

**Florida Action Committee, Inc.
6615 W Boynton Beach Blvd #414
Boynton Beach, FL 33437**

December 1, 2025

**PETITION FOR DECLARATORY STATEMENT
PURSUANT TO § 120.565, FLORIDA STATUTES**

Petitioner:

Florida Action Committee, Inc.
Attn: [REDACTED]
6615 W Boynton Beach Blvd #414
Boynton Beach, FL 33437

Respondent:

Florida Department of Law Enforcement
Attn: Office of General Counsel
P.O. Box 1489
Tallahassee, FL 32302-1489

I. INTRODUCTION

Pursuant to section 120.565, Florida Statutes, Petitioner respectfully requests that FDLE issue a Declaratory Statement regarding the applicability and interpretation of Florida's sexual offender registration statute, specifically § 943.0435, Florida Statutes, as it relates to the reporting of manufactured homes and mobile homes.

Section 120.565 of the Administrative Procedures Act authorizes any "substantially affected person" to request an agency's opinion on how a statute, rule, or order applies in particular circumstances.

Petitioner is substantially affected by FDLE's interpretation of the statute at issue, because the Florida Action Committee is a 3000+ member non-profit organization, whose members include individuals who are required to register as sexual offenders and predators in Florida. The current interpretation is unclear to our members and interpreted differently by different Sheriff's Offices across the state. FDLE's interpretation will provide guidance as to the correct enforcement of the statute so that this organization can share this information with impacted persons.

II. STATUTORY PROVISIONS AT ISSUE

This Petition concerns the interpretation and application of §943.0435, Florida Statutes (sexual offender registration requirements – but would also apply to the predator statute) with respect to the reporting of mobile homes and manufactured homes that do not operate on Florida Roadways as a “residence”, rather than as a “vehicle owned”.

The statute cites to the definition of a manufactured home as “a mobile home fabricated on or after June 15, 1976, in an offsite manufacturing facility for installation or assembly at the building site.”

III. STATEMENT OF FACTS AND CIRCUMSTANCES

The manufactured homes and mobile homes that are the subject of this Petition are *not* used as vehicles for transportation. Rather, they are permanently installed at a fixed location and are used as residences.

Recently, more than seventeen (17) individuals in Highlands County, Florida were arrested for allegedly failing to register manufactured or mobile homes. To be clear, these structures were not RVs, campers, or motor vehicles in any way capable of operating on public roadways; instead, they were fixed, stationary residences. These individuals had already reported these homes as permanent or temporary residences under §943.0435.

Following the arrests, The Florida Action Committee has received dozens of inquiries from members who are concerned and seeking guidance. Our efforts to solicit an answer have provided inconsistent responses depending on the County and the person giving the opinion.

As a result, individuals attempting good-faith compliance are subject to criminal exposure, due to what appears to be a redundant and arbitrary application of the statute.

The intent of the vehicle reporting requirement is to capture information on vehicles that a registrant may operate (e.g., motor vehicles, RVs), so law enforcement has a record of what vehicles might match a description used in investigations. A manufactured or mobile home used as a fixed residence does not serve that investigative purpose—because it does not travel on public roads and cannot function as a typical “vehicle.”

IV. QUESTIONS PRESENTED

The Florida Action Committee, Inc. respectfully requests that FDLE issue a Declaratory Statement answering the following questions:

- Does a manufactured home or mobile home that is permanently installed at a fixed location and used as a residence constitute a vehicle that must be separately reported under § 943.0435, Florida Statutes? Would the fact that the home never moved from the location throughout the duration of the individual’s registration have any bearing on this determination?

- If such a home is already properly reported as a registrant’s permanent or temporary residence, does that sufficiently satisfy the reporting requirement or does it require a second or separate reporting?
- What criteria does FDLE use to determine what parts of a structure that are “fabricated” in an “offsite manufacturing facility for installation or assembly at the building site” qualifies it as a manufactured home under the registration statute? For example, would a home made of concrete blocks, pre-fab windows and doors, and pre-formed roofing tiles – all fabricated off-site and delivered to the lot – qualify as a manufactured home?
- Does FDLE maintain any written policy, guidance, or internal memorandum directing law enforcement agencies or registrants on this issue?

V. PURPOSE OF THIS PETITION

The purpose of this Petition is to obtain a formal, official clarification of FDLE’s interpretation of this subsection of Florida Statutes — so that registrants, law enforcement agencies, and courts throughout Florida have a clear, rational, and uniform understanding of their rights and obligations. Without such clarification, individuals remain at risk of unjust arrest or prosecution under an unclear or arbitrary interpretation of the statute.

Respectfully submitted this 1st day of December 2025.

[REDACTED]
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