

Committee on Criminal Justice

CS/CS/HB 1235 — Sexual Predators and Sexual Offenders

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Baker and others
(CS/SB 1230 by Appropriations Committee on Criminal and Civil Justice and Senator Bradley)

The bill amends both s. 775.21, F.S., (sexual predators), and s. 943.0435, F.S., (sexual offenders), to:

- Remove references to “a sanction” in the definition of the terms conviction and convicted.
- Specify that certain sexual predators and sexual offenders must provide the registration number for a vessel, live-aboard vessel, or houseboat.
- Authorize sexual predators and sexual offenders to report to the Florida Department of Law Enforcement (FDLE) or through the FDLE’s online system within a specified timeframe after changes to vehicle information.
- Require sexual predators and sexual offenders to register all changes in vehicles owned.
- Require that a sexual predator or sexual offender report in person to the sheriff’s office in the county of current residence at least 48 hours before the date the person intends to leave this state to establish residence in another state or jurisdiction, or at least 21 days before the intended travel date for any travel outside the United States. Any travel not known at least 48 hours before the person intends to establish a residence in another state or jurisdiction or 21 days before departure for travel outside the United States must be reported to the sheriff’s office as soon as possible before departure.
- Specify that the FDLE must notify the intended country of travel of such travel.
- Establish that transient check-in information shall be gathered by each sheriff’s office in a manner set forth by the FDLE, rather than each sheriff’s office determining how to conduct check-ins. The sheriff’s office must electronically submit to the FDLE such information within 2 business days after the sexual predator or sexual offender provides it to the sheriff’s office.
- Require sexual predators and sexual offenders to respond to any address verification correspondence from the FDLE or from county or local law enforcement agencies within three weeks after the date of the correspondence, rather than only from the FDLE.
- Specify that each instance of failure to register or report changes to the required information specified constitutes a separate offense.

Section 775.21, F.S., defines the types of residences of a sexual predator or sexual offender by the number of days that he or she is present at the location. However, s. 775.21, F.S., did not define how “a day” is calculated. The bill amends the terms “permanent residence,” “temporary residence,” and “transient residence” to specify that the first day a person lives, remains, or is located in a place is excluded from the calculation and each subsequent day is counted.

The bill further amends s. 775.21, F.S., to specify that certain sexual predators must meet criteria provided in s. 943.0435, F.S., to qualify for removal of certain registration requirements.

The bill amends s. 943.0435, F.S., to require the FDLE be notified of a petition by a sexual offender for relief of his or her registration requirements and permits the FDLE to present evidence at a hearing for such relief. Certain eligible offenders must show that they do not meet any other qualifying criteria that would require him or her to register as a sexual offender.

The bill amends s. 943.0435, F.S., to:

- Require the local jail to register sexual offenders in their custody within certain time frames; and
- Require jail custodians to take digital photographs of sexual offenders in their custody, provide those photographs to the FDLE, and notify the FDLE if the sexual offender escapes or dies.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2024.

Vote: Senate 35-0; House 116-0