

1 ~~(1)~~ Been convicted within the last seven (7) years of a felony, or been released
2 from incarceration from a prison within the last six (6) months as a result of
3 a felony conviction as shown on any publicly accessible website made
4 available by any state or federal Department of Corrections or similar
5 governmental agency unless their civil or residency rights have been
6 restored;

7 ~~(2)~~ (1) Been convicted of any criminal offense involving moral turpitude relating to
8 sex crimes; the use of a deadly weapon; homicide; violent offense against
9 a law enforcement officer under Section 775.0823, Florida Statutes; sexual
10 misconduct with certain developmentally disabled clients and reporting of
11 such sexual misconduct under Section 393.135, Florida Statutes; sexual
12 misconduct with certain mental health patients and reporting of such sexual
13 misconduct under Section 394.4593, Florida Statutes; manslaughter,
14 aggravated manslaughter of an elderly person or disabled adult, or
15 aggravated manslaughter of a child under Section 782.07, Florida Statutes;
16 vehicular homicide under Section 782.071, Florida Statutes; killing of an
17 unborn child by injury to the mother under Section 782.09, Florida Statutes;
18 any offense under Section 784.048, Florida Statutes; kidnapping under
19 Section 787.01, Florida Statutes; false imprisonment under Section 787.02,
20 Florida Statutes; sexual battery under Section 794.011, Florida Statutes;
21 unlawful sexual activity with certain minors under Section 794.05,
22 Florida Statutes; lewd or lascivious offenses committed upon or in the
23 presence of an elderly person or disabled adult under Section 825.1025,

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1 Florida Statutes; sexual performance by a child under Section 827.071,
2 Florida Statutes; sexual misconduct with certain forensic clients and
3 reporting of such sexual misconduct under Section 916.1075,
4 Florida Statutes; inflicting cruel or inhuman treatment on an inmate resulting
5 in great bodily harm under Section 944.35(3), Florida Statutes; sexual
6 misconduct in juvenile justice programs under Section 985.701,
7 Florida Statutes; theft, robbery, or related crimes under Chapter 812,
8 Florida Statutes; offenses involving abuse and exploitation of elderly
9 persons under Chapter 825, Florida Statutes; burglary and felony trespass
10 offenses under Chapter 810, Florida Statutes; or been adjudicated a
11 habitual violent felony offender under Section 775.084, Florida Statutes; or
12 (3) (2) Been convicted of any other offense, involving moral turpitude (unrelated to
13 sex crimes) including, but not limited to, drug offenses to the extent they
14 may be considered under Section 775.16, Florida Statutes, when, in the
15 discretion of the ECPD Director, approval of such license or registration
16 would constitute a threat to the health, welfare, or safety of the public or
17 property.

Commented [SA1]: Changed for Commissioner Ryan.

18 (e) (f) An applicant who was working as a locksmith or owned a locksmith
19 business on December 31, 2019 ("Active Locksmith"), and was convicted of a
20 disqualifying offense as described in Subsection (e) before the date this ordinance takes
21 effect, may, while the application is pending before ECPD, present evidence to ECPD
22 that the applicant or applicable individual has been rehabilitated and that such conviction
23 should therefore not preclude approval of the application. In such event, a locksmith

Commented [SA2]: Changed for Commissioner Ryan.

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1 license or locksmith business registration may, in ECPD's discretion, either be denied or
2 may be issued by ECPD subject to such conditions, limitations, and restrictions imposed
3 by ECPD as ECPD deems necessary to protect the public, provided such conditions,
4 limitations, and restrictions are consistent with the purpose and provisions of this division.
5 A violation of such a condition, limitation, or restriction imposed by ECPD shall be a
6 violation of this division, and may be cause for suspension or revocation of a license or
7 registration. In determining whether to grant a license or registration to an Active
8 ~~Locksmith~~ individual with an otherwise disqualifying offense, ECPD shall consider the
9 following factors:

Commented [SA3]: Changed for Commissioner Ryan.

- 10 (1) The level of seriousness of the offense;
- 11 (2) The date of the offense, considering that offenses committed more than
12 seven (7) years before the date of the application should be given reduced
13 weight unless the individual re-offended or the offense was a sex crime;
- 14 (3) The age of the individual at the time of the conviction;
- 15 (4) The circumstances surrounding the commission of the offense, if known;
- 16 (5) The nexus between the criminal conduct of the individual and the provision
17 of locksmithing services;
- 18 (6) The individual's prison, jail, probation, parole, rehabilitation, and
19 employment records since the date of conviction; and
- 20 (7) The subsequent commission by the individual of an offense listed in
21 Subsection (e) of this section.

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