

By Senator Bradley

7-00389-14

2014254__

1 A bill to be entitled
2 An act relating to indecent exposure; amending s.
3 800.03, F.S.; increasing the classification of second
4 and subsequent violations of the provision prohibiting
5 unlawful exposure of sexual organs; amending s.
6 901.15, F.S.; authorizing an arrest without a warrant
7 if there is probable cause to believe that a person
8 has committed an exposure of sexual organs in
9 violation of specified provisions; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 800.03, Florida Statutes, is amended to
15 read:

16 800.03 Exposure of sexual organs.—

17 (1) It is unlawful to expose or exhibit one's sexual organs
18 in public or on the private premises of another, or so near
19 thereto as to be seen from such private premises, in a vulgar or
20 indecent manner, or to be naked in public except in any place
21 provided or set apart for that purpose. ~~Violation of this~~
22 ~~section is a misdemeanor of the first degree, punishable as~~
23 ~~provided in s. 775.082 or s. 775.083.~~ A mother's breastfeeding
24 of her baby does not under any circumstance violate this
25 section.

26 (2) A person who violates this section commits:

27 (a) For a first offense, a misdemeanor of the first degree,
28 punishable as provided in s. 775.082 or s. 775.083.

29 (b) For a second or subsequent offense, a felony of the

7-00389-14

2014254__

30 third degree, punishable as provided in s. 775.082, s. 775.083,
31 or s. 775.084.

32 Section 2. Paragraph (d) is added to subsection (9) of
33 section 901.15, Florida Statutes, to read:

34 901.15 When arrest by officer without warrant is lawful.—A
35 law enforcement officer may arrest a person without a warrant
36 when:

37 (9) There is probable cause to believe that the person has
38 committed:

39 (d) An exposure of sexual organs in violation of s. 800.03.

40 Section 3. This act shall take effect October 1, 2014.