omissions.—A sexual
1922 predator or sexual offender who commits any act or omission in
1923 violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s.
1924 944.607, or former s. 947.177 may be prosecuted for the act or
1925 omission in the county in which the act or omission was

ENROLLED

CS/CS/HB 1235

2024 Legislature

committed, in the county of the last registered address of the sexual predator or sexual offender, in the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual predator or sexual offender, in the county where the sexual predator or sexual offender was released from incarceration, or in the county of the intended address of the sexual predator or sexual offender as reported by the predator or offender prior to his or her release from incarceration. In addition, a sexual predator may be prosecuted for any such act or omission in the county in which he or she was designated a sexual predator.

Section 7. For the purpose of incorporating the amendments made by this act to sections 775.21 and 943.0435, Florida Statutes, in references thereto, subsection (1) of section 938.10, Florida Statutes, is reenacted to read:

938.10 Additional court cost imposed in cases of certain crimes.—

(1) If a person pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, any offense against a minor in violation of s. 784.085, chapter 787, chapter 794, former s. 796.03, former s. 796.035, s. 800.04, chapter 827, s. 847.012, s. 847.0133, s. 847.0135(5), s. 847.0138, s. 847.0145, s. 893.147(3), or s. 985.701, or any offense in violation of s. 775.21, s. 823.07, s. 847.0125, s. 847.0134, or s. 943.0435, the court shall impose a court cost of \$151 against the offender in

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CS/CS/HB 1235

2024 Legislature

addition to any other cost or penalty required by law.

Section 8. For the purpose of incorporating the amendments made by this act to sections 775.21 and 943.0435, Florida Statutes, in references thereto, paragraph (a) of subsection (4) and subsection (9) of section 944.607, Florida Statutes, are reenacted to read:

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

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

(a) The sexual offender shall provide his or her name; date of birth; social security number; race; sex; height; weight; hair and eye color; tattoos or other identifying marks; all electronic mail addresses and Internet identifiers required to be provided pursuant to s. 943.0435(4)(e); employment information required to be provided pursuant to s. 943.0435(4)(e); all home telephone numbers and cellular telephone numbers required to be provided pursuant to s. 943.0435(4)(e); the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; permanent or legal residence and address of temporary residence

ENROLLED

CS/CS/HB 1235

2024 Legislature

1976 within the state or out of state while the sexual offender is
1977 under supervision in this state, including any rural route
1978 address or post office box; if no permanent or temporary
1979 address, any transient residence within the state; and address,
1980 location or description, and dates of any current or known
1981 future temporary residence within the state or out of state. The
1982 sexual offender shall also produce his or her passport, if he or
1983 she has a passport, and, if he or she is an alien, shall produce
1984 or provide information about documents establishing his or her
1985 immigration status. The sexual offender shall also provide
1986 information about any professional licenses he or she has. The
1987 Department of Corrections shall verify the address of each
1988 sexual offender in the manner described in ss. 775.21 and
1989 943.0435. The department shall report to the Department of Law
1990 Enforcement any failure by a sexual predator or sexual offender
1991 to comply with registration requirements.

1992 (9) A sexual offender, as described in this section, who
1993 is under the supervision of the Department of Corrections but
1994 who is not incarcerated shall, in addition to the registration
1995 requirements provided in subsection (4), register and obtain a
1996 distinctive driver license or identification card in the manner
1997 provided in s. 943.0435(3), (4), and (5), unless the sexual
1998 offender is a sexual predator, in which case he or she shall
1999 register and obtain a distinctive driver license or
2000 identification card as required under s. 775.21. A sexual

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CS/CS/HB 1235

2024 Legislature

2001 offender who fails to comply with the requirements of s.
 2002 943.0435 is subject to the penalties provided in s. 943.0435(9).
 2003 Section 9. For the purpose of incorporating the amendments
 2004 made by this act to sections 775.21 and 943.0435, Florida
 2005 Statutes, in references thereto, paragraphs (a) and (d) of
 2006 subsection (1) of section 985.481, Florida Statutes, are
 2007 reenacted to read:
 2008 985.481 Sexual offenders adjudicated delinquent;
 2009 notification upon release.—
 2010 (1) As used in this section:
 2011 (a) "Convicted" has the same meaning as provided in s.
 2012 943.0435.
 2013 (d) "Permanent residence," "temporary residence," and
 2014 "transient residence" have the same meaning as provided in s.
 2015 775.21.
 2016 Section 10. For the purpose of incorporating the
 2017 amendments made by this act to sections 775.21 and 943.0435,
 2018 Florida Statutes, in references thereto, paragraphs (b) and (f)
 2019 of subsection (1) and subsection (9) of section 985.4815,
 2020 Florida Statutes, are reenacted to read:
 2021 985.4815 Notification to Department of Law Enforcement of
 2022 information on juvenile sexual offenders.—
 2023 (1) As used in this section, the term:
 2024 (b) "Conviction" has the same meaning as provided in s.
 2025 943.0435.

ENROLLED

CS/CS/HB 1235

2024 Legislature

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

(9) A sexual offender, as described in this section, who is under the care, jurisdiction, or supervision of the department but who is not incarcerated shall, in addition to the registration requirements provided in subsection (4), register in the manner provided in s. 943.0435(3), (4), and (5), unless the sexual offender is a sexual predator, in which case he or she shall register as required under s. 775.21. A sexual offender who fails to comply with the requirements of s. 943.0435 is subject to the penalties provided in s. 943.0435(9).

Section 11. This act shall take effect October 1, 2024.