

Committee Substitute for Senate Bill No. 508

An act relating to sexual offenders and predators; amending s. 775.21, F.S.; redefining the terms “permanent residence” and “temporary residence” in order to reduce the number of consecutive days and days in the aggregate that constitute the residence of a sexual predator for purposes of requirements that the predator register with the Department of Law Enforcement, the sheriff’s office, or the Department of Corrections; amending s. 948.063, F.S.; revising provisions relating to violations of probation or community control by designated sexual offenders and sexual predators; providing an effective date.

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

Section 1. Paragraphs (f) and (g) of subsection (2) of section 775.21, Florida Statutes, are amended to read:

775.21 The Florida Sexual Predators Act.—

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

(f) “Permanent residence” means a place where the person abides, lodges, or resides for 5 14 or more consecutive days.

(g) “Temporary residence” means a place where the person abides, lodges, or resides for a period of 5 14 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; or a place where the person routinely abides, lodges, or resides for a period of 4 or more consecutive or nonconsecutive days in any month and which is not the person’s permanent residence, including any out-of-state address.

Section 2. Section 948.063, Florida Statutes, is amended to read:

948.063 Violations of probation or community control by designated sexual offenders and sexual predators.—

(1) If probation or community control for any felony offense is revoked by the court pursuant to s. 948.06(2)(e) and the offender is designated as a sexual offender pursuant to s. 943.0435 or s. 944.607 or as a sexual predator pursuant to s. 775.21 for unlawful sexual activity involving a victim 15 years of age or younger and the offender is 18 years of age or older, and if the court imposes a subsequent term of supervision following the revocation of probation or community control, the court must order electronic monitoring as a condition of the subsequent term of probation or community control.

(2) If the probationer or offender is required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435 or s. 944.607

for unlawful sexual activity involving a victim 15 years of age or younger and the probationer or offender is 18 years of age or older and has violated the conditions of his or her probation or community control, but the court does not revoke the probation or community control, the court shall nevertheless modify the probation or community control to include electronic monitoring for any probationer or offender not then subject to electronic monitoring.

Section 3. This act shall take effect July 1, 2006.

Approved by the Governor June 20, 2006.

Filed in Office Secretary of State June 20, 2006.